

## **BILL ANALYSIS**

Senate Research Center

S.B. 1235  
By: Hughes  
State Affairs  
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As Filed

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

Ensuring that voter rolls are verified and correct is essential to the integrity of our elections. Utilizing state databases and cross checking information from other agencies is another useful tool to prevent voter fraud in our elections.

This bill amends the Election Code to allow the Office of the Secretary of State (SOS) to enter into an agreement with the Texas Department of Public Safety (DPS) to compare the voter registration list against the information DPS has in its databases. This bill requires that this be a monthly process.

The SOS will send notice to the voter registrar of appropriate counties of an ineligible person. The SOS will also provide a report to the legislature every year of the results of this crosscheck.

This bill only affects applications submitted after September 1, 2021.

As proposed, S.B. 1235 amends current law relating to verification of the accuracy of voter registration applications and voter registration lists.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the secretary of state is modified in SECTION 1 (Section 18.068, Election Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 18.068, Election Code, is amended to read as follows:

Sec. 18.068. COMPARISON OF INFORMATION REGARDING INELIGIBILITY. (a) Creates Subsection (a-2) from existing text and makes no further changes to this subsection.

(a-1) Requires the secretary of state (SOS) to enter into an agreement with the Department of Public Safety of the State of Texas (DPS) under which information in the statewide computerized voter registration list is compared against information in the database of DPS on a monthly basis to verify the accuracy of information provided on voter registration applications. Requires that the information compared include, at a minimum, a voter's full legal name; former name, if applicable; date of birth; residence address; driver's license or state identification card number; signature, social security number; documentation of lawful presence in Texas; and citizenship status.

(a-2) Creates this subsection from existing text. Requires SOS, if determining from information received under Subsection (a) or (a-1) that a voter on the registration list may be ineligible to vote, rather than if determining from information received under Subsection (a) that a voter on the registration list is deceased or has been excused or disqualified from jury service because the voter is not a citizen, to send notice of the determination to the voter registrar of the counties considered appropriate by SOS.

(b) Requires SOS to by rule determine what information combinations identified as common to a voter and to an individual who is deceased or ineligible to vote, rather than who is deceased, constitute a weak match or a strong match in order to produce the least possible impact on Texas voters and to fulfill its responsibility to manage the voter rolls.

(c) Prohibits SOS from determining that a voter is deceased or ineligible to vote, rather than is deceased, based on a weak match.

(d) Requires the county, on receiving notification from SOS under Subsection (c) that a weak match of identifying information exists for a county voter and an individual who is deceased or ineligible to vote, rather than is deceased, to investigate whether the voter is that individual, rather than whether the voter is the individual who is deceased.

(e) and (f) Makes conforming changes to these subsections.

(g) Requires SOS, not later than December 31 of each year, to provide a report to the legislature of the number of voters determined to be ineligible under this section during the calendar year. Requires that the report include the reason for ineligibility for each voter.

SECTION 2. Makes application of this Act prospective as to an application to register to vote.

SECTION 3. Effective date: September 1, 2021.