

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTH DAY

(Continued)

(Wednesday, January 26, 2011)

AFTER RECESS

The Senate met at 11:10 a.m. and was called to order by President Pro Tempore Ogden.

Rabbi Brian Strauss, Congregation Beth Yeshurun, Houston, offered the invocation as follows:

Almighty God and universal father over all of mankind, we are gathered here to deliberate and make difficult decisions concerning the welfare of our fellow Texans. As we begin, we beseech Your divine assistance, and we pray that You cast the rays of Your divine guidance upon all assembled here, our Lieutenant Governor, Senators, and all others who sacrifice every day to make Texas a better place. Help us, O Lord, to give a full measure of devotion with sincerity and honesty to those problems—political, social, and economic—which continue to knock upon the doors of humanity. Enable us to reflect and to discuss the matters before us in a spirit of wisdom, intelligence, and in the light of Your eternal truth. We beseech You, eternal God, to help us concentrate our efforts toward the eradication of hatred, prejudice, selfishness, poverty, and all forms of human suffering. O Lord, may goodwill and peace belong to all; and one day, may the people of this great state proclaim in unison: All people are deserving of our help as we are all created in the image of God. To this, let us say, Amen.

SENATE RESOLUTION 74

Senator Nelson offered the following resolution:

SR 74, Proclaiming January, 2011, Communities In Schools Month and January 26, 2011, Communities In Schools Day at the State Capitol.

The resolution was again read.

The resolution was previously adopted on Monday, January 24, 2011.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate Gary Henderson, Sandy Chavarria, and a Communities In Schools delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 48

Senator Harris offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the 2010 American League champion Texas Rangers on the occasion of the first World Series appearance in franchise history; and

WHEREAS, Originally based in the nation's capital and known as the Washington Senators, the franchise moved to Arlington after the 1971 season and began its history as the Texas Rangers; through the years, the Rangers have appeared in the playoffs three times prior to the 2010 season; and

WHEREAS, On August 12, 2010, Major League Baseball unanimously approved the sale of the Texas Rangers from Thomas O. Hicks to the group known as Rangers Baseball Express, led by Chuck Greenberg and Nolan Ryan; and

WHEREAS, The 2010 Rangers became the first team in franchise history to win a playoff series when they defeated the Tampa Bay Rays three games to two in the American League Division Series; they went on to avenge three previous playoff series losses to the New York Yankees by defeating them in six games in the American League Championship Series to advance to the World Series; and

WHEREAS, These skilled athletes have demonstrated great talent, enthusiasm, and perseverance throughout the year; overcoming a slow start, they ended the regular season with a record of 90-72, winning the American League West Division; team members can take great pride in their outstanding performance; and

WHEREAS, Under the superior leadership and expertise of manager Ron Washington and the entire front office, the Rangers have developed exceptional teamwork and discipline and have laid the foundation for continued success in the years to come; and

WHEREAS, The citizens of Arlington and the Dallas-Fort Worth Metroplex and Texans across the state are proud of the Rangers for their hard work, their impressive skills, and their fine sportsmanship; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the Texas Rangers on their exceptional season and extend to them congratulations on winning the American League championship and advancing to the World Series; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the team as an expression of high regard from the Texas Senate.

HARRIS
DAVIS

(President in Chair)

SR 48 was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Harris was recognized and introduced to the Senate Nolan Ryan and Chuck Greenberg, co-owners of the Texas Rangers, as well as Ron Washington, manager.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini, joined by Senator Watson, was recognized and introduced to the Senate the Girls' School of Austin fourth grade class including Sophia Martinez and teacher, Rachael Lee.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Davis was recognized and presented Dr. Joane Baumer of Fort Worth as the Physician of the Day.

The Senate welcomed Dr. Baumer and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 2

Senator Ogden offered the following resolution:

SR 2, Congratulating members of the TALL XII class for their selection as participants.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate Dr. Jim Mazurkiewicz, Leadership Program Director and Professor, Texas Agrilife Extension Service, and members of the TALL XII class.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Gallegos was recognized and introduced to the Senate Sylvia Garcia, President of the National Association of Latino Elected Officials.

The Senate welcomed its guest.

SENATE RESOLUTION 83

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Jewish Federation of Greater Houston on the occasion of its 75th anniversary; and

WHEREAS, The Jewish Federation of Greater Houston was founded in 1936 as the Jewish Community Council to support Jewish causes and to further social services and philanthropic works locally, nationally, and around the world; its mission is to preserve and enrich Jewish communal life through innovative and visionary leadership that is responsive and responsible to Jewish communities everywhere; and

WHEREAS, The federation has for 75 years worked to give voice to the Jewish community and to ensure that the basic necessities of life are provided for its most vulnerable members, including those who are poor, elderly, or disabled; and

WHEREAS, Jewish tradition calls on each individual to contribute to the well-being of the less fortunate, and the federation has diligently worked to help the members of the Houston Jewish community fulfill this charge; along with its partners, it provides numerous volunteer opportunities for people of all ages; and

WHEREAS, This exemplary organization honors another central tenet of Jewish tradition by engaging young people and inspiring their connection to the community so that teachings may be passed from one generation to the next; it is truly deserving of recognition for its many contributions to the Houston community; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the Jewish Federation of Greater Houston on its legacy of philanthropy and support and extend to its members best wishes for a memorable 75th anniversary; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the federation as an expression of high regard from the Texas Senate.

WILLIAMS
SHAPIRO
WHITMIRE

SR 83 was again read.

On motion of Senator Huffman and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate Jewish Federation of Greater Houston members: Steven Finkelman, Leonard Goldstein, Rob Shoss, Lee Wunsch, and Lisa Yoram.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a fourth grade class from Hyde Park Baptist Schools and teachers, Peggy Buckmeyer and Claudia Bernard.

The Senate welcomed its guests.

SENATE RESOLUTION 81

Senator Harris offered the following resolution:

SR 81, Celebrating January 26, 2011, as Arlington to Austin Day.

HARRIS
DAVIS

The resolution was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Harris, joined by Senator Davis, was recognized and introduced to the Senate members of the Arlington Chamber of Commerce: Earl Harcrow, Foundation Chair; Robert Cluck, Mayor; Jerry McCullough, Arlington ISD Superintendent; and Wes Jurey, President.

The Senate welcomed its guests.

SENATE RESOLUTION 73

Senator Nelson offered the following resolution:

SR 73, Recognizing January 23 through January 29, 2011, as Texas Nurse Anesthetists Week.

The resolution was again read.

