

By: Morgan

H.B. No. 3367

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility to vote in an election.

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

SECTION 1. Section 15.022(a), Election Code, is amended to read as follows:

(a) The registrar shall make the appropriate corrections in the registration records, including, if necessary, deleting a voter's name from the suspense list:

(1) after receipt of a notice of a change in registration information under Section 15.021;

(2) after receipt of a voter's reply to a notice of investigation given under Section 16.033;

(3) after receipt of any affidavits executed under Section 63.006, following an election;

~~(4) [after receipt of a voter's statement of residence executed under Section 63.0011,~~

~~(5)]~~ before the effective date of the abolishment of a county election precinct or a change in its boundary;

(5) ~~[(6)]~~ after receipt of United States Postal Service information indicating an address reclassification;

(6) ~~[(7)]~~ after receipt of a voter's response under Section 15.053;

(7) ~~[(8)]~~ after receipt of a registration application or change of address under Chapter 20; or

1           (8) [~~(9)~~] after notification of a data entry error of  
2 which the voter registrar is made aware under Section 63.0051.

3           SECTION 2. Section 15.025(a), Election Code, is amended to  
4 read as follows:

5           (a) Except as provided by Subsections (b) and (d), the  
6 registration of a voter described by this subsection whose  
7 information is changed on the registration records becomes  
8 effective as to the change on the 30th day after:

9           (1) the date the voter submits to the registrar a  
10 notice of a change in registration information under Section 15.021  
11 or a response under Section 15.053, indicating the change; or

12           (2) the date the voter submits [~~a statement of~~  
13 ~~residence to an election officer under Section 63.0011 or~~] a  
14 registration application or change of address to an agency employee  
15 under Chapter 20, indicating the change.

16           SECTION 3. Section 15.052(a), Election Code, is amended to  
17 read as follows:

18           (a) The officially prescribed form for a confirmation  
19 notice must include:

20           (1) [~~a statement that, if the voter fails to submit to~~  
21 ~~the registrar a written, signed response confirming the voter's~~  
22 ~~current residence on or before the 30th day after the date the~~  
23 ~~confirmation notice is mailed:~~

24                   ~~[(A) the voter is subject to submission of a~~  
25 ~~statement of residence before the voter may be accepted for voting~~  
26 ~~in an election held after that deadline; or~~

27                   ~~[(B) for a notice delivered under Section 14.023,~~

1 ~~the voter will remain subject to submission of a statement of~~  
2 ~~residence before the voter may be accepted for voting in an~~  
3 ~~election;~~

4           ~~(2)~~ a warning that the voter's registration is  
5 subject to cancellation if the voter fails to confirm the voter's  
6 current residence ~~[either]~~ by notifying the registrar in writing  
7 ~~[or voting on a statement of residence]~~ before November 30  
8 following the second general election for state and county officers  
9 that occurs after the date the confirmation notice is mailed; and

10           (2) ~~(3)~~ a statement that the voter must include all  
11 of the required information on the official confirmation notice  
12 response form.

13           SECTION 4. Section 16.092, Election Code, is amended to  
14 read as follows:

15           Sec. 16.092. SWORN STATEMENT REQUIRED. A voter desiring to  
16 challenge a registration must file with the registrar a sworn  
17 statement of the grounds for the challenge that:

18           (1) identifies the voter whose registration is being  
19 challenged; and

20           (2) states a specific qualification for registration  
21 that the challenged voter has not met based on the personal  
22 knowledge of the voter desiring to challenge the registration,  
23 including knowledge obtained through publicly available  
24 information.

