

BILL ANALYSIS

Senate Research Center

S.B. 1070
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State Affairs
6/27/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Election Code requires Texas to work with other states to develop systems that can compare voter information among states to make sure that voter rolls are being maintained and that officials are removing duplicative or invalid listed voters.

In complying with this section, Texas has for several years participated in an interstate crosscheck system called ERIC, or the Electronic Registration Information Center. However, some say that the costs associated with the project have outweighed the benefits.

S.B. 1070 seeks to remedy this problem by expanding the factors a publicly developed system can compare, and also providing that a private option the state uses must meet certain cost and functionality standards.

S.B. 1070 amends current law relating to the interstate voter registration crosscheck program.

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. Authorizes this Act to be cited as the Alan Vera Memorial Act.

SECTION 2. Amends Section 18.062, Election Code, as follows:

Sec. 18.062. INTERSTATE VOTER REGISTRATION CROSSCHECK PROGRAM. (a) Requires the secretary of state (SOS), to maintain the statewide voter registration list and to prevent duplication of registration in more than one state or jurisdiction, to:

(1) cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and voter registration lists to identify voters:

(A) whose addresses have changed;

(B) are not qualified under Section 11.002(a)(4) (relating to defining "qualified voter"); or

(C) who are registered to vote in more than one state; or

(2) identify and contract with the provider of a private sector data system to identify voters:

(A) whose addresses have changed;

(B) who are registered to vote in more than one state;

(C) who are deceased; or

(D) who are not qualified under Section 11.002(a)(4).

(a-1) Requires that a private sector data system under Subsection (a)(2) have demonstrated an ability to work with registered voter identification and matching systems.

(b) Requires that a system developed under this section and any vendor involved with the system comply with:

(1) the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) and the Help America Vote Act of 2002 (52 U.S.C. Section 20901 et seq.); and

(2) all state and federal laws relating to the protection of personal information.

(c) Prohibits the cost to begin operations with a system under Subsection (a)(2) from exceeding \$100,000.

(d) Prohibits the cost of continuing operations with a system under Subsection (a)(2) from exceeding one dollar for each voter identified under Subsection (a)(2).

(e) Prohibits SOS from providing to a system under Subsection (a)(2) any information that is not found in a voter roll and that is not necessary to identify voters under Subsection (a)(2).

(f) Requires SOS to record information related to the system under Subsection (a)(2) and to submit to the legislature a report on that information not later than the first day of each quarter of the state's fiscal year.

(g) Prohibits a contract with a system under Subsection (a)(2) from requiring any additional duty of the state not required by this section.

(h) Prohibits SOS from contracting with a private sector data system under Subsection (a)(2) unless the system:

(1) requires a background check for each employee of a potential vendor for the system; and

(2) uses data from the National Change of Address database.

(i) Requires SOS, in addition to using a system described by Subsection (a), to use data from the National Change of Address database to identify voters whose addresses have changed for the purpose of preventing duplication of registration in more than one state or jurisdiction.

SECTION 3. Effective date: September 1, 2023.