

BILL ANALYSIS

Senate Research Center

H.B. 626
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State Affairs
5/17/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Effective voter registration is the bedrock of a modern election system. Our election system cannot inspire public confidence if no safeguards exist to deter or detect voter fraud or to confirm the eligibility of voters.

H.B. 626 requires a voter applicant to prove he or she is a United States citizen by furnishing a birth certificate or, if the person is a naturalized citizen, the city state, and year of taking the naturalization oath. The bill requires the voter registrar to verify with the secretary of state that the applicant is a United States citizen.

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 Section 13.002(c), Election Code, as follows:

(c) Requires a voter registration application to include certain information, including a statement that the applicant is a United States citizen and, unless the applicant was a registered voter in this state on September 1, 2007, if the person is a citizen by birth, the city, county, state, and county of birth; or, if the person is a naturalized citizen, the city, state, and year of taking the naturalization oath; or the applicant's alien registration number.

SECTION 2. Amends Section 13.072, Election Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Requires the registrar, unless he or she challenges the applicant, to approve the voter registration application under certain circumstances, including if, using the information provided under Section 13.002(c)(3), the registrar verifies with the secretary of state that the applicant is a United States citizen.

(e) Requires the secretary of state to adopt rules and enter into any agreement necessary to verify the citizenship of an applicant as required by Subsection (a)(3). Requires the secretary of state to adopt rules that provide that an applicant whose citizenship cannot be verified under this section is authorized to execute an affidavit stating that the applicant is a United States citizen. Provides that an affidavit executed under this subsection creates a rebuttable presumption that the applicant is a United States citizen.

SECTION 3. Amends Section 406.024, Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Makes a conforming change.

(c) Prohibits a notary public or its employer from charging a fee for the notarization of an affidavit required under Section 13.072(e), Election Code.

SECTION 4. Requires the secretary of state to adopt rules for the administration of Section 13.072(a)(3), Election Code, as added by this Act, as soon as practicable after this Act takes effect. Requires the secretary of state to adopt the rules in the manner provided by law for emergency rules.

SECTION 5. Makes application of Sections 13.002 and 13.072, Election Code, prospective.

SECTION 6. Effective date: September 1, 2007.