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Surprising 5th Circuit Court of Appeals Decision Overturns Texas Photo ID Law
Senator Bettencourt's SB 963 Was Shown to Resolve Poll Tax Issue in the Ruling

Austin, TX - In a surprising 3-0 ruling of the 5th Circuit Court of Appeals today, a three judge panel ruled that the Texas Photo ID Law has a discriminatory effect and therefore violates the federal Voting Rights Act, even though in the opinion, Senator Bettencourt's SB 963 was credited with resolving any claim that the law created a poll tax.

"While I believe that the three judge panel got the overall ruling wrong on the Texas Photo ID Law, I was satisfied to see that they recognized the Legislature's efforts in passing my SB 963, which made it clear that Texans shouldn't have to pay fees to obtain the required documentation in order to vote in a Texas election," Senator Bettencourt said. "Simply no poll tax exists in Texas state law," he added.

The ruling requests that the district court reevaluate whether the law was passed with a discriminatory intent, and if not, to fashion a remedy. The three judge panel recommended using a new voter affidavit to the lower court.

"The fact is, Photo ID worked in the last Texas statewide election. Harris County has a voter roll of over 2 million, with exactly 263 voters out of 688,018 voters having issues with the law (0.038%). The public should know that the Federal Help America Vote Act (HAVA) allows nearly any voter to use a provisional ballot to vote at the polls, and for a review to be conducted afterwards. These results show an extremely high compliance and correct use of photo ID in Texas, and I expect this ruling to be overturned as a result," Senator Bettencourt added.

In both party primary elections in March 2014, only a few dozen voters in Harris County cast provisional ballots due in any part to photo ID issues. Generally, the county clerk handles several thousand provisional ballots yearly, so having just 263 voters in the November 2014 general election cast provisional ballots with 14 actual corrections is a small part of the overall public vote. This data is from the most ethnically diverse urban county in America and brings real question to the court's ruling that the Photo ID Law was discriminatory.

"I urge the Attorney General's office to appeal this ruling of the full 5th Circuit," Senator Bettencourt remarked.