

By: Hughes, et al.  
(Isaac, et al.)

S.B. No. 16

Substitute the following for S.B. No. 16:

By: Shaheen

C.S.S.B. No. 16

A BILL TO BE ENTITLED

AN ACT

relating to requiring a person to submit proof of citizenship to register to vote, including the eligibility of certain voters to vote a limited federal ballot if the voter cannot supply the required proof and the procedures for the counting of those ballots; creating criminal offenses.

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

SECTION 1. Section 13.002, Election Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) A person desiring to register to vote must submit an application and proof of citizenship as required under Subsection (a-1) to the registrar of the county in which the person resides. Except as provided by Subsection (e), an application must be submitted by personal delivery, by mail, or by telephonic facsimile machine in accordance with Sections 13.143(d) and (d-2).

(a-1) A person desiring to register to vote shall submit to the registrar a copy of one of the following documents:

(1) a United States passport or passport card issued to the person;

(2) a certified copy of a birth certificate issued by a United States state or territory, or the District of Columbia;

(3) United States citizenship papers issued to the person;

1           (4) identification issued by the agency of the United  
2 States responsible for citizenship and immigration; or

3           (5) for citizens born abroad, a certificate of report  
4 of birth or consular report of birth abroad issued by the United  
5 States Department of State.

6           (a-2) An applicant registering to vote under Subchapter C,  
7 Chapter 20, may satisfy the requirements of Subsection (a-1) by  
8 providing the proof of citizenship required under Subsection (a-1)  
9 to the Department of Public Safety.

10           SECTION 2. Subchapter B, Chapter 13, Election Code, is  
11 amended by adding Section 13.0391 to read as follows:

12           Sec. 13.0391. PROOF OF CITIZENSHIP REQUIREMENTS. (a) On  
13 receipt of a registration application, a volunteer deputy registrar  
14 shall provide the applicant with a written notice that includes a  
15 statement that:

16           (1) if the applicant's citizenship status cannot be  
17 verified using the applicant's identification number provided  
18 under Section 13.002(c)(8), the applicant must provide proof of  
19 citizenship to the registrar under Section 13.002(a-1); and

20           (2) if the applicant does not provide the required  
21 proof of citizenship, the applicant will be qualified to vote only a  
22 limited federal ballot under Chapter 115.

23           (b) The notice described by Subsection (a) may be included  
24 in the receipt provided to the voter under Section 13.040.

25           (c) A volunteer deputy registrar may not receive a voter's  
26 proof of citizenship documentation under Section 13.002(a-1).

27           (d) The voter registrar shall provide training to the

1 volunteer deputy registrar regarding the requirements of this  
2 section using training materials prescribed by the secretary of  
3 state.

4 SECTION 3. Section 13.072, Election Code, is amended by  
5 amending Subsections (a) and (c) and adding Subsections (f) and (g)  
6 to read as follows:

7 (a) Except as provided by Section 13.0721, and unless  
8 ~~[Unless]~~ the registrar challenges the applicant, the registrar  
9 shall approve the application if:

10 (1) the registrar determines that an application  
11 complies with Section 13.002 and indicates that the applicant is  
12 eligible for registration; ~~[and]~~

13 (2) for an applicant who has not included a statement  
14 described by Section 13.002(c)(8)(C), the registrar verifies with  
15 the secretary of state:

16 (A) the applicant's Texas driver's license number  
17 or number of a personal identification card issued by the  
18 Department of Public Safety; or

19 (B) the last four digits of the applicant's  
20 social security number; and

21 (3) for an applicant who has not submitted proof of  
22 citizenship required under Section 13.002(a-1), the registrar  
23 verifies that the person is a United States citizen through the  
24 verification process described by Section 13.0721.

25 (c) Except as provided by Subsection (d) and Section  
26 13.0721, if the registrar determines that an application does not  
27 comply with Section 13.002 or does not indicate that the applicant

is eligible for registration, the registrar shall reject the application.

