

BILL ANALYSIS

S.B. 205
By: Perry
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the possibility of persons who are summoned for jury duty but who identify themselves as noncitizens and are excused from jury duty being able to vote illegally. It has been noted that voter fraud jeopardizes the integrity of the democratic process. S.B. 205 seeks to address these concerns by amending the law relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 205 amends the Election Code to require the secretary of state to compare quarterly the information received under statutory provisions relating to the compilation of a list containing the name and address of each person who is excused or disqualified from jury service because the person is not a resident of the county with the statewide computerized voter registration list. The bill requires the secretary of state to send notice of a determination that a voter on such a list has been excused or disqualified from jury service because the voter is not a resident of the county in which the voter is registered to vote to the voter registrar of the counties considered appropriate by the secretary and to the attorney general, who is required to quarterly review the information to investigate whether a person has committed the offense of making a false statement on a voter registration application or other law.

S.B. 205 amends the Government Code, for purposes of the requirement that a court clerk on the third business day of each month send a copy of the list of persons so excused or disqualified in the previous month to certain officials, to add the attorney general as a recipient of the list provided for purposes of an investigation of whether the person committed the offense of making a false statement on a voter application or other law. The bill requires a court clerk on the third business day of each month to send a copy of the list of persons so excused or disqualified in the previous month because the persons do not reside in the county to the secretary of state and the county or district attorney, as applicable, or the attorney general, in addition to the voter registrar, for an investigation of whether the person committed such an offense. The bill includes use for purposes of the quarterly comparison by the secretary of state among the limited purposes for which the list of persons so excused or disqualified that is maintained by a court clerk may be used.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.