

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 25, 2019

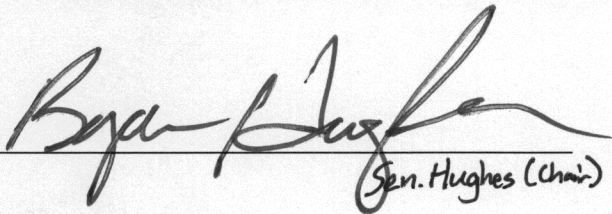
Date

Honorable Dan Patrick
President of the Senate

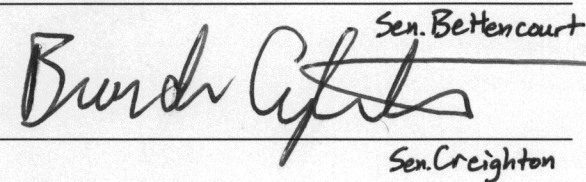
Honorable Dennis Bonnen
Speaker of the House of Representatives

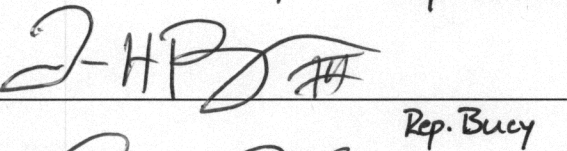
Sirs:

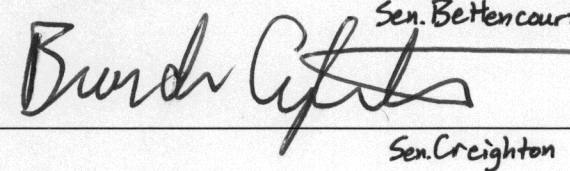
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2911 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

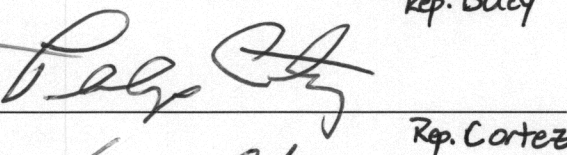

Sen. Hughes (Chair)

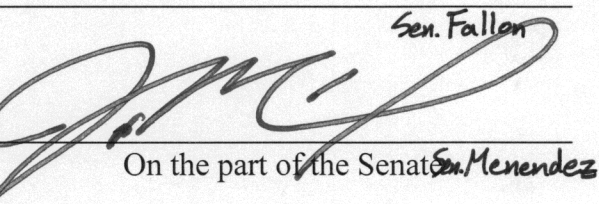

Rep. Klick (Chair)

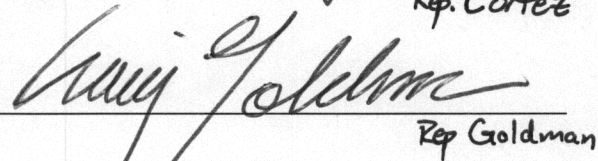

Sen. Bettencourt

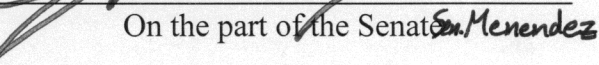

Rep. Bucy

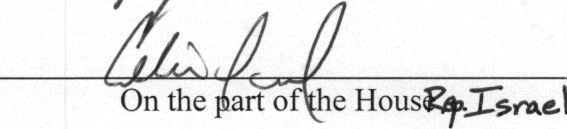

Sen. Creighton


Rep. Cortez


Sen. Fallon


Rep. Goldman

On the part of the Senate 
Sen. Menendez

On the part of the House 
Rep. Israel

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 2911

A BILL TO BE ENTITLED

AN ACT

relating to voter registration.

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

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

(i) An applicant who wishes to receive an exemption from the requirements of Section 63.001(b) on the basis of disability must submit ~~[include with the person's application]~~:

(1) written documentation:

(A) from the United States Social Security Administration evidencing the applicant has been determined to have a disability; or

(B) from the United States Department of Veterans Affairs evidencing the applicant has a disability rating of at least 50 percent; and

(2) a statement in a form prescribed by the secretary of state that the applicant does not have a form of identification acceptable under Section 63.0101.

