

BILL ANALYSIS

Senate Research Center
88R6406 MPF-D

S.B. 545
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Health & Human Services
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In November of 2022, 17,672,143 individuals were registered to vote in Texas. The use of vital records ensures the accuracy of Texas elections by keeping up-to-date voter records. In December of 2022 alone, 17,022 deceased individuals were removed from voter registration records.

The interaction between the Department of State Health Services (DSHS) and other governmental agencies in ensuring the accuracy of voter registration with respect to vital records is critical. However, several steps in this process can potentially lead to inaccuracies. Current regulations require the Bureau of Vital Statistics to provide the secretary of state a list of deceased individuals. The Bureau of Vital Statistics does not supply the secretary of state with the unique identifiers necessary to accurately match death records and the voter registration list. This can lead to confusion in election administration. Consequently, dead individuals may be left on the rolls or officials might unintentionally remove voters who did not die. Improving the administration of this process will increase the accuracy of election administration by providing administrators with greater tools to fulfill their duties. Additionally local government officials will potentially save taxpayer dollars with improved efficiency.

S.B. 545 will require the DSHS to create an effective method of providing to the secretary of state death information, including the county of residence of the deceased, the date of birth of the deceased, and the full name of the individual. The department must also provide unique identifiers to match death records with the names on voter registration lists.

The bill will also amend the Health and Safety Code to require death certificates to include the county where the deceased individual died and the county of their last legal residence.

As proposed, S.B. 545 amends current law relating to death records maintained and provided by the vital statistics unit of the Department of State Health Services.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 191, Health and Safety Code, by adding Section 191.011, as follows:

Sec. 191.011. DEATH INFORMATION PROVIDED TO SECRETARY OF STATE. (a) Requires the Department of State Health Services (DSHS) to implement an efficient and effective method to provide death information to the secretary of state (SOS) to assist in maintaining the statewide computerized voter registration list under Section 18.061 (Statewide Computerized Voter Registration List), Election Code.

(b) Requires that the method implemented under Subsection (a) provide at least the following information on each deceased person for whom a death certificate is filed with a local register in this state:

- (1) the county of residence of the deceased;
- (2) the date of birth of the deceased; and
- (3) the full name of the deceased.

(c) Requires DSHS to enter into a memorandum of understanding with SOS to implement this section. Requires that the memorandum of understanding include a mechanism for DSHS to provide SOS with death information that includes unique identifiers necessary to accurately match death records with names included on the voter registration list.

SECTION 2. Amends Section 193.001, Health and Safety Code, by adding Section (c-1), to require DSHS to require death certificates to include the county where the decedent died and the decedent's county of last legal residence.

SECTION 3. Amends Section 16.001(c), Election Code, as follows:

(c) Requires the vital statistics unit, once each week, on a day specified by SOS, to furnish to SOS available information relating to deceased residents of the state as provided by Section 191.011, Health and Safety Code, in the form and manner specified by SOS. Deletes existing text requiring the Bureau of Vital Statistics, once each week, on a day specified by SOS, to furnish to SOS available information specified by SOS relating to deceased residents of the state. Makes a conforming change.

SECTION 4. Effective date: September 1, 2023.