

By: Lowe

H.B. No. 5101

A BILL TO BE ENTITLED

AN ACT

relating to the cancellation of all voter registrations following each presidential election; making conforming changes to voter registration and maintenance procedures; imposing a civil penalty.

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

SECTION 1. Section 13.142(c), Election Code, is amended to read as follows:

(c) An initial certificate takes effect on the effective date of the registration and expires on the November 30 immediately following the next presidential election ~~[January 1 of an even-numbered year]~~.

SECTION 2. Section 15.002(a), Election Code, is amended to read as follows:

(a) A voter registration certificate may contain an explanation of the voter's rights or duties under this code, including:

(1) ~~[the procedure by which the voter will receive a renewal certificate,~~

~~(2)]~~ the necessity of notifying the registrar if the voter changes residence;

(2) ~~(3)]~~ the necessity of applying for a new registration if the voter changes residence to another county;

(3) ~~(4)]~~ the period during which the voter may vote a limited ballot after changing residence to another county;

1           (4) [~~(5)~~] the procedure for voting without a  
2 certificate; and

3           (5) [~~(6)~~] the procedure for obtaining a replacement  
4 for a lost or destroyed certificate.

5           SECTION 3. Section 15.005(a), Election Code, is amended to  
6 read as follows:

7           (a) The voter registrar of each county shall provide notice  
8 of the identification requirements for voting prescribed by Chapter  
9 63 and a detailed description of those requirements with each voter  
10 registration certificate issued under Section 13.142 [~~or renewal~~  
11 ~~registration certificate issued under Section 14.001~~].

12           SECTION 4. Section 15.052(a), Election Code, is amended to  
13 read as follows:

14           (a) The officially prescribed form for a confirmation  
15 notice must include:

16               (1) a statement that, if the voter fails to submit to  
17 the registrar a written, signed response confirming the voter's  
18 current residence on or before the 30th day after the date the  
19 confirmation notice is mailed, [+]

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

23                       [~~(B)~~ ~~for a notice delivered under Section 14.023,~~  
24 ~~the voter will remain subject to submission of a statement of~~  
25 ~~residence before the voter may be accepted for voting in an~~  
26 ~~election,~~]

27               (2) a warning that the voter's registration is subject

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

6 (3) a statement that the voter must include all of the  
7 required information on the official confirmation notice response  
8 form.

9 SECTION 5. Section 15.081(a), Election Code, is amended to  
10 read as follows:

11 (a) The registrar shall maintain a suspense list containing  
12 the name of each voter who:

13 (1) ~~[who]~~ fails to submit a response to the registrar  
14 in accordance with Section 15.053;

15 ~~[(2) whose renewal certificate is returned to the~~  
16 ~~registrar in accordance with Subchapter B, Chapter 14,]~~ or

17 (2) ~~[(3) who]~~ appears on the list of nonresidents of  
18 the county provided to the registrar under Section 62.114,  
19 Government Code.

20 SECTION 6. Section 16.032, Election Code, is amended to  
21 read as follows:

22 Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST  
23 PERIOD. If on November 30 following the first ~~[second]~~ general  
24 election for state and county officers that occurs after the date  
25 the voter's name is entered on the suspense list a registered  
26 voter's name appears on the suspense list, the registrar shall  
27 cancel the voter's registration unless the name is to be deleted

1 from the list under Section 15.022 or 15.023.

2 SECTION 7. Section 16.039, Election Code, is amended to  
3 read as follows:

4 Sec. 16.039. FAILURE BY REGISTRAR TO TIMELY PERFORM DUTY;  
5 CIVIL PENALTY. (a) If a registrar fails to timely perform a duty  
6 imposed on the registrar under this subchapter requiring the  
7 approval, change, or cancellation of a voter's registration:

8 (1) the registrar is liable to this state for a civil  
9 penalty in an amount not to exceed \$5,000 for each failure; and

10 (2) [r] the secretary of state shall [may] withhold  
11 funds administered and distributed by the secretary under Chapter  
12 19 or Section 31.009 from the registrar.

13 (b) Notwithstanding Subsection (a)(2) [~~a~~], the secretary  
14 of state shall distribute funds under Chapter 19 or Section 31.009  
15 if the registrar performs the registrar's duty not later than 30  
16 days after the funds are withheld.

17 (c) The attorney general may bring an action to collect a  
18 penalty under this section.

19 SECTION 8. Subchapter B, Chapter 16, Election Code, is  
20 amended by adding Section 16.040 to read as follows:

21 Sec. 16.040. CANCELLATION FOLLOWING PRESIDENTIAL ELECTION.

22 (a) Notwithstanding any other provision of this code, on November  
23 30 immediately following a presidential election, the registrar  
24 shall cancel all voter registrations.

25 (b) A cancellation under this section may not be challenged  
26 or reinstated under this chapter.

27 (c) Following cancellation under this section, a person

1 desiring to register to vote must submit an application for  
2 registration under Chapter 13.

3 SECTION 9. Section 16.061, Election Code, is amended to  
4 read as follows:

5 Sec. 16.061. RIGHT TO CHALLENGE CANCELLATION. A person  
6 whose voter registration is canceled may challenge the cancellation  
7 at a hearing before the registrar. This section does not apply to a  
8 person whose voter registration is canceled under Section 16.040.

9 SECTION 10. Chapter 14, Election Code, is repealed.

10 SECTION 11. Section 13.142(c), Election Code, as amended by  
11 this Act, applies only to a voter registration certificate for  
12 which an application is received by the voter registrar on or after  
13 September 1, 2025.

14 SECTION 12. This Act takes effect September 1, 2025.