SECTION 2. Section 13.004(c), Election Code, is amended to read as follows:

(c) The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

(1) a social security number;

(2) a Texas driver's license number;

(3) a number of a personal identification card issued by the Department of Public Safety;

(4) ~~[an indication that an applicant is interested in working as an election judge,~~

~~[(5)]~~ the residence address of the applicant, if the applicant is a federal judge or state judge, as defined by Section 13.0021, the spouse of a federal judge or state judge, or an individual to whom Section 552.1175, Government Code, applies and the applicant:

(A) included an affidavit with the registration application describing the applicant's status under this subdivision, including an affidavit under Section 13.0021 if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge;

(B) provided the registrar with an affidavit describing the applicant's status under this subdivision, including an affidavit under Section 15.0215 if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge; or

(C) provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision;

(5) ~~[(6)]~~ the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence as defined by Section 71.004, Family Code, who provided the registrar with:

1 (A) a copy of a protective order issued under
2 Chapter 85, Family Code, or a magistrate's order for emergency
3 protection issued under Article 17.292, Code of Criminal Procedure;
4 or

5 (B) other independent documentary evidence
6 necessary to show that the applicant, the applicant's child, or
7 another person in the applicant's household is a victim of family
8 violence;

9 (6) [~~(7)~~] the residence address of the applicant, if
10 the applicant, the applicant's child, or another person in the
11 applicant's household is a victim of sexual assault or abuse,
12 stalking, or trafficking of persons who provided the registrar
13 with:

14 (A) a copy of a protective order issued under
15 Chapter 7A or Article 6.09, Code of Criminal Procedure, or a
16 magistrate's order for emergency protection issued under Article
17 17.292, Code of Criminal Procedure; or

18 (B) other independent documentary evidence
19 necessary to show that the applicant, the applicant's child, or
20 another person in the applicant's household is a victim of sexual
21 assault or abuse, stalking, or trafficking of persons; or

22 (7) [~~(8)~~] the residence address of the applicant, if
23 the applicant:

24 (A) is a participant in the address
25 confidentiality program administered by the attorney general under
26 Subchapter C, Chapter 56, Code of Criminal Procedure; and

27 (B) provided the registrar with proof of

1 certification under Article 56.84, Code of Criminal Procedure.

2 SECTION 3. Section 13.072(d), Election Code, is amended to
3 read as follows:

4 (d) If an application clearly indicates that the applicant
5 resides in another county, the registrar shall forward the
6 application to the other county's registrar not later than the
7 second day after the date the application is received [~~and, if the~~
8 ~~other county is not contiguous, shall deliver written notice of~~
9 ~~that action to the applicant not later than the seventh day after~~
10 ~~the date the application is received~~]. The date of submission of a
11 completed application to the wrong registrar is considered to be
12 the date of submission to the proper registrar for purposes of
13 determining the effective date of the registration.

14 SECTION 4. Section 13.142(a), Election Code, is amended to
15 read as follows:

16 (a) After approval of a registration application, the
17 registrar shall:

18 (1) prepare a voter registration certificate [~~in~~
19 ~~duplicate~~] and issue the original certificate to the applicant; and

20 (2) enter the applicant's county election precinct
21 number and registration number on the applicant's registration
22 application.

23 SECTION 5. Section 13.143(d-2), Election Code, is amended
24 to read as follows:

25 (d-2) For a registration application submitted by
26 telephonic facsimile machine to be effective, a copy of the
27 original registration application containing the voter's original

1 signature must be submitted by personal delivery or mail and be
2 received by the registrar not later than the fourth business day
3 after the transmission by telephonic facsimile machine is received.

4 SECTION 6. Section 15.001(a), Election Code, is amended to
5 read as follows:

6 (a) Each voter registration certificate issued must
7 contain:

8 (1) the voter's name in the form indicated by the
9 voter, subject to applicable requirements prescribed by Section
10 13.002 and by rule of the secretary of state;

11 (2) the voter's residence address or, if the residence
12 has no address, the address at which the voter receives mail and a
13 concise description of the location of the voter's residence;

14 (3) the ~~[month, day, and]~~ year of the voter's birth;

15 (4) the number of the county election precinct in
16 which the voter resides;

17 (5) the voter's effective date of registration if an
18 initial certificate;

19 (6) the voter's registration number;

20 (7) an indication of the period for which the
21 certificate is issued;

22 (8) a statement explaining the circumstances under
23 which the voter will receive a new certificate;

24 (9) a space for stamping the voter's political party
25 affiliation;

26 (10) a statement that voting with the certificate by a
27 person other than the person in whose name the certificate is issued