The resolution was previously adopted on Monday, January 24, 2011.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate the Texas Association of Nurse Anesthetists delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 82

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to honor the City of Laredo and its delegation and to recognize January 26, 2011, as Laredo Legislative Day at the Capitol; and

WHEREAS, Laredo, truly a gem along the Rio Grande, was established in 1755 by Don Tomas Sanchez, and its history offers a compelling tale, as the town was forged by Spaniards, Indians, Mexicans, Texans, and Americans; a dynamic bilingual and bicultural community, it is a true Texas city proud of its Mexican roots, making it a unique city under seven flags that daily celebrates its dual historical and cultural ties; and

WHEREAS, Situated on the banks of the Rio Grande, Laredo is now the 10th-largest city in Texas and the largest inland port on the southern United States border; it is one of the top four ports-of-commerce in the nation, and in 2010, the city handled 40 percent of all overland trade between the United States and Mexico; and

WHEREAS, Education plays a vital role in the life of Laredo, where three institutes of higher learning have almost 110 years of combined experience; Laredo Community College, first established in 1947 on the 100-year-old grounds of the historic Fort McIntosh, boasts two campuses to better serve the entire city; Texas A&M International University has been educating local Laredo leaders for the last 40 years; and the Laredo Extension Campus of The University of Texas Health Science Center at San Antonio thrives with students, who benefit from new interlocal agreements that give medical students practical experience; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend best wishes for a celebratory Laredo Legislative Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the citizens of Laredo as a memento of this occasion.

SR 82 was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Raul Salinas, Mayor of the City of Laredo; Nora Rivera, Mayor of the City of Rio Bravo; and Laredo City Councilmembers: Cindy Liendo Espinoza, Juan Narvaez, Alejandro Perez, Jr., Esteban Rangel, and Charlie San Miguel.

The Senate welcomed its guests.

SENATE RESOLUTION 90

Senator Ogden offered the following resolution:

SR 90, Recognizing Lisa Benford on the occasion of her retirement from the Texas Legislative Council.

The resolution was read and was adopted without objection.

GUEST PRESENTED

Senator Ogden was recognized and introduced to the Senate Lisa Benford and congratulated her on her retirement from the Texas Legislative Council.

The Senate welcomed its guest.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate members of Leadership Farm Bureau.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate members of the Texas Farm Bureau, Atascosa County: Lloyd House, Raymond Meyer, Martin Krueger, Bettie House, Shirley Stevens, Walter Stevens, Anna Meyer, Pete Pawelek, and Lynse Pawelek, accompanied by Clifton Stacey, Frio County.

The Senate welcomed its guests.

SENATE RESOLUTION 56

Senator Watson offered the following resolution:

SR 56, In memory of Dr. James Paul Duncan of Austin.

On motion of Senator Watson, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of James Paul Duncan, the text of the resolution is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate family members of James Paul Duncan: Nancy Duncan, wife; Brad Duncan, son; Mary de la Garza, daughter; Kevin Sadler, former son-in-law; and Cullen Sadler, grandson.

The Senate welcomed its guests and extended its sympathy.

RECESS

On motion of Senator Whitmire, the Senate at 12:28 p.m. recessed until 2:30 p.m. today.

AFTER RECESS

The Senate met at 2:49 p.m. and was called to order by the President.

SENATE RESOLUTION 119

The President laid before the Senate the following resolution:

WHEREAS, Subsection (b), Section 5, Article III, Texas Constitution, reads:

"When convened in regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature. During the succeeding thirty days of the regular session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor. During the remainder of the session the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature."; and

WHEREAS, It is specifically provided in Subsection (c), Section 5, Article III, Texas Constitution, that either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership; now, therefore, be it

RESOLVED by the Senate of the State of Texas, 82nd Legislature, by an affirmative vote of four-fifths of its membership, That the senate determine that the constitutional order of business for the first thirty days of the regular session is hereby suspended to the extent necessary to allow the senate to hold hearings during the first thirty days to consider any bill, resolution, or other matter pending before the senate.

ELTIFE

SR 119 was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent: Uresti.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Uresti was granted leave of absence for the remainder of the day on account of important business.

**MOTION TO PLACE
SENATE BILL 14 ON SECOND READING**

Senator Fraser moved to suspend all necessary rules at this time to take up for consideration **SB 14** on its second reading (Set as special order) (Submitted by Governor as an emergency matter):

SB 14, Relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

Question — Shall all necessary rules be suspended?

Senator Van de Putte was recognized to read a statement in reference to **SB 14**.

Senator West moved to have Senator Van de Putte's statement reduced to writing and printed in the *Senate Journal*.

There was objection.

Senator Duncan was recognized to comment on Senator Van de Putte's statement and asked that his remarks be reduced to writing and printed in the *Senate Journal*.

Senator West withdrew his motion.

Question — Shall all necessary rules be suspended?

MOTION IN WRITING

Senator Fraser offered the following Motion In Writing:

Mr. President:

I move to suspend all necessary rules to take up and consider **SB 14** at this time.

FRASER

Question — Shall the Motion In Writing be adopted?

Senator Whitmire was recognized to comment on the statements by Senator Van de Putte and Senator Duncan.

Senator West again moved to have Senator Van de Putte's remarks reduced to writing.

There was objection.

Senator Duncan offered a substitute motion to have the remarks by Senators Van de Putte, Duncan, and Whitmire reduced to writing and printed in the *Senate Journal*.

The substitute motion was adopted without objection.

REMARKS

Senator Van de Putte: Thank you, Mr. Chairman, and thank you, Mr. President. The Senate Democrats, including those who represent districts in which minority voters are electing candidates of their choice, and who also speak on behalf of minority voters in this state, have made clear their unanimous opposition to the voter ID legislation. That opposition remains. And no matter the specific time of passage of this bill, the outcome is inevitable and our opposition remains firm. In the interest of

continuing debate on the legislation during appropriate hours, however, and to avoid late night debate, which the public would find more difficult to observe, we will not oppose a vote to suspend the 24-hour layout requirement. Debate on this legislation was in the Committee of the Whole consisting of all 31 Members of the Senate. Thus, we see little compelling need for such layout requirement, which typically exists to give those Senators not on the relevant committee opportunity to review legislation. All 31 Senators have had ample opportunity to review the bill, which is the purpose of having a layout requirement. Thank you, Mr. Chairman.

Senator Duncan: I appreciate the fact that we're working together to try to move this bill and we've talked and worked a lot, but the only thing in your statement that I might have exception to is the fact that all Members of this Senate represent minority voters. And, I want to make clear that that is a statement of this whole body and not just of one political party or another. So, with that understanding, I will go ahead and not have an objection. And, I'd like my comments put in the record, if we could.

