

By: Guillen, et al.

H.B. No. 304

Substitute the following for H.B. No. 304:

By: Shaheen

C.S.H.B. No. 304

A BILL TO BE ENTITLED

AN ACT

relating to the procedure for accepting a voter who presents as identification a personal identification certificate, driver's license, or commercial driver's license issued to the voter that indicates the voter has not presented proof of the voter's United States citizenship to the Department of Public Safety.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 63, Election Code, is amended by adding Section 63.0014 to read as follows:

Sec. 63.0014. ACCEPTING VOTERS WITH LIMITED VALIDITY FOR VOTING DESIGNATOR. (a) Notwithstanding any other provision of this code, a voter who presents a personal identification certificate, driver's license, or commercial driver's license as photo identification with a designator reading "VALID FOR VOTING ONLY WITH VERIFICATION OF ELIGIBILITY" may only be accepted for voting if the voter also presents proof of the voter's United States citizenship.

(b) If the requirements of Subsection (a) are not met, the voter may be accepted for provisional voting only under Section 63.011. For a voter who is not accepted for voting under this section, an election officer shall:

(1) inform the voter of the voter's right to cast a provisional ballot under Section 63.011; and

(2) provide the voter with written information, in a

1 form prescribed by the secretary of state, that:

2 (A) lists the requirements for identification;

3 (B) states the procedure for presenting
4 identification under Section 65.0541;

5 (C) includes a map showing the location where
6 identification must be presented; and

7 (D) includes notice that if all procedures are
8 followed and the voter is found to be eligible to vote and is voting
9 in the correct precinct, the voter's provisional ballot will be
10 accepted.

11 SECTION 2. Section 63.011(a), Election Code, is amended to
12 read as follows:

13 (a) A person to whom Section 63.001(g), 63.0014(b), or
14 63.009 applies may cast a provisional ballot if the person executes
15 an affidavit stating that the person:

16 (1) is a registered voter in the precinct in which the
17 person seeks to vote; and

18 (2) is eligible to vote in the election.

19 SECTION 3. Section 65.0541(a), Election Code, is amended to
20 read as follows:

21 (a) A voter who is accepted for provisional voting under
22 Section 63.011 because the voter does not meet the identification
23 requirements of Section 63.001(b) or 63.0014 may, not later than
24 the sixth day after the date of the election do one of the
25 following, as applicable:

26 (1) present a form of identification described by
27 Section 63.0101 to the voter registrar for examination; ~~[or]~~

1 (2) execute an affidavit described by Section
2 [65.054](#)(b)(2)(B) or (C) in the presence of the voter registrar; or
3 (3) present proof of the voter's United States
4 citizenship.

5 SECTION 4. Subchapter [E](#), Chapter [521](#), Transportation Code,
6 is amended by adding Section 521.1017 to read as follows:

7 Sec. 521.1017. LIMITED VALIDITY FOR VOTING DESIGNATOR. If,
8 at the time a person applies for a personal identification
9 certificate, the person does not provide proof of the person's
10 United States citizenship, the personal identification certificate
11 issued to the person must display on the back of the certificate a
12 designator reading "VALID FOR VOTING ONLY WITH VERIFICATION OF
13 ELIGIBILITY."

14 SECTION 5. Subchapter [F](#), Chapter [521](#), Transportation Code,
15 is amended by adding Section 521.1225 to read as follows:

16 Sec. 521.1225. LIMITED VALIDITY FOR VOTING DESIGNATOR. If,
17 at the time a person applies for a driver's license, the person does
18 not provide proof of the person's United States citizenship, the
19 driver's license issued to the person must display on the back of
20 the license a designator reading "VALID FOR VOTING ONLY WITH
21 VERIFICATION OF ELIGIBILITY."

22 SECTION 6. Section [521.126](#), Transportation Code, is amended
23 by adding Subsection (a-1) to read as follows:

24 (a-1) The electronically readable information derived from
25 a driver's license, commercial driver's license, or personal
26 identification certificate must include whether the license or
27 certificate displays a limited validity for voting designator

1 required under Section 521.1017, 521.1225, or 522.030(e).

2 SECTION 7. Section 522.030, Transportation Code, is amended
3 by adding Subsection (e) to read as follows:

4 (e) The department shall include on each commercial
5 driver's license issued under this chapter to a person who did not
6 provide proof of the person's United States citizenship at the time
7 the person applied for the license a designator displayed on the
8 back of the license reading "VALID FOR VOTING ONLY WITH
9 VERIFICATION OF ELIGIBILITY."

10 SECTION 8. The changes in law made by this Act to
11 Subchapters E and F, Chapter 521, Transportation Code, and Section
12 522.030, Transportation Code, apply only to a personal
13 identification certificate, driver's license, or commercial
14 driver's license issued or renewed on or after the effective date of
15 this Act. A personal identification certificate, driver's license,
16 or commercial driver's license issued or renewed before the
17 effective date of this Act is governed by the law in effect when the
18 certificate or license was issued or renewed, and the former law is
19 continued in effect for that purpose.

20 SECTION 9. This Act takes effect March 1, 2026.