

By: Shaheen

H.B. No. 3066

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the verification of citizenship of an applicant for
3 voter registration.

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

5 SECTION 1. Section 13.002(a), Election Code, is amended to
6 read as follows:

7 (a) A person desiring to register to vote must submit an
8 application to the registrar of the county in which the person
9 resides. Except as provided by Subsection (e), an application must
10 be submitted by personal delivery, by mail, or by telephonic
11 facsimile machine in accordance with Section 13.143(d-2) [~~Sections~~
12 ~~13.143(d) and (d-2)~~].

13 SECTION 2. Section 13.046(f), Election Code, is amended to
14 read as follows:

15 (f) Except as provided by this subsection, Sections
16 13.039[~~13.041~~] and 13.042 apply to the submission and delivery
17 of registration applications under this section, and for that
18 purpose, "volunteer deputy registrar" in those sections includes a
19 high school deputy registrar. A high school deputy registrar may
20 review an application for completeness out of the applicant's
21 presence. A deputy may deliver a group of applications to the
22 registrar by mail in an envelope or package, and, for the purpose of
23 determining compliance with the delivery deadline, an application
24 delivered by mail is considered to be delivered at the time of its

1 receipt by the registrar.

2 SECTION 3. Section 13.071, Election Code, is amended to
3 read as follows:

4 Sec. 13.071. REVIEW OF APPLICATION. (a) The registrar
5 shall review each submitted application for registration to
6 determine whether it complies with Section 13.002 and indicates
7 that the applicant is a United States citizen eligible for
8 registration.

9 (b) If the application is submitted to the Department of
10 Public Safety in person with the proof of citizenship required by
11 Section 20.063(e), the [The] registrar shall make the determination
12 not later than the seventh day after the date the application is
13 submitted to the registrar.

14 (c) If the application is submitted in a manner other than
15 the manner described by Subsection (b), the registrar shall forward
16 the information relating to the applicant to the secretary of state
17 for determining citizenship as provided by Section 13.0721.

18 SECTION 4. Subchapter C, Chapter 13, Election Code, is
19 amended by adding Section 13.0721 to read as follows:

20 Sec. 13.0721. DETERMINATION OF CITIZENSHIP. (a) This
21 section does not apply to an application for registration submitted
22 to the Department of Public Safety in person with the proof of
23 citizenship required by Section 20.063(e).

24 (b) The secretary of state shall verify with the Department
25 of Public Safety the citizenship status of each person whose
26 information is forwarded to the secretary of state as provided by
27 Section 13.071(c) or 15.021(f). The secretary of state shall

1 notify the registrar whether the department verifies the person's
2 citizenship status, does not have information regarding the
3 citizenship status of the person, or has information indicating
4 that the person is not a citizen.

5 (c) If the Department of Public Safety does not have
6 information regarding the citizenship status of the person or has
7 information indicating that the person is not a citizen, the
8 registrar shall notify the person as provided by secretary of state
9 rule.

10 (d) A person who receives notice under Subsection (c) must
11 provide proof of citizenship to the registrar not later than the
12 60th day after the date of receipt. Except as provided by
13 Subsection (e), this proof must be presented in person. The
14 following is acceptable as proof of citizenship under this section:

15 (1) an unexpired passport issued to the person;

16 (2) a certified copy of a birth certificate or other
17 document confirming the person's birth that is admissible in a
18 court of law and establishes the person's identity, presented with
19 a government-issued identification that contains the person's
20 photograph; or

21 (3) United States citizenship papers issued to the
22 person, presented with a government-issued identification that
23 contains the person's photograph.

24 (e) A person may mail a certified copy of a document
25 described by Subsection (d)(2) or (3) with a copy of the person's
26 government-issued photo identification to the registrar.

27 (f) If a person does not provide proof of citizenship as

1 required, the registrar shall notify the secretary of state and:

2 (1) reject the person's voter registration
3 application; or

4 (2) cancel the person's registration under Section
5 16.031(c).

