

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1748
By: Galloway
State Affairs
4-21-97
Committee Report (Substituted)

DIGEST

Currently, an election official is not required to ask a voter who does not present a voter registration certificate to present proof of identification. As a result, voters are being allowed to vote without any proof of identification. This bill requires a voter who does not present a voter registration certificate and whose identity is unknown to an election officer to present proof of identification when offering to vote.

PURPOSE

As proposed, C.S.S.B. 1748 requires certain voters to present proof of identification when offering to vote.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 63.008, Election Code, to require a voter, rather than he, who does not present a voter registration card when offering to vote, but whose name is on the list of registered voters for the applicable precinct, to be accepted for voting if the voter presents proof of identification in a form described by Subsection (c). Prohibits a voter from being accepted for voting, and an election officer shall indicate beside the voter's name on the list of registered voters that the voter was rejected under this section. Provides that certain documents are acceptable as proof of identification.

SECTION 2. Amends Section 63.009, Election Code, by amending Subsection (a) and adding Subsection (c), to require a certain voter to be accepted for voting if the voter presents proof of identification in a form as prescribed by Section 63.008. Prohibits a voter from being accepted for voting if certain conditions are not met, and an election officer shall indicate on certain documents that the voter was rejected under this section.

SECTION 3. Amends Sections 63.010(d) and (e), Election Code, to require the presiding judge, rather than authorize the presiding judge, to request a voter to present proof of identification in a certain manner. Makes conforming and nonsubstantive changes.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Adds new SECTION 1 and deletes proposed SECTION 1.

SECTION 1.

Amends Section 63.008, Election Code, to provide that the form of proof of identification is

described in Subsection (c), rather than prescribed by the secretary of state. Prohibits a voter from being accepted to vote under certain conditions. Provides that certain documents are acceptable as proof of identification.

Adds new SECTIONS 2 and 3.

SECTION 2.

Amends Section 63.009, Election Code, by amending Subsection (a) and adding Subsection (c), to prohibit a voter from being accepted for voting and an election officer is required to perform certain duties with respect to the prohibited voter. Makes a conforming change.

SECTION 3.

Amends Sections 63.010(d) and (e), Election Code, to make conforming changes.

Adds SECTION 4 to set forth the effective date.

Adds SECTION 5 to set forth the emergency clause.