- 1 is a felony;
- 2 (11) a space for the voter's signature;
- 3 (12) a statement that the voter must sign the
4 certificate personally, if able to sign, immediately on receipt;
- 5 (13) a space for the voter to correct the information
6 on the certificate followed by a signature line;
- 7 (14) the statement: "If any information on this
8 certificate changes or is incorrect, correct the information in the
9 space provided, sign below, and return this certificate to the
10 voter registrar.";
- 11 (15) the registrar's mailing address and telephone
12 number; and
- 13 (16) the jurisdictional or distinguishing number for
14 the following territorial units in which the voter resides, as
15 determined by the voter registrar:
- 16 (A) congressional district;
- 17 (B) state senatorial district;
- 18 (C) state representative district;
- 19 (D) commissioners precinct;
- 20 (E) justice precinct;
- 21 (F) city election precinct; and
- 22 (G) school district election precinct.

23 SECTION 7. Section 15.022(a), Election Code, is amended to
24 read as follows:

- 25 (a) The registrar shall make the appropriate corrections in
26 the registration records, including, if necessary, deleting a
27 voter's name from the suspense list:

1 (1) after receipt of a notice of a change in
2 registration information under Section 15.021;

3 (2) after receipt of a voter's reply to a notice of
4 investigation given under Section 16.033;

5 (3) after receipt of any affidavits executed under
6 Section 63.006, following an election;

7 (4) after receipt of a voter's statement of residence
8 executed under Section 63.0011;

9 (5) before the effective date of the abolishment of a
10 county election precinct or a change in its boundary;

11 (6) after receipt of United States Postal Service
12 information indicating an address reclassification;

13 (7) after receipt of a voter's response under Section
14 15.053; ~~or~~

15 (8) after receipt of a registration application or
16 change of address under Chapter 20; or

17 (9) on discovering a data entry error has been made.

18 SECTION 8. Section 15.023, Election Code, is amended to
19 read as follows:

20 Sec. 15.023. TIME FOR CERTAIN DELETIONS FROM SUSPENSE LIST.
21 If the name of a voter ~~[whose residence is changed]~~ on the list of
22 registered voters ~~[registration records to another county election~~
23 ~~precinct in the same county]~~ appears on the suspense list, the
24 voter's name shall be deleted from the list on the date the voter
25 provides a completed application to register to vote in accordance
26 with Section 13.002 ~~[voter's registration in the precinct of new~~
27 ~~residence becomes effective]~~.

1 SECTION 9. Section 15.051(d), Election Code, is amended to
2 read as follows:

3 (d) The registrar shall maintain with the voter's record an
4 indication that a confirmation notice was sent to the voter [~~a list~~
5 ~~of the confirmation notices mailed to voters, which for each notice~~
6 ~~must include the voter's name and the date the notice is mailed.~~
7 ~~The registrar shall maintain and retain the list in accordance with~~
8 ~~rules prescribed by the secretary of state~~].

9 SECTION 10. Section 15.053(a), Election Code, is amended to
10 read as follows:

11 (a) The [~~Not later than the 30th day after the date a~~
12 ~~confirmation notice is mailed, the~~] voter shall submit to the
13 registrar a written, signed response to the notice that confirms
14 the voter's current residence. The response must contain all of
15 the information that a person must include in an application to
16 register to vote under Section 13.002.

17 SECTION 11. Section 15.082(b), Election Code, is amended to
18 read as follows:

19 (b) The [~~fee for each~~] list shall be provided in accordance
20 with Chapter 552, Government Code [~~or portion of a list furnished~~
21 ~~under this section may not exceed the actual expense incurred in~~
22 ~~reproducing the list or portion for the person requesting it and~~
23 ~~shall be uniform for each type of copy furnished. The registrar~~
24 ~~shall make reasonable efforts to minimize the reproduction~~
25 ~~expenses~~].

26 SECTION 12. Section 16.031(a), Election Code, is amended to
27 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, or 18.0681(d) or a response under Section 15.053 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);

(3) an abstract of a final judgment of the voter's total mental incapacity, partial mental incapacity without the right to vote, 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;

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

(6) notice from the early voting clerk under Section 101.053 that a federal postcard application submitted by an applicant states a voting residence address located outside the registrar's county; or

(7) notice from the secretary of state that the voter has registered to vote in another county, as determined by the voter's driver's license number or personal identification card number issued by the Department of Public Safety or social security number.

