



LEAGUE OF WOMEN VOTERS OF TEXAS

TESTIMONY LEAGUE OF WOMEN VOTERS OF TEXAS

HOUSE COMMITTEE ON ELECTIONS

HB 3160

April 18, 2011, 2 pm

The League of Women Voters of Texas (LWV-TX) opposes HB 3160.

The nonpartisan League of Women Voters has worked for more than 90 years to protect every citizen's right to vote. As part of its mission, LWV opposes the unnecessary barriers that too many citizens face in registering to vote and casting a ballot.

Unnecessary barriers are of particular concern in Texas which is among the states with the lowest turnout of eligible voters in recent elections. No state had a lower turnout than the 32.3% turnout in Texas for the 2010 General Election. Texas lags the US as a whole in voter registration as well as voter turnout. The gaps between Texas and the US are particularly large in the turnout of Asian and Hispanic voters.

By requiring documentary proof of citizenship, HB 3160 would establish a new and unwarranted barrier to voter registration in Texas. Many citizens simply don't have the documents to prove their citizenship—a certified birth certificate, valid passport, or citizenship papers—and would find it costly and difficult to obtain them.

Ultimately, this requirement would disenfranchise many Texas citizens. Arizona, for example, denied more than 31,000 voter registration applications after proof of citizenship was required.

A state requirement for proof of citizenship is inconsistent with the National Voter Registration Act of 1993 (NVRA). Because the duty of the Federal, State, and local governments is to promote the exercise of citizens' fundamental right to vote, NVRA was intended to *increase* the number of eligible citizens who register to vote.

NVRA includes provisions for a national mail voter-registration application form that all States are required to accept and use. Among other things, the national form requires the applicant to indicate and attest to US citizenship and sign the application under penalties for perjury for false information. The law expressly states that the form cannot include a requirement for notarization or other formal authentication.

Requiring proof of citizenship to register to vote is inconsistent with NVRA in that

- the requirement constitutes the kind of formal authentication specifically prohibited,
- each state must accept the national form which does not include the requirement, and
- the requirement reduces voter registration of eligible citizens contrary to NVRA's intent.

Texas does not need proof of citizenship requirements that disenfranchise legitimate citizens from their fundamental right to vote. LWV urges you to reject this proposed law and instead seek ways to increase voter registration in Texas.