87R1851 TSS-F

By:  González of Dallas H.B. No. 483

A BILL TO BE ENTITLED

AN ACT

relating to voter registration.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Sections 13.004(a) and (d), Election Code, are amended to read as follows:

(a)  The registrar may not transcribe, copy, or otherwise record a telephone number or e-mail address furnished on a registration application.

(d)  The voter registrar or other county official who has access to the information furnished on a registration application may not post the following information on a website:

(1)  a telephone number or e-mail address;

(2)  a social security number;

(3)  a driver's license number or a number of a personal identification card;

(4)  a date of birth; or

(5)  the residence address of a voter who submits documentation under Subsection (c)(6), (7), (8), or (9) [~~(c)(5), (6), (7), or (8)~~] to the voter registrar or regarding whom the registrar has received notification under Section 15.0215.

SECTION 2.  Section 13.004(c), Election Code, as amended by Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(c)  The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

(1)  a social security number;

(2)  a Texas driver's license number;

(3)  a number of a personal identification card issued by the Department of Public Safety;

(4)  an indication that an applicant is interested in working as an election judge;

(5)  a telephone number or e-mail address;

(6)  the residence address of the applicant, if the applicant is a federal judge or state judge, the spouse of a federal judge or state judge, the spouse of a peace officer as defined by Article 2.12, Code of Criminal Procedure, or an individual to whom Section 552.1175, Government Code, or Section 521.1211, Transportation Code, applies and the applicant:

(A)  included an affidavit with the registration application describing the applicant's status under this subdivision, if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge;

(B)  provided the registrar with an affidavit describing the applicant's status under this subdivision, if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge; or

(C)  provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision;

(7) [~~(6)~~]  the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence as defined by Section 71.004, Family Code, who provided the registrar with:

(A)  a copy of a protective order issued under Chapter 85, Family Code, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence;

(8) [~~(7)~~]  the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons who provided the registrar with:

(A)  a copy of a protective order issued under Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons;

(9) [~~(8)~~]  the residence address of the applicant, if the applicant:

(A)  is a participant in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure; and

(B)  provided the registrar with proof of certification under Article 58.059, Code of Criminal Procedure; or

(10) [~~(9)~~]  the telephone number of any applicant submitting documentation under Subdivision (6), (7), (8), or (9) [~~(5), (6), (7), or (8)~~].

SECTION 3.  Subchapter A, Chapter 84, Election Code, is amended by adding Section 84.0022 to read as follows:

Sec. 84.0022.  CONFIDENTIALITY AND USE OF CERTAIN INFORMATION. Information included on an application for a ballot to be voted by mail is subject to Section 13.004 in the same manner as that section applies to an application to register to vote.

SECTION 4.  Subchapter A, Chapter 84, Election Code, is amended by adding Section 84.0075 to read as follows:

Sec. 84.0075.  SUBMITTING APPLICATION FOR BALLOT VOTED BY MAIL TO VOTER REGISTRAR. (a) Notwithstanding the other provisions of this subchapter, an applicant for a ballot to be voted by mail who is not registered to vote may submit an application for a ballot to be voted by mail and an application for voter registration to the voter registrar.

(b)  If the registrar approves the application for voter registration under Title 2, the registrar shall forward the application for a ballot to be voted by mail to the early voting clerk.

(c)  For the purposes of this section, a deputy registrar must deliver an application for a ballot to be voted by mail to the registrar in the same manner as an application for voter registration.

SECTION 5.  Section 84.011(a), Election Code, is amended to read as follows:

(a)  The officially prescribed application form for an early voting ballot may combine the contents required under Section 84.002 for an early voting ballot application with an officially prescribed voter registration application form and must include:

(1)  immediately preceding the signature space the statement:  "I certify that the information given in this application is true, and I understand that giving false information in this application is a crime.";

(2)  a statement informing the applicant of the offenses prescribed by Sections 84.003 and 84.004;

(3)  spaces for entering an applicant's information to register to vote or voter registration number and county election precinct of registration, as applicable, with a statement informing the applicant that failure to furnish that information does not invalidate the application; and

(4)  on an application for a ballot to be voted by mail:

(A)  a space for an applicant applying on the ground of absence from the county of residence to indicate the date on or after which the applicant can receive mail at the address outside the county;

(B)  a space for indicating the fact that an applicant whose application is signed by a witness cannot make the applicant's mark and a space for indicating the relationship or lack of relationship of the witness to the applicant;

(C)  a space for entering an applicant's telephone number and e-mail address, with a statement informing the applicant that failure to furnish that information does not invalidate the application;

(D)  a space or box for an applicant applying on the ground of age or disability to indicate that the address to which the ballot is to be mailed is the address of a facility or relative described by Section 84.002(a)(3), if applicable;

(E)  a space or box for an applicant applying on the ground of confinement in jail to indicate that the address to which the ballot is to be mailed is the address of a relative described by Section 84.002(a)(4), if applicable;

(F)  a space for an applicant applying on the ground of age or disability to indicate if the application is an application under Section 86.0015;

(G)  spaces for entering the signature, printed name, and residence address of any person assisting the applicant;

(H)  a statement informing the applicant of the condition prescribed by Section 81.005; and

(I)  a statement informing the applicant of the requirement prescribed by Section 86.003(c).

SECTION 6.  Section 84.014, Election Code, is amended to read as follows:

Sec. 84.014.  ACTION BY EARLY VOTING CLERK ON CERTAIN APPLICATIONS. (a) If an applicant provides a date of birth, driver's license number, [~~or~~] social security number, or other information required for registration under Title 2 on the applicant's application for an early voting ballot to be voted by mail that is different from or in addition to the information maintained by the voter registrar in accordance with that title [~~Title 2~~], the early voting clerk shall notify the voter registrar.  The voter registrar shall update the voter's record with the information provided by the applicant.

(b)  The submission of an application for an early voting ballot to be voted by mail by an unregistered applicant that complies with the applicable requirements and contains the information required for registration under Title 2 constitutes registration by the applicant.

SECTION 7.  Section 86.001(e), Election Code, is amended to read as follows:

(e)  If the applicant does not have an effective voter registration for the election, the clerk shall reject the application unless:

(1)  the clerk can determine from the voter registrar that the applicant has submitted a voter registration application and the registration will be effective on election day; or

(2)  the application contains the information that is required for registration under Title 2 and the registration will be effective on election day.

SECTION 8.  The changes in law made by this Act apply to an application for a ballot to be voted by mail submitted for an election ordered on or after the effective date of this Act. An application for a ballot to be voted by mail submitted for an election ordered before the effective date of this Act is governed by the law in effect when the election was ordered, and the former law is continued in effect for that purpose.

SECTION 9.  To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 10.  This Act takes effect September 1, 2021.