

BILL ANALYSIS

C.S.H.B. 1140
By: Schofield
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In the most recent 2022 election cycle, the requirement to have a Department of Public Safety (DPS) issued identification number rather than a voter unique identifier may have confused voters, causing a large amount of ineligible mail-in ballots. The 87th legislature enacted S.B. 1, which took effect on December 2, 2021. This legislation added new identification requirements related to the ballot by mail process, one being the requirement to include the number of the applicant's driver's license, election identification certificate, or personal identification card issued by DPS. C.S.H.B. 1140 seeks to clarify the identification requirement for an early voting application by requiring the secretary of state to alert voters that the identifying information that must be included on the application does not include a voter's unique identifier.

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. 1140 amends the Election Code to require the secretary of state to take action to alert voters that certain identifying information that must be provided on an early voting ballot application does not include the voter's unique identifier.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1140 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.

The introduced clarified that the election-related document from which an applicant may provide a unique identifying number as an alternative to providing a driver's license or personal identification card number, for the purpose of the requirement to include certain identifying information on an early voting ballot application, is an election identity certification card issued by the Department of Public Safety. The substitute instead requires the secretary of state to take action to alert voters that certain identifying information that must be provided on an early voting ballot application does not include the voter's unique identifier.