

## **BILL ANALYSIS**

Senate Research Center  
7917016 JRJ-D

C.S.H.B. 178  
By: Denny (Averitt)  
State Affairs  
5/20/2005  
Committee Report (Substituted)

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

The 78th Legislature, Regular Session, 2003, adopted S.B. 1445, which specified the individuals who were permitted to access or use the electronically readable information contained on a driver's license. Election officials were inadvertently left off the list of individuals allowed to "swipe" a driver's license. C.S.H.B. 178 clarifies that election officials may access the electronically readable information on a driver's license to verify the identity of a voter.

### **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 Chapter 63, Election Code, by adding Section 63.0102, as follows:

Sec. 63.0102. USE OF CERTAIN ELECTRONICALLY READABLE INFORMATION. (a) Authorizes an election officer to access electronically readable information on a driver's license or personal identification card for proof of identification when determining whether a voter shall be accepted for voting.

(b) Requires the secretary of state to prescribe any necessary procedures to implement this section.

SECTION 2. Amends Section 521.126(d), Transportation Code, to provide that the prohibition provided by Subsection (b) (regarding accessing or storing certain information) does not apply to certain persons acting in the scope of employment.

SECTION 3. Effective date: September 1, 2005.