

SUBJECT: Amending the interstate voter registration crosscheck program

COMMITTEE: Elections — favorable, without amendment

VOTE: *After recommitted:*

5 ayes — Smith, Burrows, Capriglione, DeAyala, Swanson

3 nays — Manuel, E. Morales, Vo

1 absent — Bucy

SENATE VOTE: On final passage (April 12) — 18- 12

WITNESSES: None (*considered in a formal meeting on May 17*)

BACKGROUND: Election Code sec. 18.062 requires the secretary of state to maintain a statewide voter registration list and to prevent duplication of registration in more than one state or jurisdiction.

Some have suggested that expanding the factors that a publicly developed interstate voter information system can compare and providing certain cost and functionality standards for private programs that the state uses would help to ensure an efficient and cost-effective interstate voter registration crosscheck program.

DIGEST: SB 1070 would require the secretary of state to either:

- cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and voter registration lists to identify voters who had been convicted of a felony or who were registered to vote in more than one state, as well as voters whose addresses had changed; or
- identify and contract with the provider of a private sector data system to identify voters whose addresses had changed, who were registered to vote in more than one state, who were deceased, or who were not eligible to vote for another reason, including a felony

conviction.

A private sector data system would be required to demonstrate an ability to work with registered voter identification and matching systems, to comply with the Help America Vote Act as well as the National Voter Registration Act, and to cost less than \$100,000 to begin operations. The costs of continuing operations could not exceed one dollar for each voter. The secretary of state would be prohibited from providing information to a private sector data system that was not found in a voter roll and necessary to identify voters.

The secretary of state would be required to record information related to the private system and submit to the Legislature a report on that information by the first day of each quarter of the fiscal year. A contract with a private system could not require any additional duty of the state not required by the bill.

The bill would take effect September 1, 2023.