

- SUBJECT:** Information required for voter registration application
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 5 ayes — Denny, Bohac, Anderson, J. Jones, T. Smith
0 nays
2 absent — Anchia, Hughes
- WITNESSES:** For — (*Registered, but did not testify:* George Hammerlein, Harris County Tax Assessor-Collector)

Against — Luis Figueroa, Mexican American Legal Defense and Educational Fund (*Registered, but did not testify:* Mike Lavigne, Texas Democratic Party; Paula Littles, Texas AFL-CIO; Suzy Woodford, Common Cause Texas)

On — Germaine Martinez, Department of Public Safety; Ann McGeehan, Secretary of State; Leilah Powell, Bexar County Commissioners Court
- BACKGROUND:** Election Code, sec. 13.002 sets forth the requirements for information on a voter registration application, including full name, birthday, address, an affirmation of whether or not the applicant has been determined mentally incompetent or has not been finally convicted of a felony, and the city or county of former residence. The driver's license or personal identification number is required. If those identification numbers have not been issued, then the last four digits of the applicant's social security number are required. An applicant without any of these identification numbers must indicate that. Applicants must affirm they are U.S. citizens and will be 18 years old on or before the election. The applicant must affirm that giving false information is perjury and is a federal and state crime. A space is provided for a telephone number, registration number and gender, but the information is optional.
- DIGEST:** CSHB 1268 would add to the voter registration application a statement warning that "a conviction for making a false statement may result in imprisonment for up to the maximum amount of time provided by law, a

fine of up to the maximum amount provided by law, or both imprisonment and the fine."

The application would provide separate statements for applicants to indicate they had not been issued a driver's license or personal identification number, or that they had not been issued a social security number, rather than having one statement about all of these numbers.

The application also would provide a space for an applicant to indicate an interest in working as an election judge. This information would not constitute public information under ch. 552 of the Government Code and would be excluded from public disclosure.

The bill would take effect January 1, 2006, and would apply only to an application submitted on or after the effective date of the bill.

**SUPPORTERS
SAY:**

CSHB 1268 would make some minor but helpful adjustments to the voter registration application. The changes are designed to help county voter registrars keep more efficient records and give the voter more information when applying to vote, and to help in the recruitment of election judges.

The bill would require the last four digits of the applicant's social security number only if the applicant did not have a driver's license or personal identification number. This would not change current law but would rearrange the format of the application so that the social security option would be in a separate box from the driver's license or ID number. This would prevent errors when the information was entered into the state's database and cut down on errors by applicants. Applicants often put only the last four digits of their driver's license numbers. These mistakes create additional registration challenges and result in lost time and extra costs to the county to verify the information with the applicant.

The bill would make clear that if an applicant indicated an interest in becoming an election judge, that information would be considered confidential and not public information. County election officials struggle to recruit enough election judges to run elections and this change would allow the county to compile a list of people interested in serving. Several other states include a similar check-box on their applications.

It is important for applicants to understand the penalties for providing false statements on the application. Currently, it is a class B misdemeanor

(up to 180 days in jail and/or a maximum fine of \$2,000) for making a false statement on a voter registration application. The bill would not increase the penalty — it only would inform the applicant about the penalty, which should deter fraudulent voter registration activity.

The bill would not disenfranchise or discriminate against any voter. It would protect voters from mistakes in their voter information, disclose information about making false statements, and provide an opportunity to express an interest in serving as an election judge.

**OPPONENTS
SAY:**

The current application already states that it is a federal and state crime to offer false information. Adding the penalty for perjury only would intimidate some applicants and could discourage them from registering. The current voter registration application already is filled with information and is difficult enough to complete without adding to it.

NOTES:

The committee substitute removed a requirement in the original bill that an applicant provide the last four digits of the social security number, even if the applicant had a driver's license or personal ID card. It also removed a requirement that a registration application include the city, state, and county of the applicant's birth. The substitute removed the specific fine and length of jail time for giving false information, as well as stipulating that the election judge information would be considered confidential. It also would move the effective date from September 1, 2005, to January 1, 2006.