

By: Hochberg

H.B. No. 1457

A BILL TO BE ENTITLED

AN ACT

relating to procedures concerning voter registration.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 11, Election Code is amended by adding Section 11.0005 to read as follows: Sec. 11.0005. GENERAL POLICY REGARDING ELIGIBILITY. It is the policy of this state that no qualified citizen shall be denied the right to vote due to governmental clerical errors or due to technical defects on an applicant's voter registration application as long as the information on the application demonstrates that the citizen is qualified to vote.

SECTION 2. Subchapter C, Chapter 13, Election Code, is amended by adding Section 13.0725 to read as follows:

Sec 13.0725. PROCESS FOR VERIFICATION OF AN APPLICANT'S TEXAS DRIVER'S LICENSE NUMBER, DEPARTMENT OF PUBLIC SAFETY ISSUED PERSONAL IDENTIFICATION NUMBER, AND SOCIAL SECURITY NUMBER. (a) The secretary of state shall adopt rules establishing standards for the verification of information on a voter registration application submitted by a registrar under Section 13.072(a)(2)(A). The rules shall provide a process by which the Texas driver's license number or Department of Public Safety issued personal identification card number is deemed verified if a reasonable person would conclude that the Texas driver's license number or Department of Public Safety issued personal identification card number submitted is the

1 correct number for that applicant.

2 (b) The secretary of state shall provide the registrar with,  
3 if available, the name and date of birth maintained by the  
4 Department of Public Safety or other agency used in the  
5 verification process for a submitted application that corresponds  
6 to the Texas driver's license number, Department of Public Safety  
7 issued personal identification card number, or social security  
8 number submitted by the registrar for verification if:

9 (1) the secretary of state cannot verify the accuracy  
10 of an applicant's Texas driver's license number, Department of  
11 Public Safety issued personal identification card number, or social  
12 security number as submitted by the registrar; or

13 (2) the secretary of state verifies the accuracy of  
14 the number provided, but it is not a perfect match with the personal  
15 information provided by the registrar.

16 (c) A registrar shall review an application returned by the  
17 secretary of state under Subsection (b). If the registrar  
18 determines that a governmental clerical error was made in  
19 processing or submitting the application, the registrar shall  
20 correct the record and submit the corrected record to the secretary  
21 of state as notice of the correction, and for verification under  
22 Section 13.072(a)(2) if an application was returned due to failure  
23 to verify.

24 SECTION 3. Section 13.073(a), Election Code, is amended to  
25 read as follows: (a) Except as provided by Subsection (b), the  
26 registrar shall deliver written notice of the reason for the  
27 rejection of an application to the applicant not later than the

1 second day after the date of rejection. If an application is  
2 rejected for failure to verify under Section 13.072, the notice  
3 shall indicate whether the last name, date of birth, Texas driver's  
4 license number, Department of Public Safety issued personal  
5 identification card number, or social security number was the  
6 reason for the failure to verify, if that information is provided by  
7 the secretary of state.

8 SECTION 4. Not later than January 1, 2010, the secretary of  
9 state shall adopt rules establishing the standard the required by  
10 Section 13.0725, Election Code, as added by this Act.

11 SECTION 5. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2009.