

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 550
By: Uresti
State Affairs
4/15/2013
Committee Report (Substituted)

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.

C.S.S.B. 550 seeks to ensure that active voters are not misidentified as deceased and wrongfully removed from the voting roll by providing guidelines to SOS, by requiring SOS to match between a deceased person and a registered voter the last name, date of birth, and the Social Security number.

C.S.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 last name;
- (2) the date of birth; and
- (3) the social security number.

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