

- SUBJECT:** Providing for participation in interstate voter matching programs
- COMMITTEE:** Elections — favorable, without amendment
- VOTE:** 5 ayes — Laubenberg, R. Anderson, Fallon, Larson, Swanson
2 nays — Israel, Reynolds
- WITNESSES:** For — Ed Johnson, Harris County Clerk's Office; Alan Vera, Harris County Republican Party Ballot Security Committee; Bill Fairbrother, Texas Republican County Chairmen's Association; (*Registered, but did not testify*: Cary Roberts, County and District Clerks' Association of Texas; George Hammerlein, Harris County Clerk's Office; Chris Davis, Texas Association of Elections Administrators; Donald Lee, Texas Conference of Urban Counties; Thomas Parkinson)

Against — Glen Maxey, Texas Democratic Party; (*Registered, but did not testify*: Yannis Banks, Texas NAACP)

On — Cinde Weatherby, League of Women Voters of Texas; Keith Ingram, Texas Secretary of State, Elections Division; (*Registered, but did not testify*: Brantley Starr, Texas Office of the Attorney General)
- BACKGROUND:** In 2015, the 84th Legislature enacted SB 795 by Perry, which required the secretary of state to cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and voter registration lists to identify voters whose addresses have changed. Any system developed must be compliant with the National Voter Registration Act (52 U.S.C. ch. 205), which establishes requirements that must be met before a state may remove a voter from its list of eligible voters.

Two programs are currently available to states to directly compare voter registration data: the Kansas Interstate Crosscheck Program and the Electronic Registration Information Center (ERIC).
- DIGEST:** HB 3422 would allow the secretary of state to disclose voter information,

including a voter's date of birth and the last four digits of a voter's social security number, for the purposes of participating in a system that would compare voters, voter history, and voter registration lists with other states.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

HB 3422 would give the secretary of state permission to disclose the information required for participation in the Kansas Interstate Crosscheck Program. Providing the option for participation in this program could help the secretary of state maintain the integrity of Texas voter registration rolls by identifying duplicate registrations without increasing costs to the state.

While some say Texas should not participate in the Kansas program because the Electronic Registration Information Center (ERIC) is preferable, the Kansas program shares data with its member states and stores data for one year. Texas also could participate in the Kansas program at no cost, while participation in ERIC requires an initial cost to join and a membership fee.

**OPPONENTS
SAY:**

HB 3422 would allow the secretary of state to participate in the Kansas Interstate Crosscheck Program, which does not protect data well nor filter it adequately. The ERIC system, started by the Pew Charitable Trusts, uses different and more accurate information and encrypts the data to better protect voters. The ERIC program also would let each state know about those who were eligible to register to vote but not currently registered.