Senator Whitmire: Senator Duncan, I want to clarify in your comments to Senator Van de Putte before you pose the question, really a comment. You said that you felt like all Members on the floor were attempting to move the bill forward.

Senator Duncan: That's correct.

Senator Whitmire: Okay, well, I want to strongly disagree with you that that's not the position of the opposition. We're not voting for this rule, or this motion because we're trying to move this bill forward. We're trying to move the process forward and the only, and the distinction is we'll do it at 9:20 tonight or at three o'clock this afternoon, but we're going to do everything we can to stop this bill.

Senator Duncan: I understand that.

Senator Whitmire: But we want to have the discussion in the middle of the afternoon versus the middle of the morning.

Senator Duncan: That wasn't my, that, that really—

Senator Whitmire: I know.

Senator Duncan: —wasn't what I intended to say.

Senator Whitmire: You understand.

Senator Duncan: I just, I was intending to, I, I was objecting to the statement to the extent—

Senator Whitmire: I respect that.

Senator Duncan: —it said that, you know, that it implied that not all Members of this body represent minority interests. That was my objection and that's what I wanted in the record.

Senator Whitmire: Certainly, and I think you have a right to make that record and I heard your feelings, but I could not allow your comment that we're all, 31 of us, attempting to move this bill forward, on the record, without making it very clear that that's not the way we feel towards voting for this motion, which allow us to bring it

up immediately. We're very much opposed to the bill, which you will get to witness in a moment. But we do think it good judgment to go forward at this point, versus going into the mid-part of the next morning.

Senator Duncan: I think we can all agree on that and I think we understand that. I had only one objection to the statement and I made that objection.

Question — Shall the Motion In Writing be adopted?

The President requested the Secretary of the Senate to again read the Motion In Writing.

MOTION IN WRITING

The Secretary of the Senate again read the following Motion In Writing:

Mr. President:

I move to suspend all necessary rules to take up and consider **SB 14** at this time.

FRASER

Senator Fraser withdrew the Motion In Writing.

MOTION IN WRITING

Senator Fraser offered the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 5.11 and Senate Rule 7.12 to take up **SB 14** at this time, which is set as a special order for 9:20 p.m. today.

FRASER

The Motion In Writing was read and was adopted without objection.

SENATE BILL 14 ON SECOND READING

The President laid before the Senate **SB 14** by Senator Fraser at this time on its second reading (Set as special order) (Submitted by Governor as an emergency matter):

SB 14, Relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 14** by striking below the enacting clause and adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION __. Subchapter A, Chapter 61, Election Code, is amended by adding Section 61.015 to read as follows:

Sec. 61.015. FRAUDULENT OR DECEPTIVE VOTING PRACTICES. (a) A person commits an offense if the person knowingly:

(1) impersonates or attempts to impersonate another person, or uses or attempts to use the identify of another person, for the purpose of voting in any election in this state.

(2) removes the name of an eligible voter from the list of registered voters or the poll list for the precinct;

(3) prevents the deposit in the ballot box of a marked and properly folded ballot that was provided at the polling place to the voter who is depositing it or for whom the deposit is attempted;

(4) provides false information to a voter about voting procedures, resulting in the voter:

(A) refraining from voting under a reasonable belief that the voter may not vote or that the procedures are intimidating or cumbersome; or

(B) otherwise being prevented from casting a ballot that may legally be counted;

(5) places restrictions on a voter's exercise of the right to vote that are not required by this code, resulting in the voter:

(A) refraining from voting under a reasonable belief that the voter may not vote; or

(B) otherwise being prevented from casting a ballot that may legally be counted; or

(6) impersonates a law enforcement officer or provides false information about law enforcement procedures for the purpose of intimidating voters regardless of whether the voter casts a vote.

(b) An offense under this section is a felony of the first degree.

SECTION __. Subsections 64.010(a)(2) and 64.012(a)(3), Election Code, are repealed.

SECTION __. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION __. This Act takes effect September 1, 2011.

WATSON
RODRIGUEZ

The amendment to **SB 14** was read.

(President Pro Tempore Ogden in Chair)

On motion of Senator Fraser, Floor Amendment No. 1 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and RENUMBERING subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 20.063(a) and (b), Election Code, are amended to read as follows:

(a) The Department of Public Safety shall:

(1) provide to each person who applies in person at the department's offices for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card ~~[an opportunity to complete]~~ a voter registration application form and an opportunity to complete the form; and

(2) inform each person who applies in person at the department's offices for an original or renewal personal identification card or a duplicate or corrected card that the department may not collect a fee for a personal identification card issued to a person who states that the person is obtaining the personal identification card for the purpose of voting and:

(A) who is a registered voter in this state and presents a valid voter registration certificate; or

(B) who is eligible for registration under Section 13.001 and submits a registration application to the department.

(b) When the department processes a license or card for renewal by mail, the department shall deliver to the applicant by mail a voter registration application form. The department by rule shall prescribe a form and manner of providing to persons renewing licenses and cards by mail a notice stating the information required to be provided under Subsection (a) to a person who applies in person at the department's offices for an original or renewal personal identification card or a duplicate or corrected card.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 2 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 3

Amend **SB 14** as follows:

(1) In SECTION 3 of the bill, in added Section 31.012(a), Election Code (page 2, line 19), between "website" and the period, insert "in each language in which voter registration materials are available".

(2) In SECTION 3 of the bill, add a new subsection to added Section 31.012, Election Code (page 2, between lines 23 and 24), to read as follows:

(c) The county clerk of each county shall post in a prominent location at the clerk's office a physical copy of the notice prescribed under Subsection (a) in each language in which voter registration materials are available.

GALLEGOS
HINOJOSA
LUCIO

The amendment to **SB 14** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3 except as follows:

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 4

Amend **SB 14** as follows:

(1) In SECTION 3 of the bill, in added Section 31.012(a), Election Code (page 2, line 19), between "website" and the period, add "in English and Spanish".

(2) In SECTION 3 of the bill, in added Section 31.012, Election Code (page 2, between lines 23 and 24), add the following new subsection:

(c) The county election administrator or county clerk, as applicable, shall post in a prominent location a physical copy of the notice prescribed by Subsection (a) in English and Spanish.

LUCIO
HINOJOSA

The amendment to **SB 14** was read.

