



**Testimony on SB 1340,  
Proposed Legislation relating to voter qualification and registration.  
By: James Slattery, Senior Staff Attorney, Texas Civil Rights Project  
Texas Senate State Affairs Committee, March 26, 2021**

Chair Hughes, Vice Chair Birdwell, and Members of the Senate State Affairs Committee,

SB 1340 would violate federal law, make it more difficult to vote, and discriminate against communities of color and immigrants.

Section 10 would require most Texans registering to vote to have their citizenship verified by the Secretary of State through DPS. Incorporating by reference my testimony on SB 1114 and 1235, we've already seen how flawed DPS data can be. As the Supreme Court has held, the National Voter Registration Act preempts any attempt by states to force voters to affirmatively prove citizenship before registering. This provision would also violate the federal mandate that voters must be able to register up to 30 days before an election because it puts registrations on hold until citizenship is verified, which, as the Bill acknowledges, may take several months.

Section 2 requires cross-checking with DHS databases to match citizenship info. These databases are notoriously inaccurate, with insufficient matching criteria. This would lead to many false flags and again illegally require voters to prove citizenship.

Along with other bills considered today, SB 1340 demonstrates an irrational obsession with the universally debunked idea that there are large numbers of non-citizen voters. Given that every attempt to prove widespread non-citizen voting has ended in disaster, the only conclusion to draw is that these repeated attempts to introduce new obstacles are an intentional means to harass and discourage participation by communities with large immigrant populations. On top of alienage itself being constitutionally protected, immigrant communities are also overwhelmingly composed of persons of color.