

By: Guillen

H.B. No. 304

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the procedure for accepting a voter who presents as
3 identification a personal identification certificate or driver's
4 license issued to the voter that indicates the voter has not
5 presented proof of the voter's United States citizenship to the
6 Department of Public Safety.

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

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

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

17 (b) If the requirements of Subsection (a) are not met, the
18 voter may be accepted for provisional voting only under Section
19 63.011. For a voter who is not accepted for voting under this
20 section, an election officer shall:

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

23 (2) provide the voter with written information, in a
24 form prescribed by the secretary of state, that:

- 1 (A) lists the requirements for identification;
2 (B) states the procedure for presenting
3 identification under Section 65.0541;
4 (C) includes a map showing the location where
5 identification must be presented; and
6 (D) includes notice that if all procedures are
7 followed and the voter is found to be eligible to vote and is voting
8 in the correct precinct, the voter's provisional ballot will be
9 accepted.

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

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

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

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

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

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

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

27 (2) execute an affidavit described by Section

1 65.054(b)(2)(B) or (C) in the presence of the voter registrar; or
2 (3) present proof of the voter's United States
3 citizenship.

4 SECTION 4. Subchapter E, Chapter 521, Transportation Code,
5 is amended by adding Section 521.1017 to read as follows:

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

12 SECTION 5. Subchapter F, Chapter 521, Transportation Code,
13 is amended by adding Section 521.1225 to read as follows:

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

19 SECTION 6. The changes in law made by this Act to
20 Subchapters E and F, Chapter 521, Transportation Code, apply only
21 to a personal identification certificate or driver's license issued
22 or renewed on or after the effective date of this Act. A personal
23 identification certificate or driver's license issued or renewed
24 before the effective date of this Act is governed by the law in
25 effect when the certificate or license was issued or renewed, and
26 the former law is continued in effect for that purpose.

27 SECTION 7. This Act takes effect September 1, 2025.