

BILL ANALYSIS

Senate Research Center
88R8324 LRM-F

S.B. 1600
By: Hughes
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In *Arizona v. Inter Tribal Council of Arizona, Inc.*, 570 U.S. 1 (2013), the United States Supreme Court discussed the circumstance under which a state could require proof of citizenship in order to register to vote in that state. S.B. 1600 requires the secretary of state to coordinate with the federal Election Assistance Commission and to prescribe rules to require a person to provide evidence of citizenship to vote, and to do so in a manner that complies with federal law under the National Voter Registration Act and United States Supreme Court precedent.

As proposed, S.B. 1600 amends current law relating to a person submitting proof of citizenship to verify eligibility to vote in Texas.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 13.002, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13.002, Election Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires a person desiring to register to vote to submit an application and proof of citizenship as required under Subsection (a-1) to the registrar of the county in which the person resides.

(a-1) Requires the secretary of state (SOS) to prescribe rules that require a person to submit to the registrar proof of citizenship to determine voter eligibility, to the extent permitted by the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) and *Arizona v Inter Tribal Council of Arizona, Inc.*, 570 U.S. 1 (2013).

SECTION 2. (a) Requires SOS to request that the federal Election Assistance Commission (commission), not later than January 1, 2024, alter the mail voter registration application form requirements described in the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) to include a requirement that applicants submit documented proof of citizenship as a condition to registration in Texas.

(b) Requires the attorney general to seek enforcement in a court of law if the commission fails to comply before the 180th day following SOS's request under this section.

SECTION 3. Effective date: September 1, 2023.