Senator Lucio withdrew Floor Amendment No. 4.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 5

Amend **SB 14** in SECTION 3 of the bill, in added Section 62.016, Election Code (page 3, line 20), after "24-point.", by adding "The notices required under this subsection shall be posted separately from all other notices required by state or federal law."

The amendment to **SB 14** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5 except as follows:

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 6

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(c), Election Code (page 4, line 6), by adding after the period "If in determining whether a voter's name is on the list of registered voters the election officer determines that the voter's name on the documentation does not match exactly the name on the list, the voter shall be accepted for voting as otherwise required by this section if the voter submits an affidavit stating that the voter is the person on the list of registered voters."

The amendment to **SB 14** was read.

Senator Davis withdrew Floor Amendment No. 6.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 7

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(d), Election Code (page 4, line 10), by adding after the period "In determining whether to accept a voter for voting, the election officer may not consider whether any address shown on the voter's documentation matches the address of the voter as shown on the list."

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 7 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 8

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(d), Election Code (page 4, line 10), by adding after the period "In the event of an inconsistency between an address that appears on the documentation presented by a voter described by this subsection and the voter registration list, the voter shall be accepted if the voter asserts that the address that appears on the voter registration list is the voter's address for the purposes of voting."

The amendment to **SB 14** was read.

Senator Davis withdrew Floor Amendment No. 8.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 9

Amend **SB 14** in SECTION 9 of the bill by striking added Section 63.0012(c), Election Code and replacing with the following:

(c) This section expires September 1, 2017.

The amendment to **SB 14** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 9 except as follows:

Absent-excused: Uresti.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 10

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, in the recital (page 3, line 23), strike "(g) and (h)" and substitute "(g), (h), and (i)".

(2) In SECTION 7 of the bill, in proposed Section 63.001(b), Election Code (page 3, line 26, through page 4, line 1), strike the text and substitute the following:
place:

(1) one form of identification listed in Section 63.0101; or

(2) the voter's voter registration certificate, accompanied by the affidavit described by Subsection (i) [to an election officer at the polling place].

(3) In SECTION 7 of the bill, following proposed Section 63.001(h), Election Code (page 5, between lines 10 and 11), add the following:

(i) If the requirement for identification prescribed by Subsection (b) is not met, an election officer shall notify the voter that the voter may be accepted for voting if the voter executes an affidavit under penalty of perjury stating that the voter is the person named on the voter registration certificate. The affidavit shall be in a form prescribed by the secretary of state and must include the voter's name, address, date of birth, and signature.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 10 was tabled by the following vote: Yeas 18, Nays 12.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Ogden, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

(President in Chair)

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 11

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, in the introductory language (page 3, line 23), strike "(g) and (h)" and substitute "(g), (h), and (i)".

(2) In SECTION 7 of the bill, following added Section 63.001(h), Election Code (page 5, between lines 10 and 11), insert the following:

(i) A voter whose name as listed on the identification prescribed by Subsection (b) does not match the name on the precinct list of registered voters shall still be accepted for voting if the voter is a woman and:

(1) presents a marriage license or divorce decree that lists a name that matches the name on the precinct list of registered voters; or

(2) executes an affidavit stating the voter's name is the name on the precinct list of registered voters but has been changed due to marriage or divorce.

DAVIS

ELLIS

The amendment to **SB 14** was read.

Senator Fraser moved to table Floor Amendment No. 11.

Senator Fraser withdrew the motion to table Floor Amendment No. 11.

Senator Davis temporarily withdrew Floor Amendment No. 11.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 12

Amend **SB 14** as follows:

(1) In SECTION 9 of the bill, adding Section 63.0012(a), Election Code (page 6, lines 1 and 2), strike "Section 521.422, Transportation Code," and substitute "Section 63.010".

(2) Strike SECTION 18 of the bill, amending Section 521.422, Transportation Code (page 11, lines 2 through 19).

(3) Add the following appropriately numbered SECTION to the bill, and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. FEES PROHIBITED FOR CERTAIN FORMS OF IDENTIFICATION DOCUMENTATION. Notwithstanding any other law, an agency, institution, or political subdivision of this state may not charge any fee for the issuance of any document that may be used:

(1) as proof of identification under this chapter; or

(2) to obtain a document that may be used as proof of identification under this chapter.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 12 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 13

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 9), strike "that has not" and substitute ", regardless of whether it has".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 13), strike "that has not" and substitute ", regardless of whether it has".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), strike "that has not" and substitute ", regardless of whether it has".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 13 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 14

Amend **SB 14** in SECTION 12 of the bill by striking amended Section 63.0101, Election Code (page 8, line 5, through page 9, line 2), and substituting the following:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The ~~following~~ documentation ~~is~~ acceptable as proof of identification under this chapter is the same as the documentation required by the Department of Public Safety under Section 521.142, Transportation Code, for an application for the issuance of a driver's license, including the thumbprints, photograph, and signature of the voter:

~~(1) a driver's license or personal identification card issued to the person by the Department of Public Safety or a similar document issued to the person by an agency of another state, regardless of whether the license or card has expired;~~

~~(2) a form of identification containing the person's photograph that establishes the person's identity;~~

~~(3) a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~(4) United States citizenship papers issued to the person;~~

~~(5) a United States passport issued to the person;~~

~~(6) official mail addressed to the person by name from a governmental entity;~~

~~(7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or~~

~~(8) any other form of identification prescribed by the secretary of state].~~

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 14 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 15

Amend **SB 14** by striking SECTION 12 of the bill and substitute with new SECTION 12 as follows:

SECTION 12. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is an acceptable form [~~as proof~~] of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not [~~or a similar document issued to the person by an agency of another state, regardless of whether the license or card has~~] expired or has expired after the date of the most recent general election;

(2) a United States military identification card that contains the person's photograph that has not expired or has expired after the date of the most recent general election [~~form of identification containing the person's photograph that establishes the person's identity~~];

(3) a [~~birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~[(4)]~~ United States citizenship certificate [~~papers~~] issued to the person that contains the person's photograph; or

(4) [(5)] a United States passport issued to the person that has not expired or has expired after the date of the most recent general election[;

~~[(6) official mail addressed to the person by name from a governmental entity;~~

~~[(7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or~~

~~[(8) any other form of identification prescribed by the secretary of state].~~

The amendment to **SB 14** was read.

Senator Davis temporarily withdrew Floor Amendment No. 15.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 16

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, strike amended Section 63.001(b), Election Code (page 3, line 24, through page 4, line 1), and substitute the following:

(b) Except as provided by Subsection (h), on [On] offering to vote, a voter must present to an election officer at the polling place either:

(1) one form of identification listed in Section 63.0101(a); or

(2) two different forms of identification listed in Section 63.0101(b) [the voter's voter registration certificate to an election officer at the polling place].