25           SECTION 5. Sections 63.001(b) and (e), Election Code, are  
26 amended to read as follows:

27           (b) On ~~[Except as provided by Subsection (h), on]~~ offering

1 to vote, a voter must present to an election officer at the polling  
2 place a driver's license or personal identification card issued to  
3 the person by the Department of Public Safety that has not expired  
4 [~~+~~

5 ~~[(1) one form of photo identification listed in~~  
6 ~~Section 63.0101(a); or~~

7 ~~[(2) one form of identification listed in Section~~  
8 ~~63.0101(b) accompanied by the declaration described by Subsection~~  
9 ~~(i)].~~

10 (e) On accepting a voter, an election officer shall indicate  
11 beside the voter's name on the list of registered voters that the  
12 voter is accepted for voting. [~~If the voter executes a declaration~~  
13 ~~of reasonable impediment to meet the requirement for identification~~  
14 ~~under Subsection (b), the election officer must affix the voter's~~  
15 ~~voter registration number to the declaration either in numeric or~~  
16 ~~bar code form.]~~

17 SECTION 6. Sections 63.0011(a) and (b), Election Code, are  
18 amended to read as follows:

19 (a) Before a voter may be accepted for voting, an election  
20 officer shall:

21 (1) ask the voter to state [~~if~~] the voter's current  
22 residence address; and

23 (2) compare the address stated by the voter to the  
24 voter's residence address listed on:

25 (A) the precinct list of registered voters; and

26 (B) a driver's license or personal  
27 identification card issued to the person by the Department of

1 Public Safety that has not expired [~~is current and whether the voter~~  
2 ~~has changed residence within the county. If the voter's address is~~  
3 ~~omitted from the precinct list under Section 18.005(c), the officer~~  
4 ~~shall ask the voter if the voter's residence, if listed, on~~  
5 ~~identification presented by the voter under Section 63.001(b) is~~  
6 ~~current and whether the voter has changed residence within the~~  
7 ~~county)].~~

8 (b) If the voter's residence address provided under  
9 Subsection (a) does not match the address on the precinct list of  
10 registered voters or the address listed on the voter's driver's  
11 license or personal identification card [~~is not current because the~~  
12 ~~voter has changed residence within the county)], the voter may be  
13 accepted for provisional voting only under Section 63.011 [~~vote,~~  
14 ~~if otherwise eligible, in the election precinct in which the voter~~  
15 ~~is registered if the voter resides in the county in which the voter~~  
16 ~~is registered and, if applicable:~~~~

17 [~~(1) resides in the political subdivision served by~~  
18 ~~the authority ordering the election if the political subdivision is~~  
19 ~~other than the county; or~~

20 [~~(2) resides in the territory covered by the election~~  
21 ~~in a less-than-countywide election ordered by the governor or a~~  
22 ~~county authority)].~~

23 SECTION 7. Section 63.004(a), Election Code, is amended to  
24 read as follows:

25 (a) The secretary of state may prescribe forms that combine  
26 the poll list, the signature roster, or any other form used in  
27 connection with the acceptance of voters at polling places with

1 each other or with the list of registered voters. The secretary  
2 shall prescribe any special instructions necessary for using the  
3 combination forms. [~~The combination forms must include space for  
4 an election officer to indicate whether a voter executed a  
5 declaration of reasonable impediment under Section 63.001(i).~~]

6 SECTION 8. Sections 63.011(a) and (b), Election Code, are  
7 amended to read as follows:

8 (a) A person to whom Section 63.001(g), 63.0011(b), or  
9 63.009 applies may cast a provisional ballot if the person executes  
10 an affidavit stating that the person:

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

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

14 (b) A form for an affidavit required by this section must be  
15 printed on an envelope in which the provisional ballot voted by the  
16 person may be placed and must include[+]

17 [~~(1)~~] a space for entering the identification number  
18 of the provisional ballot voted by the person[+ and

19 [~~(2)~~ a space for an election officer to indicate  
20 whether the person presented a form of identification described by  
21 Section 63.0101].

