

**CHAPTER 436**

**S.B. No. 1441**

**AN ACT**

relating to registration of voters and determination of precincts; providing a penalty.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (d), Section 13.002, Election Code, is amended to read as follows:

(d) The omission of the applicant's middle or maiden name under Subsection (c)(1) *or* the applicant's zip code under Subsection (c)(9) *or* (10) does not affect the validity of a

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registration application, and the registrar may not reject the application because of that omission.

SECTION 2. Subsection (a), Section 13.003, Election Code, is amended to read as follows:

(a) An applicant may appoint, either orally or in writing, an agent to perform one or more of the following acts for the applicant:

- (1) complete and sign a registration application;
- (2) submit an application;
- (3) act on the applicant's behalf in the process of approving the application, including a challenge of the applicant; ~~and~~
- (4) receive a registration certificate in person; *and*
- (5) *submit a notice or other applicable document for correcting registration information.*

SECTION 3. Section 13.007, Election Code, is amended to read as follows:

Sec. 13.007. ~~[SOLICITATION OF]~~ FALSE STATEMENT ON APPLICATION. (a) A person commits an offense if the person *knowingly makes a false statement or* requests, commands, or attempts to induce another person to make a false statement on a registration application.

(b) An offense under this section is a *Class B misdemeanor* ~~[felony of the third degree]~~.

SECTION 4. Section 14.051, Election Code, is amended by adding Subsection (c) to read as follows:

(c) *The registrar shall provide to the general custodian of election records affidavits of residence for use in each applicable election. The affidavits shall be provided in a number equal to at least 10 percent of the voters in each precinct whose names appear on the list of returned certificates.*

SECTION 5. Subsection (a), Section 15.001, Election Code, is amended to read as follows:

(a) Each voter registration certificate issued must contain:

- (1) the voter's name;
- (2) the voter's residence address or, if the residence has no address, the address at which the voter receives mail *and a concise description of the location of the voter's residence;*
- (3) the month, day, and year of the voter's birth and the voter's sex;
- (4) the number of the county election precinct in which the voter resides;
- (5) the voter's effective date of registration if an initial certificate;
- (6) the voter's registration number;
- (7) an indication of the period for which the certificate is issued;
- (8) a statement that the voter will receive a new certificate every two years as long as the voter's registration is not canceled;
- (9) a space for stamping the voter's political party affiliation;
- (10) a statement that voting with the certificate by a person other than the person in whose name the certificate is issued is a felony;
- (11) a space for the voter's signature;
- (12) a statement that the voter must sign the certificate personally, if able to sign, immediately on receipt;

(13) a space for the voter to correct the information on the certificate followed by a signature line;

(14) the statement: "If any information on this certificate changes or is incorrect correct the information in the space provided, sign below, and return this certificate to the voter registrar."; and

(15) the registrar's mailing address and telephone number.

SECTION 6. Subsection (a), Section 16.031, Election Code, is amended to read as follows:

(a) The registrar shall cancel a voter's registration immediately on receipt of:

(1) notice under Section 13.072(b) or 15.021 that the voter's residence is outside the county;

(2) an abstract of the voter's death certificate under Section 16.001(a) or an abstract of an application indicating that the voter is deceased under Section 16.001(b); ~~or~~

(3) an abstract of a final judgment of the voter's mental incompetence, conviction of a felony, or disqualification under Section 16.002, 16.003, or 16.004;

(4) notice under Section 112.012 that the voter has applied for a limited ballot in another county; or

(5) notice from a voter registration official in another state that the voter has registered to vote outside this state.

SECTION 7. Sections 18.005 and 18.006, Election Code, are amended to read as follows:

Sec. 18.005. FORM AND CONTENTS OF LIST. (a) Each original and supplemental list of registered voters must:

(1) contain the voter's name, residence address, sex, date of birth, and registration number; and

(2) be arranged alphabetically by voter name.

(b) *If the voter's residence has no address, the list must contain a concise description of the location of the voter's residence.*

Sec. 18.006. DELIVERY OF LISTS TO ELECTION AUTHORITIES. The registrar shall deliver the lists furnished under this subchapter to the appropriate authority as soon as practicable after the request but in every case in time for receipt before the beginning of absentee voting by mail ~~[personal appearance]~~ for the election in which the lists are to be used.

SECTION 8. Chapter 112, Election Code, is amended by adding Section 112.012 to read as follows:

*Sec. 112.012. NOTIFICATION TO VOTER REGISTRAR. Not later than the 30th day after receipt of an application for a limited ballot, the absentee voting clerk shall notify the voter registrar for the voter's former county of residence that the voter has applied for a limited ballot.*

SECTION 9. Subdivision (23), Section 1.005, Election Code, is amended to read as follows:

(23) "Voting year" means the 12-month period beginning *January* ~~[March]~~ 1 of each year.