(2) In SECTION 12 of the bill, strike amended Section 63.0101, Election Code (page 8, line 5, through page 9, line 2), and substitute the following:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. (a) The following documentation is an acceptable form [as proof] of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not expired or that expired no earlier than two years before the date of presentation [or a similar document issued to the person by an agency of another state, regardless of whether the license or card has expired];

(2) a United States military identification card that contains the person's photograph [form of identification containing the person's photograph that establishes the person's identity];

(3) a [birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;

[(4)] United States citizenship certificate [papers] issued to the person that contains the person's photograph;

(4) [(5)] a United States passport issued to the person;

(5) a license to carry a concealed handgun issued to the person by the Department of Public Safety; or

(6) [official mail addressed to the person by name from a governmental entity;

[(7)] a valid identification card that contains the person's photograph and is issued by:

(A) an agency or institution of the federal government; or

(B) an agency, institution, or political subdivision of this state.

(b) The following documentation is acceptable as proof of identification under this chapter:

(1) the voter's voter registration certificate or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter;

(2) official mail addressed to the person by name from a governmental entity;

(3) a certified copy of a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;

(4) United States citizenship papers issued to the person;

(5) an original or certified copy of the person's marriage license or divorce decree;

(6) court records of the person's adoption, name change, or sex change;

(7) an identification card issued to the person by a governmental entity of this state or the United States for the purpose of obtaining public benefits, including veteran's benefits, Medicaid, or Medicare;

(8) a temporary driving permit issued to the person by the Department of Public Safety;

(9) a pilot's license issued to the person by the Federal Aviation Administration or another authorized agency of the United States;

(10) a library card that contains the person's name issued to the person by a public library located in this state; or

(11) a hunting or fishing license issued to a person by the Parks and Wildlife Department [or

(8) any other form of identification prescribed by the secretary of state].

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 16 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 17

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 11), between "expired" and the semicolon, insert ", including a temporary driving permit issued under Section 524.011, Transportation Code".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 17 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 18

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code, strike "or".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code, following "expired", insert the following:

; or

(5) a license to carry a concealed handgun issued to the person by the Department of Public Safety of the State of Texas

HINOJOSA
PATRICK

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 19

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:

; or

(5) for a person who is a student at an accredited public university located in the state of Texas, a student identification card that contains the person's photograph that has not expired issued to the person by the institution of higher education

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 19 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator West offered the following amendment to the bill:

Floor Amendment No. 20

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:

; or

(5) a Medicare identification card issued to the person by the United States Social Security Administration accompanied by a voter registration certificate issued to the person

WEST
RODRIGUEZ

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 20 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 21

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:

; or

(5) a valid identification card, including an employee identification card, that contains the person's photograph and is issued by:

(A) an agency or institution of the federal government;

(B) an agency, institution, or political subdivision of this state; or

(C) an institution of higher education in this state

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 21 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 22

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 11), between "expired" and the semicolon, insert "or that expired no earlier than 60 days before the date of presentation".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 13), following "expired" add "or that expired no earlier than 60 days before the date of presentation".

(4) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(5) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", add "or that expired no earlier than 60 days before the date of presentation; or

(5) if the person is 65 years of age or older, an expired driver's license or personal identification card issued to the person by the Department of Public Safety or a similar document issued to the person by an agency of another state".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 22 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 23

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election code (page 8, line 11), between "expired" and the semicolon, insert "or that expired no earlier than 60 days before the date of presentation".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 13), following "expired" add "or that expired no earlier than 60 days before the date of presentation".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", add "or that expired no earlier than 60 days before the date of presentation".

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 24

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:

; or

(5) a voter's voter registration certificate containing the voter's photograph

(4) Add the following appropriately numbered SECTION to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 15, Election Code, is amended by adding Section 15.0025 to read as follows:

Sec. 15.0025. PHOTOGRAPH ON CERTIFICATE. The commissioners court of a county may authorize the county elections administrator or the county clerk, as applicable, to issue voter registration certificates that include a photograph of the voter and that may be used as proof of a voter's identification under Chapter 63.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 24 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 25

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0086 to read as follows:

Sec. 411.0086. LOCATION OF DRIVER'S LICENSE FACILITIES. (a) The department must ensure that one driver's license facility is established for every 50 voting precincts in an area.

(b) Driver's license facilities must be located by an equal distribution throughout an area based on voting age population.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 25 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 26

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0086 to read as follows:

Sec. 411.0086. DRIVER'S LICENSE FACILITIES IN CERTAIN COUNTIES.
The department must locate a driver's license facility established after January 1, 2012, not further than five miles from a location accessible by public transportation, if the facility is located in a county where public transportation is available.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 26 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 27

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 2.009(c), Family Code, is amended to read as follows:

(c) On the proper execution of the application, the clerk shall:

(1) prepare the license;

(2) enter on the license the names of the licensees, the date that the license is issued, and, if applicable, the name of the person appointed to act as proxy for an absent applicant, if any;

(3) record the time at which the license was issued;

(4) distribute to each applicant printed materials about acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) and note on the license that the distribution was made; ~~and~~

(5) distribute to each applicant a premarital education handbook provided by the attorney general under Section 2.014; and

(6) distribute to each applicant a notice stating that if an applicant changes the applicant's name after marriage, the applicant must update the applicant's voter registration information and applicable government-issued personal identification documents, including any driver's license, or risk being denied the opportunity to cast a ballot.

LUCIO
ELLIS

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 27 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 28

Amend **SB 14** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 62, Election Code, is amended by adding Section 62.0015 to read as follows:

Sec. 62.0015. VOTER REGISTRARS MUST BE PRESENT. Two voter registrars must be present at each polling place while the polls are open.

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. REGISTRATION AT POLLING PLACE; VOTING PROCEDURES. (a) Other applicable provisions of this code apply to the conduct of voting and to the registration of voters under this section to the extent those provisions do not conflict with this section.

(b) A person who would be eligible to vote in an election under Section 11.001, but for the requirement to be a registered voter, shall be accepted for voting in the precinct of the person's residence if, on the day the person offers to vote, the person:

(1) submits a voter registration application that complies with Section 13.002 to a voter registrar at the polling place; and

(2) presents as proof of identification and residence a document described by Section 63.0101 that contains the voter's current name and address.

(c) Persons voting under this section shall be processed separately at the polling place from persons who are voting under regular procedures.

