



May 28, 2025

Hon. Patrick Connick, Chair
Senate Transportation, Highways & Public Works Committee
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

Submitted via email

Dear Chair Connick and Members of the Committee:

On behalf of the undersigned organizations, we write to oppose HB 554 because it will result in the intimidation of eligible Louisiana voters and make it harder for many of them to vote. This bill (1) prohibits issuance of driver's licenses or state identification cards to non-citizens not lawfully present in the U.S., (2) requires licenses or identification cards issued to any lawfully present non-citizen to contain a restriction code identifying the card holder as a non-citizen, (3) requires the Office of Motor Vehicles (OMV) send a "Notice of Voting Restrictions" (hereinafter the Notice) detailing the criminal penalties for voting or attempting to vote as a non-citizen to "any person who is not a citizen of the United States," and (4) requires OMV to provide a list of persons sent the Notice to the Secretary of State's office for purposes of list maintenance.

As an initial matter, list maintenance and voter purge practices targeting non-citizens based on driver's license or state ID data—or any point-in-time government data, for that matter—are highly likely to impact naturalized, voting-eligible citizens. Such data necessarily fails to account for the frequent occurrence that an individual's citizenship status may have changed in the intervening period between obtaining a license or identification card and when that data is used for list maintenance or citizenship status determinations. Because HB 554 fails to specify the

data OMV is to use in making citizenship determinations, this bill could likely result in reliance on point-in-time government data to both send the required “Notice of Voting Restriction” and provide names to the Secretary of State’s office for list maintenance purposes. The consequence of this practice will be intimidation and potential purging of eligible Louisiana voters.

This impact is not a theoretical concern—several states have used point-in-time data to determine current citizenship status in a manner that has jeopardized the voting rights of eligible citizens. For example, in Texas, a similar faulty data matching methodology with bureau of motor vehicles data for list maintenance led to nearly 100,000 registered citizen voters having their voter eligibility wrongfully questioned. The state ultimately rolled back this list maintenance tactic under a settlement agreement that also required Texas to pay nearly half-a-million dollars in attorney’s fees.¹ Additionally, in 2024, the Alabama Secretary of State’s office instructed county officials to immediately inactivate and remove over 3,000 individuals they alleged to be “noncitizens” based on state motor vehicle and other agency data.² This action was shortly thereafter enjoined by a federal district court and the Secretary of State admitted that several thousand of the individuals included on that list were in fact United States citizens.³

I. HB 554’s “Notice of Voting Restrictions” Will Likely Cause Intimidation of Eligible, Registered Louisiana Voters.

HB 554 requires OMV to “issue a notice in the form of official correspondence to any person who is not a citizen of the United States, or an alien who is lawfully present in the United States, but has not attained citizenship...” The required text of the notice highlights that registering to vote or attempting to vote as a non-citizen is a felony offense punishable by a fine of up to \$2,000, imprisonment for up to two years, or both. Notably, the Notice lacks any context that might explain why an individual is receiving it or that people who receive the letter but have naturalized are in fact allowed to register (or remain registered) and vote.

HB 554 does not set forth a particular procedure for OMV to follow in determining an individual’s citizenship status and therefore who should receive the Notice. As discussed above, if OMV relies on driver’s license, identification, or other point-in-time government data, it is very likely that such notices will be sent to voting-eligible, naturalized citizens. For many naturalized immigrants, some who may be navigating the voting process for the first time after becoming a citizen, the threat of criminal prosecution with no additional information may well dissuade them from participating in elections.

¹ Alex Ura, *Texas will end its botched voter citizenship review and rescind its list of flagged voters*, TEXAS TRIBUNE (April 26, 2019), <https://www.texastribune.org/2019/04/26/texas-voting-rights-groups-win-settlement-secretary-of-state/>.

² Press release, Alabama Secretary of State, Secretary of State Wes Allen Implements Process to Remove Noncitizens Registered to Vote in Alabama, <https://www.sos.alabama.gov/newsroom/secretary-state-wes-allen-implements-process-remove-noncitizens-registered-vote-alabama> (last visited May 19, 2025).