(f) A person commits an offense if the person knowingly fails to reject an application as required under Subsection (c).

(g) An offense under this section is a state jail felony.

SECTION 4. Subchapter C, Chapter 13, Election Code, is amended by adding Sections 13.0721, 13.0722, and 13.0723 to read as follows:

Sec. 13.0721. VERIFICATION OF CITIZENSHIP BY REGISTRAR.

(a) Not later than the 10th day after the date an application for registration is submitted to the registrar without a proof of citizenship document required under Section 13.002(a-1), the registrar shall use all available resources to verify the citizenship status of the applicant and at a minimum shall compare the information available on the application with information relevant to citizenship provided to the registrar by the secretary of state from the following databases, provided the secretary of state has access:

(1) the Department of Public Safety's electronic databases;

(2) the Social Security Administration databases;

(3) the United States Citizenship and Immigration Services Systematic Alien Verification for Entitlements Program, if practicable;

(4) a national association for public health statistics and information systems electronic verification of vital events system; and

1           (5) any other federal, state, or other political  
2 subdivision database and any other database relating to voter  
3 registration to which the registrar has access.

4           (b) The secretary of state is authorized to contract with an  
5 entity that governs a database described by Subsections (a)(1)-(5)  
6 for purposes of verifying an applicant's citizenship and shall  
7 provide the information in the contracted databases to a registrar  
8 for the purpose of verifying citizenship.

9           (c) Notwithstanding the requirement to submit documentation  
10 under Section 13.002(a-1), the registrar shall approve the  
11 application if the registrar matches the applicant with information  
12 that verifies the applicant is a United States citizen and is  
13 otherwise eligible for registration under this chapter.

14           (d) If the registrar matches the applicant with information  
15 that the applicant is not a United States citizen, the registrar  
16 shall:

17                   (1) reject the application;  
18                   (2) notify the applicant that the application was  
19 rejected because the applicant is not a United States citizen; and  
20                   (3) forward the application to the county attorney and  
21 attorney general for investigation under Subchapter G.

22           (e) If the registrar is unable to match the applicant with  
23 appropriate citizenship information, the registrar shall:

24                   (1) approve the application only for voting a limited  
25 federal ballot under Chapter 115;

26                   (2) notify the applicant:  
27                           (A) that the registrar could not verify that the

1 applicant is a United States citizen;

2 (B) that the applicant will be qualified to vote  
3 only a limited federal ballot under Chapter 115 unless the  
4 applicant provides a proof of citizenship document required under  
5 Section 13.002(a-1); and

6 (C) of the procedures for submitting proof of  
7 citizenship to the registrar in order to qualify for a full ballot.

8 (f) The registrar shall record the efforts made to verify an  
9 applicant's citizenship status as required by this section.

10 (g) A person commits an offense if the person knowingly or  
11 intentionally:

12 (1) registers an applicant to vote without the  
13 verification required under Subsection (a); and

14 (2) causes an applicant who is not a United States  
15 citizen to be registered.

16 (h) An offense under this section is a state jail felony.

17 Sec. 13.0722. LIMITATION ON VOTER QUALIFICATION. (a) An  
18 individual who fails to submit proof of citizenship under Section  
19 13.002(a-1) to the registrar and who is unable to be verified as a  
20 United States citizen under Section 13.0721 is only qualified to  
21 vote a limited federal ballot under Chapter 115.

22 (b) An individual who is qualified to vote only a limited  
23 federal ballot under Chapter 115 may remove the limitation imposed  
24 by this section by submitting proof of citizenship to the registrar  
25 as required by Section 13.002(a-1) or by being verified by the  
26 registrar as a United States citizen under Section 13.0721.

27 (c) The registrar shall enter the notation "F", or a similar

1 notation approved by the secretary of state, on the list of  
2 registered voters beside each voter's name who is only qualified to  
3 vote a limited federal ballot under Chapter 115.