22 SECTION 9. Section 65.0541(a), Election Code, is amended to  
23 read as follows:

24 (a) A voter who is accepted for provisional voting under  
25 Section 63.011 because the voter does not meet the identification  
26 requirements of Section 63.001(b) may, not later than the sixth day  
27 after the date of the election:

1 (1) present a form of identification that meets the  
2 requirements of [~~described by~~] Section 63.001(b) [~~63.0101~~] to the  
3 voter registrar for examination; or

4 (2) execute an affidavit described by Section  
5 65.054(b)(2)(B) or (C) in the presence of the voter registrar.

6 SECTION 10. Section 66.0241, Election Code, is amended to  
7 read as follows:

8 Sec. 66.0241. CONTENTS OF ENVELOPE NO. 4. Envelope no. 4  
9 must contain:

- 10 (1) the precinct list of registered voters;  
11 (2) the registration correction list; and  
12 (3) [~~any statements of residence executed under~~  
13 ~~Section 63.0011, and~~  
14 [~~4~~] any affidavits executed under Section 63.006 or  
15 63.011.

16 SECTION 11. Sections 84.002(a) and (b-1), Election Code,  
17 are amended to read as follows:

- 18 (a) An early voting ballot application must include:  
19 (1) the applicant's name and the address at which the  
20 applicant is registered to vote;  
21 (1-a) the following information:  
22 (A) the number of the applicant's driver's  
23 license[~~, election identification certificate,~~] or personal  
24 identification card issued by the Department of Public Safety;  
25 (B) if the applicant has not been issued a number  
26 described by Paragraph (A), the last four digits of the applicant's  
27 social security number; or

1                   (C) a statement by the applicant that the  
2 applicant has not been issued a number described by Paragraph (A) or  
3 (B);

4                   (2) for an application for a ballot to be voted by mail  
5 on the ground of absence from the county of residence, the address  
6 outside the applicant's county of residence to which the ballot is  
7 to be mailed;

8                   (3) for an application for a ballot to be voted by mail  
9 on the ground of age or disability, the address of the hospital,  
10 nursing home or other long-term care facility, or retirement  
11 center, or of a person related to the applicant within the second  
12 degree by affinity or the third degree by consanguinity, as  
13 determined under Chapter 573, Government Code, if the applicant is  
14 living at that address and that address is different from the  
15 address at which the applicant is registered to vote;

16                   (4) for an application for a ballot to be voted by mail  
17 on the ground of confinement in jail, the address of the jail or of a  
18 person related to the applicant within the degree described by  
19 Subdivision (3);

20                   (5) for an application for a ballot to be voted by mail  
21 on any ground, an indication of each election for which the  
22 applicant is applying for a ballot;

23                   (6) an indication of the ground of eligibility for  
24 early voting; and

25                   (7) for an application for a ballot to be voted by mail  
26 on the ground of involuntary civil commitment, the address of the  
27 facility operated by or under contract with the Texas Civil

1 Commitment Office or of a person related to the applicant within the  
2 degree of consanguinity described by Subdivision (3).

3 (b-1) A person may use the number of a driver's license[~~7~~  
4 ~~election identification certificate,~~] or personal identification  
5 card that has expired for the purpose of fulfilling the requirement  
6 under Subsection (a)(1-a) if the license or identification is  
7 otherwise valid.

8 SECTION 12. Section 86.001, Election Code, is amended by  
9 adding Subsection (h) to read as follows:

10 (h) If the applicant's name appears on the list of  
11 registered voters with the notation "S", or a similar notation, or  
12 the residence address on the applicant's early voting ballot  
13 application is not the same as the applicant's residence address on  
14 the list of registered voters, the clerk shall reject the  
15 application.

16 SECTION 13. Sections 86.002(a), (c), (g), and (h), Election  
17 Code, are amended to read as follows:

18 (a) The early voting clerk shall provide an official ballot  
19 envelope and carrier envelope with each ballot provided to a voter.  
20 ~~[If the voter's name appears on the list of registered voters with~~  
21 ~~the notation "S", or a similar notation, or the residence address on~~  
22 ~~the voter's early voting ballot application is not the same as the~~  
23 ~~voter's residence address on the list of registered voters, the~~  
24 ~~clerk shall provide a form for a statement of residence to the~~  
25 ~~voter.]~~

26 (c) The clerk shall enter on a carrier envelope the voter's  
27 name in printed form[~~7~~, a notation that a statement of residence is

1 enclosed, if applicable,] and any other information the clerk  
2 determines necessary for proper processing of the ballot.

