

By: Cain

H.B. No. 329

A BILL TO BE ENTITLED

AN ACT

relating to election integrity.

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

SECTION 1. Chapter 11, Election Code, is amended by adding Section 11.0021 to read as follows:

Sec. 11.0021. MEASURES TO PREVENT NONCITIZEN VOTER REGISTRATION AND VOTING. Notwithstanding any other law, to ensure a person who is not a citizen of the United States may not register to vote or vote:

(1) at least twice each year, the secretary of state shall use the United States Department of Homeland Security database of noncitizens living in Texas to identify noncitizens whose voter registrations should be canceled and shall take all appropriate actions;

(2) the Department of Public Safety shall forward to the secretary of state the file of a person who applies for a Texas driver's license or identification card and provides on the application form that the person is not a citizen of the United States; and

(3) the secretary of state may audit a county's voter registration list to ensure a county complies with:

(A) state law; and

(B) the secretary of state's directives, including a requested deletion from a county's voter registration

1 list.

2 SECTION 2. Sections 19.002(b) and (d), Election Code, are
3 amended to read as follows:

4 (b) After June 1 of each year, the secretary of state shall
5 make payments pursuant to vouchers submitted by the registrar and
6 approved by the secretary of state in amounts determined by the
7 secretary of state based on the registrar's compliance with this
8 code and the secretary of state's directives [~~that in the aggregate~~
9 ~~do not exceed the registrar's entitlement~~]. The secretary of state
10 shall prescribe the procedures necessary to implement this
11 subsection.

12 (d) The secretary of state may not make a payment under
13 Subsection (b) if on June 1 of the year in which the payment is to be
14 made the registrar is not in substantial compliance with this code
15 or the secretary of state's directives [~~Section 15.083, 16.031,~~
16 ~~16.032, or 18.065 or with rules implementing the registration~~
17 ~~service program~~].

18 SECTION 3. Subchapter F, Chapter 32, Election Code, is
19 amended by adding Section 32.116 to read as follows:

20 Sec. 32.116. ELECTION JUDGE TRAINING. (a) The secretary of
21 state shall create an examination of election law and procedures
22 that a person must pass before serving as an election judge during
23 early voting by personal appearance or on election day. A county
24 must maintain an election judge's completed examination for at
25 least 24 months after the date of the election for which the person
26 served as an election judge as evidence of the election judge's
27 understanding of election law and procedures.

1 (b) The secretary of state shall prescribe any necessary
2 rules and take any appropriate action to implement this section.

3 SECTION 4. Section 63.0013, Election Code, is amended by
4 adding Subsection (c) to read as follows:

5 (c) The secretary of state shall investigate a voter who
6 executed a declaration of reasonable impediment under Section
7 63.001(i) with the Department of Public Safety's identification
8 database to determine whether the voter has been issued a Texas
9 driver's license or an identification card by the Department of
10 Public Safety. For each match:

11 (1) the attorney general shall, as appropriate,
12 prosecute the voter under this section or Chapter 37, Penal Code;

13 (2) the secretary of state shall make a notation on the
14 statewide computerized voter registration list and notify the
15 appropriate county election officials that the voter has, and to
16 vote must use, an identification prescribed by Section 63.0101(a);
17 and

18 (3) the attorney general shall report findings of the
19 investigation under this section to the federal Fifth Circuit Court
20 of Appeals.

21 SECTION 5. Sections 19.002(a) and 19.0025, Election Code,
22 are repealed.

23 SECTION 6. This Act takes effect September 1, 2021.