SECTION 13. Section 16.032, Election Code, is amended to

1 read as follows:

2 Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST
3 PERIOD. If on November 30 following the second general election for
4 state and county officers that occurs after the date the voter's
5 name is entered on the suspense list a registered voter's name
6 appears on the suspense list, the registrar shall cancel the
7 voter's registration unless the name is to be deleted from the list
8 under Section 15.022 or 15.023.

9 SECTION 14. Sections 16.0921(a) and (b), Election Code, are
10 amended to read as follows:

11 (a) Except as provided by Subsection (c), on the filing of a
12 sworn statement under Section 16.092 alleging a ground based on
13 residence, the registrar shall promptly deliver to the voter whose
14 registration is challenged a confirmation notice in accordance with
15 Section 15.051, unless the residential address provided in the
16 challenge for the voter is different from the voter's current
17 residential address indicated on the registration records.

18 (b) If the voter is delivered a confirmation notice [~~fails~~
19 ~~to submit a response to the registrar in accordance with Section~~
20 ~~15.053~~], the registrar shall enter the voter's name on the suspense
21 list.

22 SECTION 15. Section 18.002(c), Election Code, is amended to
23 read as follows:

24 (c) An additional copy of each list shall be furnished for
25 use in early voting and as needed in order to ensure all voters
26 eligible to vote in an election appear correctly on the original
27 list.

SECTION 16. Section 18.003(c), Election Code, is amended to read as follows:

(c) An additional copy of each list shall be furnished for use in early voting and as needed in order to ensure all voters eligible to vote in an election appear correctly on the original list.

SECTION 17. Section 18.005(a), Election Code, is amended to read as follows:

(a) Each original and supplemental list of registered voters must:

(1) contain the voter's name, date of birth, and registration number as provided by the statewide computerized voter registration list;

(2) contain the voter's residence address, except as provided by Subsections (b) and (c) [~~or Section 18.0051~~];

(3) be arranged alphabetically by voter name; and

(4) contain the notation required by Section 15.111.

SECTION 18. Sections 18.061(b) and (d), Election Code, are amended to read as follows:

(b) The statewide computerized voter registration list must:

(1) contain the name and registration information of each voter registered in the state;

(2) assign a unique identifier to each registered voter; and

(3) be available to any county election official in the state through immediate electronic access.

1 (d) The secretary of state may contract with counties to
2 provide them with electronic data services to facilitate the
3 implementation and maintenance of the statewide computerized voter
4 registration list. The secretary shall use funds collected under
5 the contracts to defray expenses incurred in implementing and
6 maintaining the statewide computerized voter registration list.

7 SECTION 19. Section 18.0681(d), Election Code, is amended
8 to read as follows:

9 (d) If the secretary of state determines that a voter on the
10 registration list has more than one registration record on file
11 based on a strong match, the secretary shall send notice of the
12 determination to the voter registrar of the [each] county with the
13 oldest registration record in which the voter is registered to
14 vote. If the voter records identified are:

15 (1) located in the same county, the voter registrar
16 may merge the records following a determination that each record
17 belongs to the same voter using the procedure for the correction of
18 registration records under Section 15.022; or

19 (2) located in more than one county, the registrar of
20 the county with the oldest record may deliver a written
21 confirmation notice in accordance with Section 15.051 or cancel the
22 registration of the voter in accordance with Section 16.031(a)(1),
23 provided that the voter's record in the county with the newest
24 registration record is not on the suspense list.

25 SECTION 20. Section 18.069, Election Code, is amended to
26 read as follows:

27 Sec. 18.069. VOTING HISTORY. Not later than the 30th day

1 after the date of the primary, runoff primary, or general election
2 or any special election ordered by the governor, the general
3 custodian of election records [~~registrar~~] shall electronically
4 submit to the secretary of state the record of each voter
5 participating in the election. The record must include a notation
6 of whether the voter voted on election day, voted early by personal
7 appearance, voted early by mail under Chapter 86, or voted early by
8 mail under Chapter 101.

9 SECTION 21. The following provisions of the Election Code
10 are repealed:

- 11 (1) Sections 15.082(c) and (d);
- 12 (2) Subchapter F, Chapter 15;
- 13 (3) Section 18.0051; and
- 14 (4) Section 18.008(c).

