

## BILL ANALYSIS

Senate Research Center

H.B. 1271  
By: Bohac (Janek)  
State Affairs  
5/1/2005  
Engrossed

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, if a person indicates on an official jury summons that the person is disqualified to serve on a jury based on lack of citizenship, the clerk of the court is required to inform the voter registrar of the county. After the voter registrar receives the list of non-citizens, the registrar sends a written notice requiring the voter to submit proof of United States citizenship. If a voter fails to respond on or before the 30th day after the date the notice is mailed, the registrar cancels the voter's registration.

H.B. 1271 creates similar procedures for people who indicate that they no longer live in the county on their official jury summons, since, by law, these individuals are also ineligible to vote. Individuals on the list of nonresidents of the county would be placed on a voter suspense list. The bill requires the voter registrar to notify each person on the list of the nonresidents of the county that have been placed on the suspense list and include information describing how the person may be restored to regular status if they are in fact qualified to vote in the county. Even if a person remains on the suspense list, the law specifically states that a person on the suspense list may vote in an election if the voter satisfies the residence requirements and submits a statement of residence form.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 62, Government Code, by adding Section 62.0142, as follows:

Sec. 62.0142. NOTICE ON WRITTEN SUMMONS. Requires the form, if a written summons for jury duty allows a person to claim a disqualification or exemption by signing a statement and returning it to the clerk of the court, to notify the person that by claiming a disqualification or exemption based on the lack of citizenship or lack of residence in the county the person might no longer be eligible to vote in the county.

SECTION 2. Amends Subchapter B, Chapter 62, Government Code, by adding Section 62.114, as follows:

Sec. 62.114. COMPILATION OF LIST OF NONRESIDENTS. (a) Requires the clerk of the court to maintain a list containing the name and address of each person who is excused or disqualified under this subchapter from jury service because the person is not a resident of the county.

(b) Requires the clerk, on the third business day of each month, to send to the voter registrar of the county a copy of the list of persons excused or disqualified in the previous month because the persons do not reside in the county.

(c) Prohibits a list compiled under this section from being used for a purpose other than a purpose described by Subsection (b) or Section 15.081 (Suspense List), Election Code.

(d) Requires the voter registrar to notify each person contained on a list sent to the registrar under Subsection (b) at the address shown on the person's jury summons that the person is being placed on the county's suspense list of registered voters because of the person's excuse or disqualification from jury service based on nonresidence in the county. Requires the notice to include information describing how the person may be removed from the suspense list and restored to regular voter registration in the county.

SECTION 3. Amends Section 15.081(a), Election Code, to make a conforming change.

SECTION 4. Effective date: September 1, 2005.