

## **BILL ANALYSIS**

Senate Research Center

H.B. 3181  
By: Danburg (Shapiro)  
State Affairs  
5/9/2001  
Committee Report (Amended)

### **DIGEST AND PURPOSE**

Currently, the institutional division of the Texas Department of Criminal Justice is required to prepare each month an abstract of felony convictions of each person 18 years of age or older, and deliver each abstract to the appropriate county registrar. The registrar of the county is required to deliver to the secretary of state, on or after the first day but before the 16th day of January, March, June, September, and December of each year 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 list. This procedure can be slow and may not allow for the master record with the secretary of state to be current. H.B. 3181 provides for improvement of the procedures for maintaining the voter registration master rolls in the state.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 15.021, Election Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 15.021, Election Code, to require the secretary of state, in conjunction with the Department of Information Resources, to conduct a study to determine the feasibility of allowing voters to correct information under this section by digital transmission of the corrected information to the registrar. Authorizes the corrected information to be submitted under certain circumstances, if the study determines it is feasible to allow the digital transmission of corrected information by the voter to the registrar. Authorizes the secretary of state, if the study determines that it is feasible to allow the digital transmission of corrected information by the voter to the registrar, to adopt rules to approve technologies for submitting changes of registration information by digital transmission under this section, and prescribe additional procedures as necessary to implement a system for the digital transmission of changes in registration information.

SECTION 2. Amends Section 16.003, Election Code, to require the Department of Public Safety (department) each week, rather than each month, on a day specified by the secretary of state, to prepare an abstract of each final judgment received by the department convicting a person 18 years of age or older who is a resident of the state of a felony. Requires the department to file each abstract with the secretary of state not later than one week following the week in which the abstract is prepared. Requires the secretary of state to file each abstract received under this section with the voter registrar of the person's county of residence not later than one week, rather than the 10th day, following the week in which the abstract is received, rather than prepared, under this section.

SECTION 3. Amends Section 18.063, Election Code, to change from "on or after the first day but before the 16th day of January, March, June, September, and December of each year" to "once each week on a day specified by the secretary of state" the time at which each registrar of a county that has not contracted with the secretary of state for electronic data services to facilitate the implementation of the registration service program is required to 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 list under this section or Subsection (b), as applicable. Requires the secretary to use the information to update the state master file and to identify any voters in the master file that may be duplicated, deceased, or ineligible because of a felony conviction. Requires the secretary to notify the registrar of the appropriate county of any voter included in the master file that may be duplicated, deceased, or ineligible because of a felony conviction. Requires the secretary to prescribe procedures as necessary to implement this section.

SECTION 4. Amends Section 19.004, Election Code, to authorize state funds disbursed under this chapter to be used only to defray expenses of the registrar's office in connection with voter registration, including additional expenses related to complying with the weekly updating requirements prescribed by Section 18.063. Requires the secretary of state to specify the procedures that result in additional expenses and that are required under this section, rather than to implement that federal law. Requires any funds authorized under this chapter that lapse to the state after the expiration of the two-year period in which they may be used to be placed in a special fund administered by the secretary of state. Requires the secretary of state to issue money from this fund to counties with limited technological resources to upgrade voter registration technology. Requires the secretary of state to prescribe procedures necessary to implement this section.

SECTION 5. Amends Section 20.065, Election Code, to require the department, once each week on a day specified by the secretary of state, to electronically transfer to the secretary of state the name of each person who completes a voter registration application submitted to the department. Requires the secretary to prescribe procedures necessary to implement this subsection. Requires the secretary, not later than the seventh day after the date the secretary of state receives information under this section, to inform the appropriate voter registrar of the name of each person who completes a voter registration application submitted to the department. Authorizes the registrar to verify that the registrar has received each application as indicated by the information provided by the secretary under this subsection.

SECTION 6. Amends Chapter 2175F, Government Code, by adding Section 2175.305, as follows:

Sec. 2175.305. EXCEPTION FOR SECRETARY OF STATE. Provides that this chapter does not apply to the disposition of surplus computer equipment by the secretary of state. Requires the secretary of state to give preference to transferring the property to counties for the purpose of improving voter registration technology and complying with Section 18.063 (Information Furnished by Registrar), Election Code.

SECTION 7. Effective date: January 1, 2002.

#### **SUMMARY OF COMMITTEE CHANGES**

Differs from As Filed version in SECTIONS 2, 3, and 5 by adding the phrase "on a day specified by the secretary of state" to the phrase "each week."