15 SECTION 22. This Act takes effect September 1, 2019.

House Bill 2911
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<i>No equivalent provision.</i>	SECTION __. Section 1.015, Election Code, is amended. [FA3]	Same as House version.
SECTION 1. Section 13.002(i), Election Code, is amended.	SECTION 1. Same as House version except also adds Subsection (c-1) as follows: [FA2(1)] <u>(c-1) An application may not be accepted if, at the time the applicant received the application, a box on the application was marked to indicate that the applicant:</u> <u>(1) is a United States citizen; or</u> <u>(2) will be 18 years of age or older on election day.</u> [FA2(2)]	SECTION 1. Same as House version.
SECTIONS 2-18 amend provisions of the Election Code.	SECTIONS 2-18. Same as House version.	SECTIONS 2-18. Same as House version.
SECTION 19. Section 18.069, Election Code, is amended.	SECTION 19. Same as House version.	SECTION 20. Same as House version.
SECTION 20. Section 18.0681(d), Election Code, is amended to read as follows: (d) If the secretary of state determines that a voter on the registration list has more than one registration record on file based on a strong match, the secretary shall send notice of the determination to the voter registrar of <u>the [each] county with the oldest registration record</u> in which the voter is registered to vote. If the voter records identified are: (1) located in the same county, the voter registrar <i>may</i> merge the records following a determination that each record belongs to the same voter using the procedure for the correction of registration records under Section 15.022; or (2) located in more than one county, the registrar of the county with the oldest record <i>may</i> deliver a written confirmation notice in accordance with Section 15.051 <u>or cancel the registration of the voter in accordance with</u>	SECTION 20. Section 18.0681(d), Election Code, is amended to read as follows: (d) If the secretary of state determines that a voter on the registration list has more than one registration record on file based on a strong match, the secretary shall send notice of the determination to the voter registrar of <u>the [each] county with the oldest registration record</u> in which the voter is registered to vote. If the voter records identified are: (1) located in the same county, the voter registrar <i><u>shall [may]</u></i> merge the records following a determination that each record belongs to the same voter using the procedure for the correction of registration records under Section 15.022; or [FA2(3)] (2) located in more than one county, the registrar of the county with the oldest record <i><u>shall [may]</u></i> deliver a written confirmation notice in accordance with Section 15.051 <u>or cancel the registration of the voter in accordance with</u>	SECTION 19. Same as House version.

House Bill 2911
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<u>Section 16.031(a)(1), provided that the voter's record in the county with the newest registration record is not on the suspense list.</u>	<u>Section 16.031(a)(1), provided that the voter's record in the county with the newest registration record is not on the suspense list.</u> [FA2(4)]	
SECTION 21. The following provisions of the Election Code are repealed: (1) Sections 15.082(c) and (d); (2) Subchapter F, Chapter 15; (3) Section 18.0051; and (4) Section 18.008(c).	SECTION 21. Same as House version.	SECTION 21. Same as House version.
SECTION 22. Effective date.	SECTION 22. Same as House version.	SECTION 22. Same as House version.
<i>No equivalent provision.</i>	SECTION __.Section 13.074(c), Election Code, is amended. [FA2(5)]	Same as House version.
<i>No equivalent provision.</i>	SECTION __.Section 15.028, Election Code, is amended. FA2(5)]	Same as House version.
<i>No equivalent provision.</i>	SECTION __.Section 16.001(d), Election Code, is amended. FA2(5)]	Same as House version.
<i>No equivalent provision.</i>	SECTION __.Section 16.0332(a), Election Code, is amended. amended. [FA2(5)]	Same as House version.
<i>No equivalent provision.</i>	SECTION __.Section 18.065, Election Code, is amended. [FA2(5)]	Same as House version.
<i>No equivalent provision.</i>	SECTION __.Section 18.068, Election Code, is amended. [FA2(5)]	Same as House version.

House Bill 2911
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<i>No equivalent provision.</i>	SECTION __.Section 62.113(b), Government Code, is amended. [FA2(5)]	Same as House version.
<i>No equivalent provision.</i>	SECTION __.Sections 62.114(b) and (c), Government Code, are amended. [FA2(5)]	Same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 25, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB2911 by Klick (Relating to voter registration.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

Based on analysis by the Secretary of State, it is assumed that the provisions of the bill relating to voter registration could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: WP, CMa, SLE, NV, JMO

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under House Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not subject to a point of order under Rule 13.

I certify that a copy of the conference committee report on HB 2911 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

Stephanie Puck
(name)

5/25/19
(date)