

BY REPRESENTATIVE MCMAKIN

To enact R.S. 32:414.6, relative to restriction codes on driver's licenses and identification cards; to provide for a notice of voting restrictions for persons who are not citizens of the United States and aliens who are lawfully present in the United States but have not attained citizenship; to provide for delivery of the notice in the form of official correspondence; to provide for penalties; to require the office of motor vehicles to adopt rules and regulations necessary to comply with the restriction code and notice requirements; to provide for severability; to require the office of motor vehicles to include the applicable credentials upon a system upgrade; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:414.6 is hereby enacted to read as follows:

§414.6. Office of motor vehicles issued credentials; qualifications of voters; notice;  
restriction code

A. The office of motor vehicles shall not issue a state identification card or driver's license, regardless of class, to any person who is not either a citizen of the United States or an alien lawfully present in the United States. An alien who is lawfully present in the United States, but has not attained citizenship, may be issued a state identification card or driver's license, but the state identification card or driver's license must contain a restriction code.

B.(1) In addition to the requirement contained in Subsection A of this

Section, the office of motor vehicles shall issue a notice in the form of official

1 correspondence to any person who is not a citizen of the United States, or an alien  
2 who is lawfully present in the United States, but has not attained citizenship, that  
3 reads as follows:

4 "(NOTICE OF VOTING RESTRICTIONS)

5 Under Article 1, Section 10 of the Constitution of Louisiana, persons who are  
6 not citizens of the United States shall not be allowed to register and vote in this state.  
7 Persons who are not citizens of the United States who attempt to register to vote or  
8 attempt to vote in Louisiana violate Louisiana Revised Statute 14:133.1.1. This is  
9 a felony offense punishable by a fine of up to two thousand dollars, imprisonment  
10 for up to two years, or both."

11 (2) The notice shall include a French, Hindi, Mandarin, Spanish, Tagalog,  
12 and Vietnamese translation, along with any other translation as may be required by  
13 federal law.

14 (3) The office of motor vehicles shall maintain a record of noncitizens who  
15 have been provided notice as required by this Section. The data required by this  
16 Paragraph shall be transmitted monthly to the secretary of state for the purpose of  
17 voter list maintenance, in accordance with an agreement executed between the  
18 parties.

19 C.(1) The office of motor vehicles shall adopt rules and regulations  
20 necessary to implement the requirements of this Section, including mailing the notice  
21 of voting restrictions and procedures for determining an individual's citizenship and  
22 immigration status, along with a restriction code identifier, for the purpose of  
23 assigning the restriction code.

24 (2) If the office of motor vehicles' system is unable to accommodate the  
25 inclusion of the new restriction codes or credentials, any system upgrade shall  
26 include the capability to comply with the requirements of this Section.

27 Section 2. If any provision of this Act or the application thereof is held invalid, such  
28 invalidity shall not affect other provisions or applications of this Act which can be given  
29 effect without the invalid provisions or applications, and to this end the provisions of this  
30 Act are hereby declared severable.

1           Section 3. The Department of Public Safety and Corrections, office of motor  
2 vehicles, is hereby directed to imprint the restriction code onto all applicable credentials  
3 pursuant to this Act once its system is upgraded to comply with the requirements of this Act.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_