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| RESOLUTION ANALYSIS |

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| S.J.R. 35 |
| By: Birdwell |
| State Affairs |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  As of December 2022, municipalities in the states of California, Maryland, New York, and Vermont have passed policies to allow individuals who are not U.S. citizens to vote in local elections. Recently, New York City passed a city measure to allow noncitizens to vote that was struck down by their courts. While the state constitutions in Arizona, Louisiana, North Dakota, and Ohio explicitly state that noncitizens may not vote in elections, the Texas Constitution does not. Although statutorily, an individual must be a registered voter to vote in Texas elections and citizenship is a current requirement for voter registration, this could change. With other states allowing their local governments to implement a voting mechanism to allow noncitizens to vote, the State of Texas should proactively amend the Texas Constitution to ensure that local governments cannot implement such policies here in Texas should statute change. Accordingly, S.J.R. 35 proposes a constitutional amendment to clarify that persons who are not U.S. citizens are not allowed to vote in Texas. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS**  S.J.R. 35 proposes an amendment to the Texas Constitution to clarify that persons who are not U.S. citizens are not allowed to vote in Texas. |
| **ELECTION DATE**  The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 7, 2023. |