

**SUBJECT:** Providing information about deceased persons on the voter registration list

**COMMITTEE:** Elections — favorable, without amendment

**VOTE:** 9 ayes — Smith, Bucy, Burrows, Capriglione, DeAyala, Manuel, E. Morales, Swanson, Vo

0 nays

**WITNESSES:** For — Alan Vera, Harris County Republican Party Ballot Security Committee; Robert L. Green, Travis County Republican Party Election Integrity Committee for Legislation; Mike Brewster; Ed Johnson (*Registered, but did not testify*: Laura Rogers, County and District Clerks Assoc; Devvie Duke, Jill Glover, Tom Nobis, Republican Party of Texas; Andrew Eller, State Republican Executive Committee SD24 and Republican Party of Texas; Chris Davis, Texas Association of Elections Administrators; Cindi Castilla, Texas Eagle Forum; Tisha Crow, Texas GOP; Cicely Kay, Travis County Commissioners Court; and 20 individuals)

Against — (*Registered, but did not testify*: Andrew Hendrickson, ACLU of Texas; Maggie Stern, Children's Defense Fund - Texas; Katya Ehresman, Common Cause Texas; Amber Mills, MOVE Texas Action Fund; Emily Eby French, Texas Civil Rights Project; Rocio Fierro-Perez, Texas Freedom Network; and 22 individuals)

On — Christina Adkins, Texas Secretary of State (*Registered, but did not testify*: Manda Hall, Texas Department of State Health Services)

**BACKGROUND:** Some have suggested that regularly updating the statewide computerized voter registration list to omit deceased individuals would help maintain election integrity.

**DIGEST:** HB 5259 would require the Department of State Health Services (DSHS) to implement an efficient and effective method to provide death information to the secretary of state to assist in maintaining the statewide

computerized voter registration list. The method would be required to provide at least the following information on each deceased person for whom a death certificate was filed with a local registrar:

- the decedent's county of residence;
- the decedent's birth date; and
- the decedent's full name.

DSHS would be required to enter into a memorandum of understanding with the secretary of state to implement the bill. The memorandum would be required to include a mechanism for DSHS to provide the secretary with death information that included unique identifiers necessary to accurately match death records with names on the voter registration list.

DSHS would require death certificates to include the county where the decedent died and the decedent's county of last legal residence.

The bill would revise certain provisions of the Election Code pertaining to information related to deceased voters. The bill would require that once each week on a certain day, the vital statistics unit, rather than the Bureau of Vital Statistics, would be required to furnish to the secretary of the state available information relating to deceased residents of the state as provided by the above provisions.

The bill would take effect September 1, 2023.