4 Sec. 13.0723. VERIFICATION OF CITIZENSHIP FOR EXISTING  
5 REGISTRANTS. (a) Not later than December 1, 2025, the secretary of  
6 state shall provide information to each registrar under Section  
7 13.0721(a) for each registered voter who registered to vote before  
8 September 1, 2025, and who has not provided proof of citizenship  
9 under Section 13.002.

10 (b) If the registrar matches the registered voter with  
11 information that verifies the voter is a United States citizen and  
12 is otherwise eligible for registration under this chapter, the  
13 registrar shall record the efforts made to verify the individual's  
14 citizenship status and indicate that the individual was verified as  
15 a United States citizen.

16 (c) If the registrar matches the registered voter with  
17 information that the voter is not a United States citizen, the  
18 registrar shall record the efforts made to verify the voter's  
19 citizenship status and investigate the eligibility of the voter  
20 under Section 16.0332.

21 (d) If the registrar is unable to match the registered voter  
22 with appropriate citizenship information, the registrar shall  
23 record the efforts made to verify the voter's citizenship status  
24 and indicate that the registrar was unable to verify the voter's  
25 citizenship status and that the voter is qualified to vote only a  
26 limited federal ballot under Chapter 115. The registrar will  
27 notify the voter:

1           (1) that the registrar was unable to verify the voter's  
2 citizenship status;

3           (2) that the voter will be qualified to vote only a  
4 limited federal ballot under Chapter 115 unless the voter provides  
5 a proof of citizenship document required under Section 13.002(a-1);  
6 and

7           (3) of the procedures for submitting proof of  
8 citizenship to the registrar in order to be qualified to vote a full  
9 ballot.

10         SECTION 5. Section 13.121(a), Election Code, is amended to  
11 read as follows:

12         (a) The officially prescribed application form for  
13 registration by mail must be in the form of ~~[a]~~ business reply mail  
14 ~~[postcard]~~, unless another form or system is used under Subsection  
15 (b), with postage paid by the state. The secretary of state shall  
16 design the form to enhance the legibility of its contents.

17         SECTION 6. Section 13.122(a), Election Code, is amended to  
18 read as follows:

19         (a) In addition to the other statements and spaces for  
20 entering information that appear on an officially prescribed  
21 registration application form, each official form must include:

22                 (1) the statement: "I understand that giving false  
23 information to procure a voter registration is perjury and a crime  
24 under state and federal law.";

25                 (2) a space for the applicant's registration number;

26                 (3) a space for the applicant's Texas driver's license  
27 number or number of a personal identification card issued by the



1 Department of Public Safety;

2 (4) a space for the applicant's telephone number;

3 (5) a space for the applicant's social security  
4 number;

5 (6) a space for the applicant's sex;

6 (7) a statement indicating that the furnishing of the  
7 applicant's telephone number and sex is optional;

8 (8) a space or box for indicating whether the  
9 applicant or voter is submitting new registration information or a  
10 change in current registration information;

11 (9) a statement instructing a voter who is using the  
12 form to make a change in current registration information to enter  
13 the voter's name and the changed information in the appropriate  
14 spaces on the form;

15 (10) a statement that if the applicant declines to  
16 register to vote, that fact will remain confidential and will be  
17 used only for voter registration purposes;

18 (11) a statement that if the applicant does register  
19 to vote, information regarding the agency or office to which the  
20 application is submitted will remain confidential and will be used  
21 only for voter registration purposes;

22 (12) a space or box for indicating whether the  
23 applicant is interested in working as an election judge;

24 (13) a statement warning that a conviction for making  
25 a false statement may result in imprisonment for up to the maximum  
26 amount of time provided by law, a fine of up to the maximum amount  
27 provided by law, or both the imprisonment and the fine;

