

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 4034
By: Bohac (Bettencourt)
State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that under current law, the voter information provided on a ballot by mail application received by an early voting clerk cannot be given to the voter registrar to update a voter's registration information. Oftentimes, the voter will provide new information that they expect will be added to their voter registration information, such as their date of birth, driver's license number, or social security number. H.B. 4034 seeks to require the early voting clerk to notify the voter registrar if an applicant provides this information and directs the voter registrar to update the voter's record with the information provided by the applicant. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 4034 amends current law relating to certain voter registration information.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas secretary of state in SECTION 4 (Section 18.0681, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13.004(c-1), Election Code, as follows:

(c-1) Requires the registrar to ensure that the information listed in Subsection (c) (relating to certain information furnished on a registration application that is confidential) is excluded from disclosure, except that the registrar is required to forward to the county chair of each county executive committee the information necessary to contact applicants who indicate interest in working as an election judge.

SECTION 2. Amends Section 16.031(a), Election Code, to require the registrar to cancel a voter's registration immediately on the receipt of notice from the early voting clerk under Section 101.053, rather than Section 101.0041, that a federal postcard application submitted by an applicant states a voting residence address located outside the registrar's county.

SECTION 3. Amends Section 18.061(c), Election Code, to require that procedures prescribed by the Texas secretary of state (SOS) provide for the electronic submission of the information and ensure that each voter registrar collects and reports the correct month, day, and year of birth for each registered voter, rather than to provide for the electronic submission of the information.

SECTION 4. Amends Subchapter C, Chapter 18, Election Code, by adding Section 18.0681, as follows:

Sec. 18.0681. SECRETARY OF STATE AUTHORITY TO ELIMINATE DUPLICATE REGISTRATION RECORDS. (a) Requires the SOS to periodically compare the information regarding voters maintained as part of the statewide computerized voter registration list to determine whether any voters have more than one registration record on file.

(b) Requires the SOS by rule to determine what information combinations identified as common to more than one registration record constitute a weak

match or a strong match in order to produce the least possible impact on Texas voters and fulfill its responsibility to manage the voter rolls.

(c) Prohibits the SOS from determining that a voter has more than one registration record based on a weak match. Authorizes the SOS to inform the county of the voter's residence that a weak match exists.

(d) Requires the SOS, if the SOS determines that a voter on the registration list has more than one registration record on file based on a strong match, to send notice of the determination to the voter registrar of each county in which the voter is registered to vote. Provides that if the voter records identified are:

(1) located in the same county, the voter registrar is authorized to merge the records following a determination that each record belongs to the same voter using the procedure for the correction of registration records under Section 15.022 (Correction of Registration Records); or

(2) located in more than one county, the registrar with the oldest record is authorized to deliver a written confirmation notice in accordance with Section 15.051 (Confirmation Notice).

SECTION 5. Amends Section 19.002(d), Election Code, to prohibit the SOS from making certain payments if on June 1 of the year in which the payment is to be made the registrar is not in substantial compliance with certain sections, including Section 16.031 (Cancellation on Official Notice of Ineligibility), or with rules implementing the registration service program

SECTION 6. Amends Subchapter A, Chapter 84, Election Code, by adding Section 84.014, as follows:

Sec. 84.014. ACTION BY EARLY VOTING CLERK ON CERTAIN APPLICATIONS. Requires the early voting clerk, if an applicant provides a date of birth, driver's license number, or social security number on the applicant's application for an early voting ballot to be voted by mail that is different from or in addition to the information maintained by the voter registrar in accordance with Title 2 (Voter Qualifications and Registration), to notify the voter registrar. Requires the voter registrar to update the voter's record with the information provided by the applicant.

SECTION 7. Amends Section 101.053, Election Code, as follows:

Sec. 101.053. ACTION BY EARLY VOTING CLERK ON CERTAIN APPLICATIONS. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Requires the early voting clerk, if an applicant provides a date of birth, driver's license number, or social security number on the applicant's federal postcard application that is different from or in addition to the information maintained by the voter registrar in accordance with Title 2, to notify the voter registrar. Requires the voter registrar to update the voter's record with the information provided by the applicant.

SECTION 8. Amends Section 62.0132(g), Government Code, as follows:

(g) Authorizes the information contained in a completed questionnaire to be disclosed to certain persons, including, other than information provided that is related to Section 62.102(8) (relating to providing that a person is disqualified to serve as a petit juror unless the person has not been convicted of misdemeanor theft or a felony) or (9) (relating to providing that a person is disqualified to serve as a petit juror unless the person is not under indictment or other legal accusation for misdemeanor theft or a felony), the voter registrar of a county in connection with any matter of voter registration or the administration of elections.

SECTION 9. Effective date: upon passage or September 1, 2017.