

BILL ANALYSIS

Senate Research Center
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S.B. 550
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The secretary of state (SOS) is charged with removing deceased persons from the voter roll. In 2012, around 82,000 registered voters were mailed a letter requiring them to prove they were not deceased in order to maintain their registered voter status because they were identified as "weak" matches with deceased persons by SOS.

This was the result of the criteria by which SOS matched a registered voter with a deceased person. While this did result in proper removal of some deceased persons from the voter roll, it also resulted in the wrongful removal of many living registered voters.

Some registered voters affected by these events sued the state, resulting in the state's agreement not to remove them from the voter roll.

The purpose of S.B. 550 is to ensure that active voters are not misidentified as deceased and wrongfully removed from the voting roll by providing guidelines to SOS.

S.B. 550 requires SOS to match between a deceased person and a registered voter the first, middle, and last name; date of birth; and last four digits of the Social Security number, complete driver's license number, or the number of a personal identification certificate issued by the Department of Public Safety of the State of Texas unless the voter provided a statement on their voter application that they had not been issued any of those numbers.

As proposed, S.B. 550 amends current law relating to the determination that a voter is deceased.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 18.068, Election Code, as added by Chapter 683 (H.B. 174), Acts of the 82nd Legislature, Regular Session, 2011, as follows:

Sec. 18.068. COMPARISON OF INFORMATION REGARDING INELIGIBILITY. (a)
Creates this subsection from existing text and makes no further change to this subsection.

(b) Requires the secretary of state, in making the determination that a voter who has voted within the last four years is deceased under this section, to identify the following information as common to the voter and the deceased person:

(1) the first, middle, and last names;

(2) the date of birth; and

(3) the Texas driver's license number, the number of a personal identification card issued by the Department of Public Safety of the State of Texas, or the last four digits of the social security number, unless the

voter provided a statement on the voter's registration application that the voter had not been issued a driver's license, personal identification card, or social security number.

SECTION 2. Effective date: upon passage or September 1, 2013.