1           (14) a statement that the applicant shall submit to  
2 the registrar information under Section 13.002(c)(8) or  
3 Subdivision (15) of this subsection that allows the registrar to  
4 verify the applicant's citizenship or a copy of one of the following  
5 documents:

6                   (A) a United States passport or passport card  
7 issued to the person;

8                   (B) a certified copy of a birth certificate  
9 issued by a United States state or territory, or the District of  
10 Columbia;

11                   (C) United States citizenship papers issued to  
12 the person;

13                   (D) identification issued by the agency of the  
14 United States responsible for citizenship and immigration; or

15                   (E) for citizens born abroad, a certificate of  
16 report of birth or consular report of birth abroad issued by the  
17 United States Department of State;

18           (15) a space for the applicant's alien registration  
19 number, certificate of naturalization number, or certificate of  
20 citizenship number, if applicable to the applicant; and

21           (16) [~~(14)~~] any other voter registration information  
22 required by federal law or considered appropriate and required by  
23 the secretary of state.

24           SECTION 7. Chapter 13, Election Code, is amended by adding  
25 Subchapter G to read as follows:

1     SUBCHAPTER G. VERIFICATION OF CITIZENSHIP STATUS BY ATTORNEY

2             GENERAL; INVESTIGATION; OFFENSE

3             Sec. 13.151. VERIFICATION OF CITIZENSHIP STATUS. (a) The  
4 secretary of state and each county registrar shall:

5                 (1) make available to the attorney general a list of  
6 all persons who are registered to vote and who have not provided  
7 proof of citizenship as required by Section 13.002(a-1) or had the  
8 person's citizenship verified under Section 13.0721; and

9                 (2) provide to the attorney general the voter  
10 registration applications of persons described by Subdivision (1).

11             (b) Not later than the 30th day after the date a county  
12 registrar receives a voter registration application for a person  
13 who has not provided proof of citizenship as required by Section  
14 13.002(a-1), the secretary of state and the county voter registrar  
15 shall provide to the attorney general the voter registration  
16 application.

17             (c) After receiving a voter registration application under  
18 Subsection (a) or (b), the attorney general shall use all available  
19 resources to verify the citizenship status of the applicant and at a  
20 minimum compare the information available on the voter registration  
21 application with the databases described by Section 13.0721(a).

22             (d) The secretary of state shall provide to the attorney  
23 general access and any assistance necessary to satisfy the  
24 requirements of this section.

25             Sec. 13.152. REPORT. (a) Not later than March 31, 2026,  
26 the attorney general shall prepare and submit to the secretary of  
27 state, the lieutenant governor, and the speaker of the house of

representatives a report detailing all findings relating to the citizenship status of persons who are registered to vote and who have not provided a proof of citizenship document required under Section 13.002(a-1).

(b) This section expires April 1, 2026.

Sec. 13.153. ILLEGAL REGISTRATION. (a) A person commits an offense if the person:

(1) knowingly or intentionally applies to register as a voter in this state; and

(2) is not a United States citizen.

(b) An offense under this section is a state jail felony.

Sec. 13.154. PROSECUTION BY ATTORNEY GENERAL. If a district attorney, criminal district attorney, or county attorney fails to prosecute conduct constituting an offense under Section 13.153 within 180 days after discovering a person engaged in the conduct, the attorney general shall prosecute the offense.

SECTION 8. Section 15.021, Election Code, is amended by adding Subsection (f) to read as follows:

(f) A voter who has previously provided proof of citizenship as required by Section 13.002(a-1) or has been verified as a United States citizen under Section 13.0721(b) is not required to provide proof of citizenship when submitting an update, change, or correction to the voter's registration information.

SECTION 9. Subchapter B, Chapter 15, Election Code, is amended by adding Section 15.0211 to read as follows:

Sec. 15.0211. NOTATION FOR DETERMINATION OF BALLOT. (a) The registrar shall enter the notation "F", or a similar notation

approved by the secretary of state, on the list of registered voters beside the name of each voter whose United States citizenship has not been verified.

