

- SUBJECT:** Penalty for delivering false voter registration applications to registrar
- COMMITTEE:** Elections — favorable, without amendment
- VOTE:** 6 ayes — L. Taylor, Berman, Branch, Burkett, Isaac, P. King
3 nays — Hernandez Luna, Farias, Veasey
- WITNESSES:** For — Erin Anderson, King Street Patriots; (*Registered, but did not testify*: Cheryl Johnson, County Voters & Tax Office; Sheryl Swift, Galveston County Tax Office; Skipper Wallace, Texas Republican County Chairman’s Association; Dean Wright, New Revolution Now Institute, Inc.)
Against — (*Registered, but did not testify*: Sonia Santana, ACLU-TX; Stewart Snider, League of Women Voters of Texas)
On — (*Registered, but did not testify*: Elizabeth Hanshaw Winn, Secretary of State)
- BACKGROUND:** Election Code, sec. 13.042 stipulates that a volunteer deputy registrar must deliver all completed voter registration applications to the registrar in person. Failure to do so is a class C misdemeanor (maximum fine of \$500), unless the act is intentional, in which case it is a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000).
- DIGEST:** HB 2589 would make it a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000) if a volunteer deputy registrar knowingly delivered a voter registration application containing false information.
The bill would take effect September 1, 2011, and would apply only to offenses committed on or after that date.
- SUPPORTERS SAY:** By increasing the criminal penalties for voter registration fraud, HB 2589 would go a long way toward deterring and preventing intentional voter suppression and fraud. Even a limited amount of fraud could tip a close or

disputed election. In addition, the perception of potential fraud contributes to low confidence in the democratic system.

The bill would apply only to persons who knowingly delivered to the voter registrar a voter application containing false information. Those making innocent mistakes without an intent to defraud would not commit the offense.

**OPPONENTS
SAY:**

This bill would be an extreme solution targeting volunteers who may unknowingly turn in voter registration applications with false information. Voter registration and turnout in Texas are among the lowest in the country. Increasing penalties for potentially innocent mistakes would deter many volunteers from giving time to register eligible Texans. A more appropriate solution would be to increase voter education, particularly on registration, rather than increasing the prison population with more non-violent offenders.