3 (g) The carrier envelope must include a space that is hidden  
4 from view when the envelope is sealed for the voter to enter the  
5 following information:

6 (1) the number of the voter's driver's license[~~7~~  
7 ~~election identification certificate,~~] or personal identification  
8 card issued by the Department of Public Safety;

9 (2) if the voter has not been issued a number described  
10 by Subdivision (1), the last four digits of the voter's social  
11 security number; or

12 (3) a statement by the applicant that the applicant  
13 has not been issued a number described by Subdivision (1) or (2).

14 (h) A person may use the number of a driver's license[~~7~~  
15 ~~election identification certificate,~~] or personal identification  
16 card that has expired for purposes of Subsection (g) if the license  
17 or identification is otherwise valid.

18 SECTION 14. Sections [86.006](#)(a-1) and (a-2), Election Code,  
19 are amended to read as follows:

20 (a-1) The voter may deliver a marked ballot in person to the  
21 early voting clerk's office only while the polls are open on  
22 election day. A voter who delivers a marked ballot in person must  
23 present an acceptable form of identification described by Section  
24 [63.001](#)(b) [~~63.0101~~].

25 (a-2) An in-person delivery of a marked ballot voted under  
26 this chapter must be received by an election official at the time of  
27 delivery. The receiving official shall record the voter's name,

1 signature, and type of identification provided under Section  
2 63.001(b) [~~63.0101~~] on a roster prescribed by the secretary of  
3 state. The receiving official shall attest on the roster that the  
4 delivery complies with this section.

5 SECTION 15. Section 87.0271(a), Election Code, is amended  
6 to read as follows:

7 (a) This section applies to an early voting ballot voted by  
8 mail:

9 (1) for which the voter did not sign the carrier  
10 envelope certificate;

11 (2) for which it cannot immediately be determined  
12 whether the signature on the carrier envelope certificate is that  
13 of the voter;

14 (3) [~~missing any required statement of residence,~~  
15 ~~(4)~~] missing information or containing incorrect  
16 information required under Section 84.002(a)(1-a) or Section  
17 86.002; or

18 (4) [~~(5)~~] containing incomplete information with  
19 respect to a witness.

20 SECTION 16. Section 87.041(b), Election Code, is amended to  
21 read as follows:

22 (b) A ballot may be accepted only if:

23 (1) the carrier envelope certificate is properly  
24 executed;

25 (2) neither the voter's signature on the ballot  
26 application nor the signature on the carrier envelope certificate  
27 is determined to have been executed by a person other than the

1 voter, unless signed by a witness;

2 (3) the voter's ballot application states a legal  
3 ground for early voting by mail;

4 (4) the voter is registered to vote, if registration  
5 is required by law;

6 (5) the address to which the ballot was mailed to the  
7 voter, as indicated by the application, was outside the voter's  
8 county of residence, if the ground for early voting is absence from  
9 the county of residence;

10 (6) ~~[for a voter to whom a statement of residence form  
11 was required to be sent under Section 86.002(a), the statement of  
12 residence is returned in the carrier envelope and indicates that  
13 the voter satisfies the residence requirements prescribed by  
14 Section 63.0011,~~

15 ~~[(7)]~~ the address to which the ballot was mailed to the  
16 voter is an address that is otherwise required by Sections 84.002  
17 and 86.003; and

18 (7) ~~[(8)]~~ the information required under Section  
19 86.002(g) provided by the voter identifies the same voter  
20 identified on the voter's application for voter registration under  
21 Section 13.002(c)(8).

