



**Testimony on SB 1340,
Proposed Legislation relating to voter qualification and registration.
By: Emily Eby, Staff Attorney, Texas Civil Rights Project
Texas Senate State Affairs Committee, March 26, 2021**

Chair Hughes, Vice Chair Birdwell, and Members of the Senate State Affairs Committee,

I am here to testify against SB 1340, because it puts the votes of my fellow Texans in peril.

As it currently exists, the voter challenge law requires that a challenger have personal knowledge of the grounds for a voter challenge. SB 1340 opens that up to a personal challenge or “public record,” with no standard about where such records come from or how accurate they must be. I have seen voter challenges in Texas based on inaccurate public information, and they wrongly disenfranchised properly registered voters.

SB 1340 also shifts the responsibility for hearings on voter challenges, moving them from the purview of local registrars to the purview of the Secretary of State. This change all but assures that a challenge leads directly to suspense. If my vote is challenged, I would have to request a hearing from the Secretary of State, and presumably travel to Austin to defend my own proper registration. If I cannot do that, I am placed on the suspense list. SB 1340 would effectively allow any challenger to nullify my registration based on any piece of public data. This does not protect the integrity of my vote.

The piece of this bill changing the effective date of registration would also disenfranchise many properly registered voters. By moving a voter registration’s effective date from 30 days after an application is *submitted* to 30 days after an application is *approved*, voters lose a crucial piece of control over their own registration. An application’s approval can be delayed by any number of internal factors at the county, including the burden of processing thousands of paper applications at the registration deadline. Unless the legislature chooses to ease this burden by implementing online voter registration, it is deeply unfair to tie a voter’s effective date to the date of the application’s approval. For these reasons, I urge the committee not to approve SB 1340 as drafted. Thank you.