

SUBJECT: Canceling the voter registrations of individuals convicted of felonies

COMMITTEE: Elections — committee substitute recommended

VOTE: 9 ayes — Klick, Cortez, Bucy, Burrows, Cain, Fierro, Israel, Middleton, Swanson

0 nays

WITNESSES: For — Alan Vera, Harris County Republican Party Ballot Security Committee; Ed Johnson; (*Registered, but did not testify*: Amanda Gnaedinger, Common Cause Texas; Steven Hotze, Conservative Republicans of Texas; Cinde Weatherby, League of Women Voters of Texas; James Dickey, Republican Party of Texas; Aryn James, Travis County Commissioners Court; Russell Hayter; Paul Hodson; Brandon Moore)

Against — (*Registered, but did not testify*: Idona Griffith; Connie Sheldon; Robert Sheldon; Arthur Simon; Jose Skinner)

On — (*Registered, but did not testify*: Keith Ingram, Secretary of State; Lon Burnam, Public Citizen; Chris Davis and Cary Roberts, Texas Association of Elections Administrators; Glen Maxey, Texas Democratic Party)

BACKGROUND: Election Code sec. 16.003 requires the Department of Public Safety (DPS) each weekday that it is open for business to prepare an abstract of each final judgment it received that convicts a person who is 18 or older of a felony. It must file the abstract with the secretary of state.

Sec. 16.031 requires voter registrars to cancel affected voters' registrations immediately upon receiving these abstracts from DPS. Registrars also are required to retain copies of the filed abstracts with affected voters' registration applications, under sec. 16.005.

Sec. 16.036 requires voter registrars to notify voters that their registrations

have been canceled immediately after cancellation and no later than the 30th day after the cancellation.

Some have noted that the current process of removing convicted felons from the voter rolls is inefficient due to a lack of available data.

DIGEST:

CSHB 3578 would create a procedure for the cancellation of the voter registration of a person who was at least 18 years old and finally convicted of a felony.

In the trial of a felony offense, if the defendant was at least 18 years old and found guilty of the offense, the court would be required to:

- make an affirmative finding that the person was found guilty and enter the affirmative finding in the judgment of the case; and
- at the time the conviction became final, issue an order that the defendant's voter registration be canceled and send the order to the secretary of state.

After receiving the order, the secretary of state would be required to determine if the person named in the order was a registered voter and, if so, forward the order to the appropriate registrar. The registrar would be required to:

- cancel the registration immediately upon receiving the order;
- deliver written notice to the defendant within 30 days of the cancellation; and
- keep a copy of the order on file with the defendant's registration application.

The bill would take effect September 1, 2019, and would apply only to individuals convicted of felonies on or after that date.