

## **BILL ANALYSIS**

C.S.H.B. 862  
By: Schofield  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In order to be qualified to vote, Texas law requires the applicant to be a citizen of the United States. A person called to jury duty may get out of jury duty by swearing that they are not a U.S. citizen; by so declaring, they are effectively acknowledging that they are ineligible to vote. C.S.H.B. 862 seeks to provide for persons who swear that they are not citizens when called to serve jury duty, or are found to be non-citizens, to be removed from the voter rolls.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 862 amends the Election Code to require a county voter registrar to immediately cancel a voter's registration on receipt of a list from the secretary of state or from a court clerk of persons excused or disqualified from jury service because of citizenship status that includes the voter. The bill requires the registrar to deliver written notice of the cancellation to the voter immediately after, but not later than the 30th day after, the date the voter's registration is canceled and to include the number of such cancellations for the previous voting year among the information that must be provided to the secretary of state by the registrar before May 15 of each year.

C.S.H.B. 862 amends the Government Code to include the county official responsible for administering elections among the officials to whom a court clerk is required to timely send a copy of the list of noncitizens excused or disqualified from jury service in the previous month. The bill includes an investigation of whether the person committed an illegal voting offense among the purposes for which the list is sent to an applicable county or district attorney.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

While C.S.H.B. 862 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.