87R26522 MLH-F

By:  Hughes S.B. No. 2256

A BILL TO BE ENTITLED

AN ACT

relating to federal election practices and procedures.

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

SECTION 1.  Section 31.007, Election Code, is amended to read as follows:

Sec. 31.007.  SUSPENSION OF PROVISIONS IMPLEMENTING FEDERAL LAW [~~NATIONAL VOTER REGISTRATION ACT~~]. (a) If under federal law, order, regulation, or other official action any provision of federal law regarding the registration of voters or conduct of elections, including the National Voter Registration Act of 1993 or its successors, is not required to be implemented or enforced in whole or in part, an affected state law or rule is suspended to the extent that the law or rule was enacted or adopted to implement that law [~~Act~~], and it is the intent of the legislature that the applicable law in effect immediately before the enactment or adoption be reinstated and continued in effect pending enactment of corrective state legislation.

(b)  On a finding by the secretary of state that a suspension of a law or rule has occurred under Subsection (a), the secretary may modify applicable procedures as necessary to give effect to the suspension and to reinstatement of the procedures of the former law.

(c)  The secretary of state may adopt rules to implement this section as necessary.

SECTION 2.  Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.0075 to read as follows:

Sec. 31.0075.  TEMPORARY MEASURES TO IMPLEMENT FEDERAL LAW. (a) Pending enactment of conforming state legislation, the secretary of state shall by rule, after consulting with the chair and vice chair of the standing committees of the senate and house of representatives having jurisdiction over elections, adopt procedures to conform with federal laws enacted regarding federal elections in a manner that does not substantively modify the procedures for voter registration for or conduct of elections provided in this code, other than federal elections, except as provided by this section.

(b)  In compliance with Subsection (a), to the extent federal law modifies the requirements or procedures provided in this code for voter registration in federal elections, the secretary of state shall by rule establish and maintain a federal election voter registration system in compliance with federal law. Any person registered under this system may not be eligible to vote in any election other than a federal election unless that person is qualified and registered to vote under Title 2. Any person seeking to register to vote under the federal election voter registration system established under this subsection shall be notified upon registering to vote under this system that registration to vote in federal elections does not qualify a person to vote in any other election conducted in this state unless that person registers to vote as provided by Title 2. All persons registered to vote as provided by Title 2 shall be automatically registered to vote under the federal election voter registration system established under this subsection. Any voter registration certificate issued or list of registered voters produced under the federal election voter registration system established under this subsection shall be clearly marked "Valid for federal elections only."

(c)  In compliance with Subsection (a), to the extent federal law modifies the conduct of elections for federal office in a manner that substantively conflicts with any provision of this code, notwithstanding any other provision of this code, the secretary of state shall by rule modify the uniform election dates and other associated dates and deadlines provided in this code so that no election other than an election for federal office is held on the same date as any special election for a member of Congress, a federal primary, a federal primary runoff, or a general election for federal office.

SECTION 3.  The changes in law made by this Act apply only to an application to register to vote submitted on or after the effective date of this Act.

SECTION 4.  This Act takes effect September 1, 2021.