6 (g) The secretary of state shall keep a list of people of
7 whom the secretary receives notice under Subsection (f).

8 (h) The secretary of state shall adopt rules and prescribe
9 procedures to implement this section.

10 SECTION 5. Section 13.143(a), Election Code, is amended to
11 read as follows:

12 (a) Except as provided by Subsection [~~Subsections~~] (b) [~~and~~
13 ~~(c)~~], if an applicant's registration application is approved, the
14 registration becomes effective on the 30th day after the date the
15 application is approved [~~submitted to the registrar~~] or on the date
16 the applicant becomes 18 years of age, whichever is later.

17 SECTION 6. Section 15.021, Election Code, is amended by
18 adding Subsections (f) and (g) to read as follows:

19 (f) For a voter who continues to reside in the county in
20 which the voter is registered, the registrar shall forward the
21 notice and any information relating to the applicant in the
22 registrar's possession to the secretary of state for citizenship
23 determination as provided by Section 13.0721.

24 (g) If the registrar is notified under Section 13.0721 that
25 a voter's citizenship status has been verified, the registrar shall
26 approve the change in registration information.

27 SECTION 7. Section 15.022(a), Election Code, is amended to

1 read as follows:

2 (a) The registrar shall make the appropriate corrections in
3 the registration records, including, if necessary, deleting a
4 voter's name from the suspense list:

5 (1) after approval [~~receipt of a notice~~] of a change in
6 registration information under Section 15.021;

7 (2) after receipt of a voter's reply to a notice of
8 investigation given under Section 16.033;

9 (3) after receipt of any affidavits executed under
10 Section 63.006, following an election;

11 (4) after receipt of a voter's statement of residence
12 executed under Section 63.0011;

13 (5) before the effective date of the abolishment of a
14 county election precinct or a change in its boundary;

15 (6) after receipt of United States Postal Service
16 information indicating an address reclassification;

17 (7) after receipt of a voter's response under Section
18 15.053; or

19 (8) after receipt of a registration application or
20 change of address under Chapter 20.

21 SECTION 8. Section 15.025(a), Election Code, is amended to
22 read as follows:

23 (a) Except as provided by Subsection [~~Subsections~~] (b) [~~and~~
24 ~~(d)~~], the registration of a voter described by this subsection
25 whose information is changed on the registration records becomes
26 effective as to the change on the 30th day after:

27 (1) the date a [~~the voter submits to the registrar a~~

1 ~~notice of a~~] change in registration information under Section
2 15.021 is approved or a response under Section 15.053, indicating
3 the change is received; or

4 (2) the date the voter submits a statement of
5 residence to an election officer under Section 63.0011 or a
6 registration application or change of address to an agency employee
7 under Chapter 20, indicating the change.

8 SECTION 9. Section 16.031, Election Code, is amended by
9 adding Subsection (c) to read as follows:

10 (c) The registrar shall cancel a voter's registration if the
11 voter submitted a notice of change in registration information
12 under Section 15.021 and did not provide proof of citizenship when
13 required under Section 13.0721.

14 SECTION 10. Section 20.063, Election Code, is amended by
15 adding Subsection (e) to read as follows:

16 (e) A person who submits a voter registration application to
17 the department in person shall at the time of submission present as
18 proof of citizenship:

19 (1) an unexpired passport issued to the person;

20 (2) a certified copy of a birth certificate or other
21 document confirming the person's birth that is admissible in a
22 court of law and establishes the person's identity; or

23 (3) United States citizenship papers issued to the
24 person.

25 SECTION 11. The following provisions of the Election Code
26 are repealed:

27 (1) Section 13.041;

1 (2) Sections 13.143(d) and (e); and

2 (3) Sections 15.025(c) and (d).

3 SECTION 12. The changes in law made by this Act apply only
4 to an application to register to vote or a notice of change in
5 registration information submitted on or after the effective date
6 of this Act.

7 SECTION 13. This Act takes effect September 1, 2021.