(b) The registrar shall delete the notation from the list if the voter provides proof of citizenship in accordance with Section 13.002(a-1) or is verified as a United States citizen under Section 13.0721.

SECTION 10. Chapter 63, Election Code, is amended by adding Section 63.007 to read as follows:

Sec. 63.007. LIMITED FEDERAL BALLOT VOTER. A voter whose name is on the precinct list of registered voters with an "F" beside the voter's name shall only be accepted for voting a limited federal ballot under Chapter 115.

SECTION 11. Section 111.001, Election Code, is amended to read as follows:

Sec. 111.001. RESTRICTED BALLOT. In this subtitle, "restricted ballot" means a ballot that is restricted to the offices and propositions stating measures on which a person is entitled to vote under Chapter 112, 113, ~~or~~ 114, or 115.

SECTION 12. Subtitle C, Title 7, Election Code, is amended by adding Chapter 115 to read as follows:

CHAPTER 115. VOTING LIMITED FEDERAL BALLOT

Sec. 115.001. ELIGIBILITY. A person is eligible to vote a limited federal ballot by personal appearance during the early voting period or on election day if:

(1) the person has registered to vote under Chapter 13;

1           (2) the person has not provided proof of citizenship  
2 as required by Section 13.002(a-1); and

3           (3) the county registrar is unable to match the person  
4 with appropriate citizenship information under Section 13.0721.

5           Sec. 115.002. PROCEDURE FOR VOTING BY PERSONAL APPEARANCE.

6           (a) A voter who votes a limited federal ballot shall place the  
7 marked ballot in a sealed envelope designed for limited federal  
8 ballots. The presiding judge shall place the sealed envelope in a  
9 locked, sealed container that is designated specifically for  
10 limited federal ballots.

11           (b) The presiding judge shall provide a notice prescribed by  
12 the secretary of state to a voter who votes a limited federal ballot  
13 under Subsection (a). The notice must inform the voter that:

14                 (1) because the voter registrar was unable to verify  
15 the voter's citizenship status, the voter is qualified to vote only  
16 a limited federal ballot under this chapter;

17                 (2) the voter must provide proof of citizenship to the  
18 voter registrar not later than the sixth day after election day in  
19 order for a voter's limited federal ballot to be counted as a full  
20 ballot; and

21                 (3) if the voter does not provide proof of citizenship  
22 to the voter registrar during the period described by Subdivision  
23 (2), then only the races for the offices of United States senator or  
24 United States representative on the voter's ballot will be counted.

25           (c) The early voting clerk shall deliver the container  
26 containing the limited federal ballots cast during the period for  
27 early voting by personal appearance and its key to the voter

1 registrar at the end of the period for early voting by personal  
2 appearance.

3 (d) The presiding judge shall deliver the container  
4 containing the limited federal ballots cast on election day and its  
5 key to the voter registrar on election night.

6 Sec. 115.003. VOTER REGISTRAR REVIEW OF LIMITED FEDERAL  
7 BALLOTS. (a) If a voter presents proof of citizenship to the voter  
8 registrar not later than the sixth day after the date of the  
9 election, then the voter registrar shall indicate on the sealed  
10 envelope that the voter has provided proof of citizenship under  
11 Section 13.002(a-1) and is entitled to a full ballot. The voter  
12 registrar shall indicate on the voter's registration record that  
13 the voter has provided proof of citizenship.

14 (b) If a voter fails to present proof of citizenship to the  
15 voter registrar by the deadline prescribed by Subsection (a), then  
16 the voter registrar shall indicate on the sealed envelope that the  
17 voter has not provided proof of citizenship and is entitled to vote  
18 for the offices of United States senator or United States  
19 representative only.

