BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As of December 2022, municipalities in the states of California, Maryland, New York, and Vermont have passed policies to allow noncitizens of the United States to vote in local and municipal elections. In contrast, the states of Arizona, Louisiana, North Dakota, and Ohio have either amended their state constitution or their state constitution already explicitly stated that noncitizens may not vote in any election or local elections.

The Texas Constitution does not explicitly limit Texas noncitizen voting in state or local elections. Statutorily, an individual must be a registered voter to vote in Texas elections and citizenship is a current requirement for voter registration.

The right to vote is sacred, guaranteed by the United States Constitution. With other states allowing their local governments to implement a voting mechanism to allow noncitizens to vote, Texas should proactively amend the constitution to ensure that Texas municipalities cannot implement such policies should statute change. In efforts to preserve the integrity of all elections, maintaining that only citizens have the right to vote will create additional safeguards to keep our Texas elections secure.

S.J.R. 35 proposes a constitutional amendment clarifying that a voter must be a United States citizen.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1(a), Article VI, Texas Constitution, as follows:

> (a) Prohibits certain classes of persons from being allowed to vote in this state, including persons who are not citizens of the United States. Makes nonsubstantive changes.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 7, 2023. Sets forth the required language of the ballot.