(d) The secretary of state shall adopt rules to ensure the accountability of election officers and to fairly implement this section.

SECTION _____. The secretary of state shall adopt rules as required by Section 63.010, Election Code, as added by this Act, not later than February 1, 2012.

ELLIS
LUCIO
RODRIGUEZ

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 28 was tabled by the following vote: Yeas 20, Nays 10.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams, Zaffirini.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 29

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 521, Transportation Code, is amended by adding Section 521.007 to read as follows:

Sec. 521.007. DEPARTMENT OPERATING HOURS. To ensure access by the public to identification required under Section 63.001, Election Code, the department shall maintain fully staffed operating hours in each office authorized to issue driver's licenses or personal identification certificates:

- (1) until 7 p.m. or later on at least one weekday each week; and
- (2) during four or more hours on at least two Saturdays each month.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 29 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 30

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.014 to read as follows:

Sec. 63.014. SECRETARY OF STATE REPORT. (a) The secretary of state shall produce an annual report showing:

(1) the number of residents eligible to vote in this state who have the documentation required under Section 63.0101, and the percentage of all state residents eligible to vote represented by that number;

(2) the number of residents eligible to vote in this state who do not have the documentation required under Section 63.0101, and the percentage of all state residents eligible to vote represented by that number;

(3) the number of residents eligible to vote in this state who have the documentation required under Section 63.0101 but who fail to comply with statutory requirements only because the address on the documentation is not current, the last name on the documentation does not match the current voter list because of a legal name change, or the documentation presented is expired, and the percentage of all state residents eligible to vote represented by that number;

(4) the average time, by voting precinct, that a person must wait to obtain a document described by Section 63.0101(1) at the nearest Department of Public Safety licensing facilities that provide those documents;

(5) the number of eligible voters who were prevented from voting as a result of the enhanced identification requirements for being accepted to vote adopted by the 82nd Legislature;

(6) the number of eligible voters who were required to file provisional ballots as a result of the enhanced identification requirements for being accepted to vote; and

(7) an analysis, by subgroup, of whether the enhanced identification requirements for being accepted to vote produce a disparate impact on women, the elderly, persons with disabilities, students, or racial and ethnic minorities.

(b) The report produced under this section is a public record.

(c) The secretary of state may adopt rules to implement this section, including rules requiring other state agencies and authorities holding elections to record information relevant to the report required by this section.

ELLIS
RODRIGUEZ
URESTI

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 30 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 31

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The changes in law made by this Act do not take effect unless:

(1) the comptroller determines that the legislature has appropriated the amount of money to the appropriate entities that is necessary to fully fund the implementation of this Act; and

(2) the secretary of state certifies that the secretary of state and each county have complied with the changes in law made by this Act or have developed the training and information required by this Act and have prepared to implement the changes in law made by this Act, as applicable.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 31 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 32

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS accordingly:

SECTION _____. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 82nd Legislature.

WATSON
RODRIGUEZ

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator West offered the following amendment to the bill:

Floor Amendment No. 33

Amend **SB 14** as follows:

(1) In SECTION 23 of the bill, page 12, line 18, strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(2) In SECTION 23 of the bill, page 12. add Subsection (c), to read as follows:

"(c) If after the passage of the General Appropriation Act, 82nd Legislature, the funding provided to school districts through the Foundation School Program or direct distribution to the districts is not sufficient to maintain the current pay distribution per teacher and to maintain an equal number of teachers in the districts, this bill has no effect."

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 33 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator West offered the following amendment to the bill:

Floor Amendment No. 34

Amend **SB 14** (filed version) as follows:

(1) In SECTION 23 of the bill, page 12, line 18, strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(2) In SECTION 23 of the bill, page 12, add Subsection (c), to read as follows:

"(c) This Act takes effect only if the legislature appropriates or otherwise provides sufficient funds to defray the costs associated with the duties and activities imposed on counties under the Act. No county funds derived from local revenue may be expended to implement this Act."

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 34 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 35

Amend **SB 14** (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Section 13.002, Election Code, is amended by adding Subsection (i) to read as follows:

(i) An applicant who wishes to receive an exemption on the basis of disability from the requirements of Section 63.001(b) must include a certification from a physician that the person has a disability as defined by Section 21.002, Labor Code, with the person's application.

SECTION _____. Section 15.001, Election Code, is amended by adding Subsection (c) to read as follows:

(c) A certificate issued to a voter who meets the certification requirements of Section 13.002(i) must contain an indication that the voter is exempt from the requirement to present identification other than the registration certificate before being accepted for voting.

(2) In SECTION 7 of the bill, strike added Section 63.001(h) (page 2, lines 51 through 57) and substitute the following:

(h) The requirements for identification prescribed by Subsection (b) do not apply to a voter who presents the voter's voter registration certificate on offering to vote and:

(1) was 70 years of age or older on January 1, 2012, as indicated by the date of birth on the voter's voter registration certificate; or

(2) is disabled and the voter's voter registration certificate contains the indication described by Section 15.001(c).

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 36

Amend **SB 14** as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Effective September 1, 2011, Chapter 82, Election Code, is amended by adding Section 82.006 to read as follows:

Sec. 82.006. PERMANENT MAIL VOTER STATUS. (a) A qualified voter is eligible for permanent mail voter status if:

(1) the voter is disabled, as defined by secretary of state rule under Subsection (c); and

(2) the voter's name is not on the suspense list.

(b) A voter having permanent mail voter status is entitled to receive a ballot to be voted by mail for every election other than a primary election.

(c) The secretary of state shall by rule define "disabled" for purposes of determining eligibility for permanent mail voter status.

SECTION ____. Effective September 1, 2011, Chapter 84, Election Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. APPLICATION FOR PERMANENT MAIL VOTER STATUS

Sec. 84.101. METHOD OF APPLICATION. (a) A qualified voter seeking permanent mail voter status may apply for the status at the time the voter registers to vote or at a polling place on election day or during early voting by personal appearance.

(b) The secretary of state shall adopt rules and forms to implement this section.

Sec. 84.102. SUBMITTING APPLICATION. An application indicating that the voter seeks to acquire permanent mail voter status is considered submitted for the first election following the date the application is submitted. A voter may not attain permanent mail voter status for that election unless the voter timely submits the application to a voter registrar within the time provided by Subchapter A.

Sec. 84.103. ACTION BY VOTER REGISTRAR. (a) If a qualified voter eligible for permanent mail voter status submits an application under Section 84.101 stating a valid ground of eligibility, the voter registrar receiving the application shall:

(1) place the voter's name on a list of permanent mail voters; and

(2) notify the early voting clerks serving every authority that orders elections in the registrar's jurisdiction of the voter's permanent mail voter status.

