

By: Hall

S.B. No. 1604

A BILL TO BE ENTITLED

AN ACT

relating to election integrity, including periodic voter registration; creating a criminal offense.

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

SECTION 1. Section 11.003, Election Code, is amended to read as follows:

Sec. 11.003. PLACE FOR VOTING; OFFENSES. (a) Except as otherwise provided by this code, a person may vote only in the election precinct in which the person resides.

(b) A person commits an offense if the person casts a vote in violation of Subsection (a).

(c) An election officer commits an offense if the officer knowingly permits a person to cast a vote in violation of Subsection (a).

(d) An offense under Subsection (b) or (c) is a Class A misdemeanor.

SECTION 2. Section 13.122(a), Election Code, is amended to read as follows:

(a) In addition to the other statements and spaces for entering information that appear on an officially prescribed registration application form, each official form must include:

(1) the statement: "I understand that giving false information to procure a voter registration is perjury and a crime under state and federal law.";

- 1 (2) a space for the applicant's registration number;
- 2 (3) a space for the applicant's Texas driver's license
3 number or number of a personal identification card issued by the
4 Department of Public Safety;
- 5 (4) a space for the applicant's telephone number;
- 6 (5) a space for the applicant's social security
7 number;
- 8 (6) a space for the applicant's sex;
- 9 (7) a statement indicating that the furnishing of the
10 applicant's telephone number and sex is optional;
- 11 (8) a space or box for indicating whether the
12 applicant or voter is submitting new registration information or a
13 change in current registration information;
- 14 (9) a statement instructing a voter who is using the
15 form to make a change in current registration information to enter
16 the voter's name and the changed information in the appropriate
17 spaces on the form;
- 18 (10) a statement that if the applicant declines to
19 register to vote, that fact will remain confidential and will be
20 used only for voter registration purposes;
- 21 (11) a statement that if the applicant does register
22 to vote, information regarding the agency or office to which the
23 application is submitted will remain confidential and will be used
24 only for voter registration purposes;
- 25 (12) a space or box for indicating whether the
26 applicant is interested in working as an election judge;
- 27 (13) a statement warning that a conviction for making

1 a false statement may result in imprisonment for up to the maximum
2 amount of time provided by law, a fine of up to the maximum amount
3 provided by law, or both the imprisonment and the fine; ~~and~~

4 (14) a space or box for indicating whether the
5 application is for an initial registration or for renewal
6 registration; and

7 (15) any other voter registration information
8 required by federal law or considered appropriate and required by
9 the secretary of state.

10 SECTION 3. Section 13.142(c), Election Code, is amended to
11 read as follows:

12 (c) An initial certificate takes effect on the effective
13 date of the registration and expires on the fourth anniversary of
14 the date it takes effect ~~[the following January 1 of an~~
15 ~~even-numbered year]~~.

16 SECTION 4. Section 13.143, Election Code, is amended by
17 amending Subsection (c) and adding Subsection (c-1) to read as
18 follows:

19 (c) A registration is effective until canceled under this
20 code or until the fourth anniversary of the date the registration
21 became effective, whichever is earlier.

22 (c-1) Notwithstanding Subsection (c), the registration of a
23 voter whose registration was effective on September 1, 2019, is
24 effective until canceled under this code or until September 1,
25 2023, whichever is earlier. This subsection expires January 1,
26 2024.

27 SECTION 5. Section 14.001, Election Code, is amended by

1 amending Subsections (a) and (c) and adding Subsection (a-1) to
2 read as follows:

3 (a) A voter may apply to the registrar for a renewal of the
4 voter's registration at any time in the final year that the voter's
5 current registration will be effective.

6 (a-1) The voter shall submit a renewal application in the
7 same manner provided for an initial application under Subchapter A,
8 Chapter 13, and the registrar shall comply with all applicable
9 provisions of Subchapter C, Chapter 13, in determining whether to
10 renew the applicant's registration. [~~On or after November 15 but~~
11 ~~before December 6 of each odd-numbered year, the registrar shall~~
12 ~~issue a voter registration certificate to each voter in the county~~
13 ~~whose registration is effective on the preceding November 14 and~~
14 ~~whose name does not appear on the suspense list.]~~

15 (c) A renewal certificate becomes effective on the date the
16 voter's previous registration expires and is valid for four [~~two~~]
17 years beginning on the date it becomes effective [~~January 1~~
18 ~~following its issuance].~~

19 SECTION 6. Section 15.081(a), Election Code, is amended to
20 read as follows:

21 (a) The registrar shall maintain a suspense list containing
22 the name of each voter:

23 (1) who fails to submit a response to the registrar in
24 accordance with Section 15.053; or

25 (2) [~~whose renewal certificate is returned to the~~
26 ~~registrar in accordance with Subchapter B, Chapter 14, or~~

27 [~~3~~] who appears on the list of nonresidents of the

1 county provided to the registrar under Section 62.114, Government
2 Code.