22 SECTION 17. Section 87.0411(a), Election Code, is amended  
23 to read as follows:

24 (a) This section applies to an early voting ballot voted by  
25 mail:

26 (1) for which the voter did not sign the carrier  
27 envelope certificate;

1           (2) for which it cannot immediately be determined  
2 whether the signature on the carrier envelope certificate is that  
3 of the voter;

4           (3) [~~missing any required statement of residence,~~  
5           ~~(4)~~] missing information or containing incorrect  
6 information required under Section 84.002(a)(1-a) or Section  
7 86.002; or

8           (4) [~~(5)~~] containing incomplete information with  
9 respect to a witness.

10           SECTION 18. Section 141.063(e), Election Code, is amended  
11 to read as follows:

12           (e) The signer's residence address and registration address  
13 are not required to be the same if the signer would otherwise be  
14 able to vote for that office under Section [~~11.004 or~~] 112.002.

15           SECTION 19. Section 272.011(b), Election Code, is amended  
16 to read as follows:

17           (b) The secretary of state shall prepare the translation for  
18 election materials required to be provided in a language other than  
19 English or Spanish for the following state prescribed voter forms:

20           (1) voter registration application form required by  
21 Section 13.002;

22           (2) the confirmation form required by Section 15.051;

23           (3) the voting instruction poster required by Section  
24 62.011;

25           (4) [~~the reasonable impediment declaration required~~  
26 ~~by Section 63.001(b),~~

27           ~~(5) the statement of residence form required by~~

1 ~~Section 63.0011,~~

2           ~~[(6)]~~ the provisional ballot affidavit required by  
3 Section 63.011;

4           (5) ~~[(7)]~~ the application for a ballot by mail  
5 required by Section 84.011;

6           (6) ~~[(8)]~~ the carrier envelope and voting instructions  
7 required by Section 86.013; and

8           (7) ~~[(9)]~~ any other voter forms that the secretary of  
9 state identifies as frequently used and for which state resources  
10 are otherwise available.

11           SECTION 20. Section 277.002(f), Election Code, is amended  
12 to read as follows:

13           (f) The signer's residence address and the address listed on  
14 the signer's registration are not required to be the same if the  
15 signer is eligible to vote under Section [~~11.004 or~~] 112.002.

16           SECTION 21. Sections 521.009(a) and (a-1), Transportation  
17 Code, are amended to read as follows:

18           (a) The department may establish a program for the provision  
19 of renewal and duplicate driver's license~~[, —election~~  
20 ~~identification —certificate,]~~ and personal identification  
21 certificate services in counties and municipalities that enter into  
22 an agreement with the department under Subsection (a-1).

23           (a-1) Under the program, the department may enter into an  
24 agreement with the commissioners court of a county or the governing  
25 body of a municipality to permit county or municipal employees to  
26 provide services at a county or municipal office relating to the  
27 issuance of renewal and duplicate driver's licenses~~[, —election~~

1 ~~identification certificates,~~] and personal identification  
2 certificates, including:

3 (1) taking photographs;

4 (2) administering vision tests;

5 (3) updating a driver's license [~~election~~  
6 ~~identification certificate,~~] or personal identification  
7 certificate to change a name, address, or photograph;

8 (4) distributing and collecting information relating  
9 to donations under Section 521.401;

10 (5) collecting fees; and

11 (6) performing other basic ministerial functions and  
12 tasks necessary to issue renewal and duplicate driver's licenses [~~election~~  
13 ~~identification certificates,~~] and personal identification  
14 certificates.

15 SECTION 22. The following provisions are repealed:

16 (1) Sections 11.004, 15.112, 31.013, and 63.0101,  
17 Election Code;

18 (2) Sections 15.001(c), 16.037(b), 63.001(c-1), (d),  
19 (h), and (i), and 86.002(d), Election Code;

20 (3) Sections 191.0046(e) and (f), Health and Safety  
21 Code; and

22 (4) Chapter 521A, Transportation Code.

23 SECTION 23. This Act takes effect September 1, 2025.