(b) If the early voting clerk serving an authority receives notice under Subsection (a)(2), the early voting clerk and the clerk's successors shall provide a ballot to be voted by mail to the voter as required by this code for each general and special election ordered by the authority.

(c) An early voting clerk may not provide a ballot under Subsection (b) to a voter whose name appears on the suspense list.

Sec. 84.104. CANCELLATION. (a) A voter having permanent mail voter status may cancel an application for a ballot to be voted by mail at any time. The cancellation is effective for an election for which the voter timely cancels the application as provided by Section 84.032 and all subsequent elections. A voter who has canceled the voter's application under this subsection may apply for permanent mail voter status for a subsequent election.

(b) Following cancellation under Subsection (a), the applicable early voting clerk shall notify the early voting clerks serving every authority that orders elections in the clerk's jurisdiction of the cancellation.

Sec. 84.105. ADDITIONAL PROCEDURES. The secretary of state shall:

(1) prescribe any additional procedures necessary to implement this subchapter; and

(2) develop a system of notifying voters who are likely to be eligible for permanent mail voter status of the availability of that status for certain voters and the application procedure for acquiring that status.

SECTION ____. (a) Effective September 1, 2011, the secretary of state shall prescribe any procedures and develop a notification system under Section 84.105, Election Code, as added by this Act, but not later than January 1, 2012.

(b) The changes in law made by Section 82.006 and Subchapter C, Chapter 84, Election Code, as added by this Act, apply only to an election for which an application for a ballot to be voted by mail may not be submitted before January 1, 2012.

(2) In SECTION 23(a) of the bill (page 12, line 19), between "section" and the comma, insert "or as otherwise provided by this Act".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 36 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 37

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.015 to read as follows:

Sec. 31.015. UNIFORM STATEWIDE VOTER REGISTRATION SYSTEM. The secretary of state shall establish a uniform statewide voter registration system to improve voter participation. The system must:

- (1) include expanded voter registration outreach;
- (2) establish more voter registration offices, especially in areas where the distance between offices is determined to be prohibitive;
- (3) include statewide outreach to inform the voting age population of registration status, registration locations, and locations of precinct polling places;
- (4) allow voters to verify and make corrections to their voter registration not less than 30 days before the date of an election;
- (5) use voter assistance hotlines and websites that are operational at least 30 days before the date of an election; and
- (6) establish ombudsmen at the state level to address cases of voter suppression, voter discrimination, or other abuse against voters.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 37 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 38

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Section 16.036(a), Election Code, is amended to read as follows:

(a) Immediately after, but not later than the 30th day after the date a voter's registration is canceled under Section 16.031 [~~16.031(a)(3)~~], 16.032, 16.033, 16.0331, or 16.0332, the registrar shall deliver written notice of the cancellation to the voter.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 38 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 39

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, add following language to the end of Section 63.001(h)(2), Election Code:

-,or;

(2) In SECTION 7 of the bill, add new subsection (3) to Section 63.001(h), Election Code to read as follows:

(3) who is indigent and is unable to obtain proof of identification without the payment of a fee.

(a) "indigent" in this subsection has the meaning assigned by Section 51.941(e), Government Code.

(b) the voter in this subsection shall be provided a provision ballot as provided under Section 63.011.

(3) Strike SECTION 16 of the bill and add new SECTION 16 as follows:

Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not meet the identification requirements of Section 63.001(b) may, not later than the sixth day after the date of the election,

(1) present proof of identification to the voter registrar for examination by the early voting ballot board; or,

(2) per Section 63.001(h)(3), Election Code execute an affidavit before the voter registrar affirming under penalties of perjury that the voter is indigent

(b) The secretary of state shall prescribe procedures as necessary to implement this section.

The amendment to **SB 14** was read.

Senator Davis withdrew Floor Amendment No. 39.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 40

Amend **SB 14** by striking SECTIONS 15 and 16 of the bill (filed version, page 9, line 26, through page 10, line 17) and substituting the following:

SECTION 15. Section 65.054, Election Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A provisional ballot shall ~~may~~ be accepted ~~only~~ if the board determines that:

(1) ~~is~~ from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election; and

(2) the person:

(A) meets the identification requirements of Section 63.001(b) in the period prescribed under Section 65.0541; or

(B) executes an affidavit under penalty of perjury stating that:

(i) the voter:

(1) is indigent and is unable to obtain proof of identification without the payment of a fee; or

(2) has a religious objection to being photographed; and

(ii) has not been challenged or required to vote a provisional ballot for any other reason.

(e) In this section, "indigent" has the meaning assigned by Section 51.941(e), Government Code.

SECTION 16. Subchapter B, Chapter 65, Election Code, is amended by adding Section 65.0541 to read as follows:

Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not meet the identification requirements of Section 63.001(b) may, not later than the sixth day after the date of the election:

(1) present proof of identification described by Section 63.0101 to the voter registrar for examination; or

(2) execute an affidavit described by Section 65.054(b)(2)(B) in the presence of the voter registrar.

(b) The secretary of state shall prescribe procedures as necessary to implement this section.

DUNCAN
DAVIS
OGDEN
PATRICK

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Davis again offered the following amendment to the bill:

Floor Amendment No. 11

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, in the introductory language (page 3, line 23), strike "(g) and (h)" and substitute "(g), (h), and (i)".

(2) In SECTION 7 of the bill, following added Section 63.001(h), Election Code (page 5, between lines 10 and 11), insert the following:

(i) A voter whose name as listed on the identification prescribed by Subsection (b) does not match the name on the precinct list of registered voters shall still be accepted for voting if the voter is a woman and:

(1) presents a marriage license or divorce decree that lists a name that matches the name on the precinct list of registered voters; or

(2) executes an affidavit stating the voter's name is the name on the precinct list of registered voters but has been changed due to marriage or divorce.

DAVIS

ELLIS

The amendment to **SB 14** was again read.

On motion of Senator Fraser, Floor Amendment No. 11 was tabled by the following vote: Yeas 18, Nays 12.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Ogden, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis again offered the following amendment to the bill:

Floor Amendment No. 15

Amend **SB 14** by striking SECTION 12 of the bill and substitute with new SECTION 12 as follows:

SECTION 12. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is an acceptable form [~~as proof~~] of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not [~~or a similar document issued to the person by an agency of another state, regardless of whether the license or card has expired or has expired after the date of the most recent general election;~~]

(2) a United States military identification card that contains the person's photograph that has not expired or has expired after the date of the most recent general election [~~form of identification containing the person's photograph that establishes the person's identity~~];

(3) a [~~birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity~~;

~~[(4)]~~ United States citizenship certificate [~~papers~~] issued to the person that contains the person's photograph; or

(4) ~~[(5)]~~ a United States passport issued to the person that has not expired or has expired after the date of the most recent general election[;

~~[(6)]~~ official mail addressed to the person by name from a governmental entity;

~~[(7)]~~ a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or

~~[(8)]~~ any other form of identification prescribed by the secretary of state].

