

By: Bucy

H.B. No. 856

A BILL TO BE ENTITLED

AN ACT

relating to the registration of voters at a polling place and related procedures.

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

SECTION 1. Subchapter A, Chapter 12, Election Code, is amended by adding Section 12.007 to read as follows:

Sec. 12.007. CERTAIN ELECTION OFFICERS ARE VOTER REGISTRARS. The registrar shall appoint at least one election officer serving each polling place for early voting by personal appearance or on election day as a regular deputy registrar.

SECTION 2. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. REGISTRATION AT POLLING PLACE; VOTING PROCEDURES. (a) Other applicable provisions of this code apply to the conduct of voting and to the registration of voters under this section to the extent those provisions do not conflict with this section.

(b) A person who would be eligible to vote in an election under Section 11.001, but for the requirement to be a registered voter, shall be accepted for voting at a polling place at which the person would be allowed to vote if registered if, on the day the person offers to vote, the person:

(1) submits a voter registration application that complies with Section 13.002 to a voter registrar at the polling

1 place;

2 (2) presents as proof of identification:

3 (A) a Texas driver's license, including a
4 temporary license or instruction permit, or personal
5 identification card issued to the person by the Department of
6 Public Safety that states the person's current address on the day
7 the person seeks to vote; or

8 (B) a utility bill addressed to the person dated
9 not earlier than the 30th day before the date the person seeks to
10 vote, and:

11 (i) a Texas driver's license, including a
12 temporary license or instruction permit, or personal
13 identification card issued to the person by the Department of
14 Public Safety, regardless of whether the address stated on the
15 license or card is current on the day the person seeks to vote;

16 (ii) a United States passport issued to the
17 person; or

18 (iii) a United States military
19 identification card that contains the person's photograph; and

20 (3) executes an affidavit stating that the person:

21 (A) is eligible to vote in the election; and

22 (B) is voting only once in the election.

23 (c) Persons voting under this section shall be processed
24 separately at the polling place from persons who are voting under
25 regular procedures.

26 (d) The secretary of state shall adopt rules to ensure the
27 accountability of election officers and to fairly implement this

1 section.

2 SECTION 3. Section 85.031(a), Election Code, is amended to
3 read as follows:

4 (a) For each person entitled to vote an early voting ballot
5 by personal appearance or who is entitled to register at a polling
6 place, the early voting clerk shall follow the procedure for
7 accepting a regular voter on election day, with the modifications
8 necessary for the conduct of early voting.

9 SECTION 4. The secretary of state shall adopt rules as
10 required by Section 63.010, Election Code, as added by this Act, not
11 later than February 1, 2022.

12 SECTION 5. The changes in law made by this Act apply only to
13 an election for which early voting by personal appearance begins on
14 or after February 1, 2022.

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