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

(c) An initial certificate takes effect on the effective date of the registration and expires the following *January* ~~[March]~~ 1 of an even-numbered year.

SECTION 11. Subsections (c) and (d), Section 14.001, Election Code, as amended by Chapter 14, Acts of the 69th Legislature, 3rd Called Session, 1986, to be effective September 1, 1987, are amended to read as follows:

(c) A renewal certificate is valid for two years beginning on *January* ~~[March]~~ following its issuance.

(d) At the time the registrar issues an initial certificate for a voter whose registration will be effective after November 14 of an odd-numbered year and before *January* [~~March~~] 1 of the following year, the registrar shall also issue the voter a renewal certificate.

SECTION 12. Subsection (a), Section 14.025, Election Code, as amended by Chapter 14, Acts of the 69th Legislature, 3rd Called Session, 1986, to be effective September 1, 1987, is amended to read as follows:

(a) Before *January* [~~March~~] 1 of each even-numbered year, the registrar shall deliver a copy of the list of returned certificates to the secretary of state in the form prescribed by the secretary.

SECTION 13. Subsection (a), Section 14.052, Election Code, is amended to read as follows:

(a) In an election held on or after *January* [~~March~~] 1 and before August 16 of an even-numbered year, a voter whose name appears on a precinct list of registered voters with the notation "R", or a similar notation, may vote in the election precinct in which the list is used if the voter resides in the county in which the voter is registered and, if applicable:

- (1) resides in the political subdivision served by the authority ordering the election if the political subdivision is other than the county; or
- (2) resides in the territory covered by the election in a less-than-countywide election ordered by the governor or a county authority.

SECTION 14. Subsections (a) and (c), Section 18.041, Election Code, as amended by S.B. 280, 70th Legislature, Regular Session, 1987, to be effective September 1, 1987, are amended to read as follows:

(a) Each voting year, the registrar shall prepare a written statement of the number of persons in each county election precinct whose voter registrations will be effective on *January* [~~March~~] 1.

(c) The registrar shall file the statement with the secretary of state not later than *January* [~~March~~] 1.

SECTION 15. Subsection (a), Section 18.063, Election Code, is amended to read as follows:

(a) On or after *January* [~~March~~] 1 but before *January* [~~March~~] 16 and on or after September 1 but before September 16 of each even-numbered year, each registrar shall deliver to the secretary of state a list containing each new registration, canceled registration, and change in registration information that has occurred in the county since the delivery of the previous corresponding list. The information on the list must be current as of the date of delivery. The secretary shall use the information to update the state master file.

SECTION 16. Sections 42.031 and 42.032, Election Code, are amended to read as follows:

Sec. 42.031. REVIEWING PRECINCTS FOR COMPLIANCE: BOUNDARY CHANGES. (a) During *March* [~~July~~] or *April* [~~August~~] of each odd-numbered year, each commissioners court shall determine whether the county election precincts comply with Sections 42.005, 42.006, and 42.007. The commissioners court may make that determination during *March* [~~July~~] or *April* [~~August~~] of an even-numbered year. Before *May* [~~September~~] 1 of the year in which the determination is made, the commissioners court shall order the boundary changes necessary for compliance

(b) The commissioners court may order a boundary change only during *March* [~~July~~] or *April* [~~August~~] unless the change is necessary to:

- (1) comply with Section 42.005 or 42.032;
- (2) reduce the number of registered voters in a precinct so it does not exceed the maximum number permitted by Section 42.006; or
- (3) include within a precinct a suitable building available for use as a polling place if no suitable building is available for that purpose within the existing precinct boundary.

Sec. 42.032. REDISTRICTING: BOUNDARY CHANGES. If changes in county election precinct boundaries are necessary to give effect to a redistricting plan under Article III, Section 28, of the Texas Constitution, each commissioners court shall order the changes before *October* [~~December~~] 1 of the year in which the redistricting is done.

SECTION 17. Each renewal registration certificate issued in 1987 in accordance with Section 14.001, Election Code, must indicate that it is valid from March 1, 1988, through December 31, 1989.

SECTION 18. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 1987.

(b) Sections 9 through 15 of this Act take effect September 1, 1989.

SECTION 19. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on May 19, 1987, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 31, 1987, by a viva-voce vote.

Passed the House, with amendment, on May 27, 1987, by a non-record vote.

Approved June 17, 1987.

Effective Sept. 1, 1987, except §§ 9 to 15 effective Sept. 1, 1989.