³ *Ala. Coalition for Immigrant Just. v. Wes Allen*, Case No. 2:24-cv-1254 (N.D. Ala. Oct. 16, 2025) (order granting preliminary injunction).

Not only might the notice intimidate and ultimately disenfranchise eligible Louisiana voters, but it simply does not address or solve any real election issue and ultimately wastes taxpayer dollars. Louisiana law already requires voters to attest to and provide documentary proof of their citizenship status to register to vote,⁴ and the potential for criminal liability and deportation are sufficient existing deterrents to voting or registering illegally. The Notice serves no additional security purpose and may ultimately stop eligible citizens from exercising their freedom to vote.

II. Relying on “Notice of Voting Restriction” Recipients for List Maintenance will Result in Subjecting Eligible Voters to Potential Purging from the Voter Rolls.

During consideration on the House floor, HB 554 was amended to require OMV to send the list of individuals that have received the Notice to the Secretary of State’s office monthly for use in voter list maintenance. As with the Notice, using point-in-time government data to determine citizenship will entangle naturalized citizens, and under the current bill text, will subject them to a potential voter purge despite being eligible to vote. This purge program would additionally likely violate the National Voter Registration Act’s requirement that list maintenance be “uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965.”⁵

Importantly, HB 554’s list maintenance provision does not differentiate between potential registrants who have a driver’s license prior to the bill’s enactment and those who receive a license post-enactment. For the former category, because licenses have a 6-year renewal period and thousands of Louisianans naturalize annually,⁶ it is highly likely that many Louisianans who were non-citizens at the time they obtained their license have since naturalized. In a similar list maintenance scheme in Florida, the Secretary of State’s office compiled a list of 180,000 registered voters who reported being non-citizens when they obtained a driver’s license. Despite the purge program based on this data being voluntarily ceased and thus mooted the Section 8(b) NVRA issue, the court nonetheless opined that it likely violated Section 8(b) and had “major flaws” that were “certain to include a large number of citizens,” and that forcing them to respond and provide documentation would be burdensome and discriminatory.⁷ Similarly, here, wrongly forcing naturalized citizens to provide documentation supporting their citizenship or reapply altogether to remain registered to vote would violate the NVRA.

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The undersigned organizations strongly encourage this Committee to oppose HB 554, which will ultimately result in the intimidation and potential purging of eligible voters in Louisiana. If you have any questions or require additional information, please contact Patrick Williamson, Counsel at the Fair Elections Center, at pwilliamson@fairelectionscenter.org.

⁴ La. Stat. Ann. § 18:104

⁵ 52 U.S.C. § 20507(b)(1).

⁶ *State Immigration Statistics*, OFFICE OF HOMELAND SECURITY STATISTICS, <https://ohss.dhs.gov/topics/immigration/state-immigration-data/state-immigration-statistics> (last visited May 20, 2025).

⁷ See *United States v. Florida*, 870 F. Supp. 2d 1346, 1347-48 (N.D. Fla. 2012).

Sincerely,

Patrick Williamson
Fair Elections Center
1825 K St. NW, Ste. 701
Washington, DC 20006

Michael McClanahan, President
NAACP Louisiana State Conference

M. Christian Green, President
League of Women Voters of Louisiana

Tia Fields
Louisiana Organization for Refugees and Immigrants

Ahmed Soussi
Southern Poverty Law Center

Ashley Shelton, Executive Director
Power Coalition for Equity and Justice

DeMetris Causer
NAACP Legal Defense Fund

Laketa M. Smith, Executive Director-Founder
A Bella LaFemme Society

John K. West, II, Advocacy Director
Urban League of Louisiana

Dr. Dorothy E. Nairne
Project Possible

Sylvia Finger
National Council of Jewish Women
Greater New Orleans Section

Trupania Bonner
Crescent City Media Group

Lady Carlson
Westside Sponsoring Committee

Pointe Coupee United Together