

PUBLIC COMMENTS

HB 4251

HOUSE COMMITTEE ON ELECTIONS

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Hearing Date: April 15, 2021 8:00 AM

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Ryan Cox

Texas Civil Rights Project

San Antonio, TX

Written Comment in Opposition to House Bill 4251

The Texas Civil Rights Project opposes HB 4251 because it removes a critical part of the voter registration infrastructure of the State that has been in place since 1995, and because it will result in an immediate violation of the National Voter Registration Act (NVRA). Section 7 of the NVRA requires states to designate voter registration agencies from a list of public offices permitted as possible options, including public libraries. For nearly 30 years, public libraries have been Texas's designated option for compliance with this provision, and libraries across the state have implemented voter registration plans to provide their patrons with easy, local options for registering to vote in person. This bill would remove the requirements that public libraries must provide assistance with registration forms and that libraries must collect and timely return applications to the county voter registrar, which are both mandatory requirements for compliance with Section 7 of the NVRA. Accordingly, passage of this bill without the substitution of some other class of public offices that would be designated as voter registration agencies would result in an immediate violation of federal law.

Additionally, voter registration opportunities at public libraries provide an important resource for prospective voters because libraries are present in almost every town, big and small, across the State, allowing at least some resource for Texans who need assistance with forms and who, perhaps, lack transportation, internet access, or know-how to get similar assistance elsewhere. Especially in rural communities, public libraries may be the only such resource available to voters outside of the county registrar, and often are more geographically diverse and have much better service hours. This bill will unnecessary limit access to this resource upon which voters have depended for decades.

The Texas Civil Rights Project has engaged in conversations with dozens of libraries about their voter registration plans, and have been met with nearly universal enthusiasm about providing voter registration opportunities to library patrons. While some of these libraries have needed education about their duties as voter registration agencies, the Texas Secretary of State has provided significant resources and training materials to make compliance easy for our public libraries and permits libraries to request free printed forms through an online portal. The burden on public libraries by these rules is entirely manageable, has been handled by dedicated library professionals for nearly 3 decades, and has been supplemented by a variety of tools and resources by the Secretary of State and non-profit organizations like the Texas Civil Rights Project. We ask the committee to vote no on this bill.

Kimberly Bridges Young

Self

Crp Christi, TX

Vote yes!

JANIS REINKEN, ATTORNEY

SELF / ATTORNEY

AUSTIN, TX

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I oppose HB 4251 (Toth). It is misleading, in part because of its brevity. It is also unnecessary and would adversely impact those persons who use public libraries as a place for voter registration because the locations are physically and economically accessible. Make note of the caption of HB 4251 which states the Bill relates to public libraries as voter registration agencies. Actually, this Bill would modify current law which now designates libraries as voter registration agencies. Under the Election Code CHAPTER 20. VOTER REGISTRATION AGENCIES, Section 20.001 (c) currently designates a list of voter registration agencies, including public libraries as follows: "Each public library, including any branch or other service outlet, is designated as a voter registration agency. In this chapter, 'public library' means a library that: (1) is regularly open for business for more than 30 hours a week; (2) is operated by a single public agency or board; (3) is open without charge to all persons under identical conditions; and (4) receives its financial support wholly or partly from public funds."

The proposed amendment of Section 20.091 in HB 4251 would empower the Secretary of State to designate or remove public libraries as voter registration agencies by adopting agency rules. State law Section 20.001 (c) has been in place since 1995, if not longer. Since public libraries provide accessibility accommodations for persons with disabilities, this Bill could create voter registration problems for these individuals if voter registration at public libraries were halted by Rule of the Secretary of State, who is not an elected state official.