20 (c) If a voter notifies the voter registrar that the voter  
21 is not a United States citizen, then the voter registrar will notate  
22 on the sealed envelope that the limited federal ballot is canceled.  
23 The registrar will retain the sealed envelope for the duration of  
24 the preservation period for precinct election records and shall  
25 cancel the voter's voter registration.

26 (d) The voter registrar will deliver the container  
27 containing the limited federal ballots that have been reviewed by

1 the registrar to the presiding judge of the early voting ballot  
2 board.

3 (e) The registrar shall deliver the container containing  
4 the limited federal ballots to the presiding judge of the early  
5 voting ballot board on a rolling basis. The first delivery of  
6 limited federal ballots to the early voting ballot board must be  
7 made not later than election day. The last delivery of limited  
8 federal ballots to the early voting ballot board must be made not  
9 later than the last day for the early voting ballot board to meet  
10 after election day under Section [87.125](#).

11 Sec. 115.004. EARLY VOTING BALLOT BOARD REVIEW OF LIMITED  
12 FEDERAL BALLOTS. (a) The early voting ballot board shall separate  
13 the sealed envelopes for voters who have qualified for full ballots  
14 under Section 115.003(a) from the sealed envelopes for voters who  
15 are qualified to vote only for the offices of United States senator  
16 or United States representative under Section 115.003(b).

17 (b) The early voting ballot board will remove the ballots  
18 from the sealed envelopes and place the ballots that are qualified  
19 as full ballots in separate containers from the ballots that are  
20 restricted to only the offices of United States senator or United  
21 States representative.

22 (c) The early voting ballot board will count each race on  
23 the ballots that are qualified as full ballots.

24 (d) The early voting ballot board will only count the races  
25 of United States senator and United States representative on the  
26 ballots that are restricted to those offices. The early voting  
27 ballot board will strike through the remaining races on the ballot



to indicate that those races cannot be counted.

(e) The early voting ballot board will count the ballots as follows:

(1) for ballots to be counted manually, in the manner provided by Subchapter D, Chapter 87; and

(2) for ballots to be counted by automatic tabulating equipment, in the manner provided by Subchapter F, Chapter 87.

(f) The early voting ballot board will deliver the returns of limited federal ballots, the limited federal ballots, and other records to the general custodian of election records for preservation. The records shall be preserved for the duration of the period for preserving precinct election records.

Sec. 115.005. NOTICE OF OUTCOME TO VOTER. (a) Not later than the 10th day after the local canvass, the presiding judge of the early voting ballot board shall deliver written notice to a voter who submits a ballot under this chapter regarding whether:

(1) the ballot was counted as a full ballot;

(2) the ballot was counted as a ballot restricted to the offices of United States senator and United States representative; or

(3) the ballot could not be counted.

(b) A notice under Subsection (a)(1) must include a statement that all races on the voter's ballot were counted because the voter provided proof of citizenship as required by this chapter.

(c) A notice under Subsection (a)(2) must include:

(1) a statement that only the voter's selections for

offices of United States senator and United States representative on the voter's ballot were counted because the voter did not provide proof of citizenship as required by this chapter; and

(2) instructions to the voter for providing proof of citizenship to the registrar required by Section 13.002(a-1) in order to receive a full ballot for future elections.

(d) A notice under Subsection (a)(3) must include:

(1) a statement that the voter's ballot was not able to be counted because the voter provided information to the registrar that the voter is not a United States citizen; and

(2) a statement that the voter's registration has been canceled.

SECTION 13. As soon as practicable after the effective date of this Act, the secretary of state shall adopt rules necessary to implement the changes in law made by this Act.

SECTION 14. (a) Not later than January 1, 2026, the secretary of state shall request that the federal Election Assistance Commission 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) If the federal Election Assistance Commission fails to comply with the secretary of state's request under Subsection (a) of this section before the 180th day following the date of that request, the attorney general shall seek enforcement in a court of law.

C.S.S.B. No. 16

1       SECTION 15.   This Act takes effect September 1, 2025.