The amendment to **SB 14** was again read.

On motion of Senator Fraser, Floor Amendment No. 15 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 41

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(c), Election Code (page 4, line 6), by adding after the period "If in determining whether a voter's name is on the list of registered voters the election officer determines that the voter's name on the documentation is substantially similar but does not match exactly the name on the list, the voter shall be accepted for voting as otherwise required by this section if the voter submits an affidavit stating that the voter is the person on the list of registered voters."

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

On motion of Senator Fraser and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

Question — Shall **SB 14** as amended be passed to engrossment?

AT EASE

The President at 7:28 p.m. announced the Senate would stand At Ease until 7:45 p.m.

IN LEGISLATIVE SESSION

The President at 7:57 p.m. called the Senate to order as In Legislative Session.

Question — Shall **SB 14** as amended be passed to engrossment?

SB 14 as amended was passed to engrossment by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

CO-AUTHOR OF SENATE BILL 272

On motion of Senator Zaffirini, Senator Hinojosa will be shown as Co-author of **SB 272**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

- SR 93** by Watson, In memory of Spencer Lloyd Reid.
- SR 103** by Ellis, In memory of Howard Daniel Boone of Austin.
- SR 112** by Lucio, In memory of Luis Romero of Los Fresnos.
- SR 113** by Lucio, In memory of David Saenz of Brownsville.
- SR 114** by Rodriguez, In memory of John Baylor Van Vranken McKinney.
- SR 115** by Rodriguez, In memory of Artemisa "Arte" Salinas of El Paso.
- SR 120** by Wentworth, In memory of Dorothy Paula Levy Katz.
- SR 121** by Wentworth, In memory of Geraldine "Jerry" Traugott of San Antonio.
- SR 122** by Wentworth, In memory of Carol Baier Jansen of San Antonio.
- SR 123** by Wentworth, In memory of Ladimer Gene Herold of San Antonio.
- SR 124** by Wentworth, In memory of Marvin Selig of Seguin and San Antonio.

Congratulatory Resolutions

- SR 92** by Watson, Recognizing Nancy McClintock on the occasion of her retirement from the City of Austin.
- SR 94** by Watson, Recognizing Joe Gieselman on the occasion of his retirement from the Travis County Transportation and Natural Resources department.

SR 95 by Watson, Recognizing Ira Iscoe of Austin on the occasion of his 90th birthday.

SR 96 by Watson, Recognizing Pat Murphy on the occasion of his retirement from the City of Austin.

SR 97 by Watson, Recognizing Forrest Nikorak on the occasion of his retirement from the City of Austin.

SR 98 by Birdwell, Recognizing Timothy Karcher for his contributions to his country.

SR 100 by West, Recognizing James Lawson for his work in the pursuit of peace and equal rights for all people.

SR 101 by West, Recognizing the Ingram family on the occasion of their 30th annual family reunion.

SR 102 by Deuell, Congratulating Celeste Prather-Young on receiving the 2010 Executive Director of the Year Award by Texas Court Appointed Special Advocates.

SR 107 by Whitmire, Recognizing Green Chapel African Methodist Episcopal Church on the occasion of its 100th anniversary.

SR 108 by Whitmire, Recognizing the Greenspoint Area Chapter of the International Association of Administrative Professionals on the occasion of their 59th annual meeting of the Texas-Louisiana Division.

SR 109 by Van de Putte, Recognizing Harmony Science Academy on the occasion of its 10th anniversary.

SR 116 by Rodriguez, Recognizing Jose F. Cardenas for his contributions to the profession of engineering.

Official Designation Resolutions

SR 104 by Birdwell, Harris, and Watson, Celebrating February 1, 2011, as Baylor University Day at the State Capitol.

SR 117 by Estes, Celebrating February 15, 2011, as Grayson County Day at the State Capitol.

SR 118 by Hinojosa and Lucio, Celebrating January 27, 2011, as The University of Texas–Pan American Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 8:44 p.m. adjourned, in memory of Joe Limon Avila, John Paul Duncan, and Wesley J. Rice, until 8:45 p.m. today.

APPENDIX

COMMITTEE REPORT

The following committee report was received by the Secretary of the Senate:

January 25, 2011

COMMITTEE OF THE WHOLE SENATE — SB 14

RESOLUTIONS ENROLLED

January 25, 2011

**SR 34, SR 48, SR 52, SR 55, SR 60, SR 72, SR 81, SR 82, SR 83, SR 84, SR 85,
SR 86, SR 87, SR 88, SR 89, SR 91**

In Memory
of
James Paul Duncan
Senate Resolution 56

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Dr. James Paul Duncan, who died June 9, 2009, at the age of 72; and

WHEREAS, James Paul Duncan was born January 19, 1937; he attended the University of Indiana, where he earned bachelor's and master's degrees in sociology and a doctorate in higher education administration; following his service as an officer in the United States Army, he began a long and distinguished career as an educator, counselor, and administrator; and

WHEREAS, Dr. Duncan joined the faculty of The University of Texas at Austin in 1970 as dean of students and associate professor in the Department of Educational Administration; he held numerous positions of leadership at the university, including vice president for student affairs and executive vice chancellor for academic affairs, a position he held for 14 years; and

WHEREAS, After retiring from administrative duties in 1997, he returned to teaching and was designated the Ashbel Smith Professor of Educational Administration; Dr. Duncan was noted for his ability to touch the lives of his students, often going out of his way to work with them and help them complete their degrees; and

WHEREAS, He also played a vital role in the creation of one of the nation's first comprehensive counseling centers for students at a major university; he was also part of a group that worked to expand The University of Texas System to South Texas with The University of Texas at Brownsville; he helped to guide the university through a turbulent political environment, and university leaders regularly sought his advice and counsel; and

WHEREAS, A man of vision, strength, and courage, he gave generously to others, and his dedication both to his students and to the betterment of the educational system of our state set an enduring example for all; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend sincere condolences to the family and friends of Dr. James Paul Duncan; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Dr. James Paul Duncan.

WATSON