3 SECTION 7. Section 32.0511(d), Election Code, is amended to
4 read as follows:

5 (d) Not more than two student election clerks may serve at a
6 polling place[~~, except that not more than four student election~~
7 ~~clerks may serve at any countywide polling place].~~

8 SECTION 8. Section 62.0115(b), Election Code, is amended to
9 read as follows:

10 (b) Except as revised by the secretary of state under
11 Subsection (d), the notice must state that a voter has the right to:

12 (1) vote a ballot and view written instructions on how
13 to cast a ballot;

14 (2) vote in secret and free from intimidation;

15 (3) receive up to two additional ballots if the voter
16 mismarks, damages, or otherwise spoils a ballot;

17 (4) request instructions on how to cast a ballot, but
18 not to receive suggestions on how to vote;

19 (5) bring an interpreter to translate the ballot and
20 any instructions from election officials;

21 (6) receive assistance in casting the ballot if the
22 voter:

23 (A) has a physical disability that renders the
24 voter unable to write or see; or

25 (B) cannot read the language in which the ballot
26 is written;

27 (7) cast a ballot on executing an affidavit as

1 provided by law, if the voter's eligibility to vote is questioned;

2 (8) report an existing or potential abuse of voting
3 rights to the secretary of state or the local election official; and

4 (9) [~~except as provided by Section 85.066(b), Election~~
5 ~~Code, vote at any early voting location in the county in which the~~
6 ~~voter resides in an election held at county expense, a primary~~
7 ~~election, or a special election ordered by the governor; and~~

8 [(10)] file an administrative complaint with the
9 secretary of state concerning a violation of federal or state
10 voting procedures.

11 SECTION 9. Sections 85.001(a) and (c), Election Code, are
12 amended to read as follows:

13 (a) The period for early voting by personal appearance
14 begins on the 10th [~~17th~~] day before election day and continues
15 through the [~~fourth~~] day before election day, except as otherwise
16 provided by this section.

17 (c) If the date prescribed by Subsection (a) [~~or (b)~~] for
18 beginning the period is a Saturday, Sunday, or legal state holiday,
19 the early voting period begins on the next regular business day,
20 except as otherwise provided by Section 85.006.

21 SECTION 10. Section 85.004, Election Code, is amended to
22 read as follows:

23 Sec. 85.004. PUBLIC NOTICE OF MAIN POLLING PLACE
24 LOCATION. The election order and the election notice must state
25 the location of the main early voting polling place. The election
26 notice must state that a voter is only permitted to vote at the main
27 early voting polling place if it is located within the voter's

1 election precinct.

2 SECTION 11. Section 85.005(d), Election Code, is amended to
3 read as follows:

4 (d) In an election ordered by a city, early voting by
5 personal appearance at the main early voting polling place shall be
6 conducted for at least 12 hours[+]

7 [~~(1)~~] on one weekday[, ~~if the early voting period~~
8 ~~consists of less than six weekdays; or~~

9 [~~(2)~~ ~~on two weekdays, if the early voting period~~
10 ~~consists of six or more weekdays].~~

11 SECTION 12. Sections 85.006(a), (d), and (e), Election
12 Code, are amended to read as follows:

13 (a) Except as provided by Subsection (b), the authority
14 ordering an election may order early voting by personal appearance
15 at the main early voting polling place to be conducted on a Saturday
16 or Sunday [~~one or more Saturdays or Sundays~~] during the early voting
17 period.

18 (d) The authority authorized to order early voting on a
19 Saturday or Sunday under Subsection (a) or (b) shall order the
20 voting under the applicable subsection on receipt of a written
21 request submitted by at least 15 registered voters of the territory
22 covered by the election. The request must be submitted in time to
23 enable compliance with Section 85.007. The authority [~~is not~~
24 ~~required to order the voting on a particular date specified by the~~
25 ~~request but~~] shall order the voting on [~~at least one~~] Saturday if
26 [~~a~~] Saturday is requested and on [~~at least one~~] Sunday if [~~a~~] Sunday
27 is requested.

1 (e) In a primary election or the general election for state
2 and county officers in a county with a population of 100,000 or
3 more, the early voting clerk shall order personal appearance voting
4 at the main early voting polling place to be conducted for at least
5 12 hours on [~~the last~~] Saturday and for at least five hours on [~~the~~
6 ~~last~~] Sunday during [~~of~~] the early voting period. The early voting
7 clerk shall order voting to be conducted at those times in those
8 elections in a county with a population under 100,000 on receipt of
9 a written request for those hours submitted by at least 15
10 registered voters of the county. The request must be submitted in
11 time to enable compliance with Section 85.007. This subsection
12 supersedes any provision of this subchapter to the extent of any
13 conflict.

14 SECTION 13. Section 85.010(b), Election Code, is amended to
15 read as follows:

16 (b) A political subdivision that holds an election
17 described by Subsection (a) shall designate as an early voting
18 polling place for the election any early voting polling place[~~or~~
19 ~~other than a polling place established under Section 85.062(e),~~
20 established by the county and located in the political subdivision.

21 SECTION 14. Section 85.062(a), Election Code, is amended to
22 read as follows:

23 (a) One [~~Except as provided by Subsection (d) or (e), one~~]
24 or more early voting polling places other than the main early voting
25 polling place shall [~~may~~] be established in each election precinct
26 in the territory covered by the election by:

27 (1) the commissioners court, for an election in which

1 the county clerk is the early voting clerk; or

2 (2) the governing body of the political subdivision
3 served by the authority ordering the election, for an election in
4 which a person other than the county clerk is the early voting
5 clerk.

6 SECTION 15. The following provisions of the Election Code
7 are repealed:

- 8 (1) Section 32.002(c-1);
- 9 (2) Section 43.004(c);
- 10 (3) Section 43.007;
- 11 (4) Sections 85.001(b) and (e);
- 12 (5) Section 85.003;
- 13 (6) Sections 85.062(d) and (e); and
- 14 (7) Section 85.066.

15 SECTION 16. The changes in law made by this Act apply only
16 to an election ordered on or after the effective date of this Act.
17 An election ordered before the effective date of this Act is
18 governed by the law in effect when the election was ordered, and the
19 former law is continued in effect for that purpose.

20 SECTION 17. This Act takes effect September 1, 2019.