

SB 13-FN - AS AMENDED BY THE SENATE

01/30/2025 0144s

2025 SESSION

25-0219

11/06

SENATE BILL ***13-FN***

AN ACT invalidating out-of-state driver's licenses issued to undocumented immigrants.

SPONSORS: Sen. Gannon, Dist 23; Sen. Lang, Dist 2; Sen. Innis, Dist 7; Sen. Ward, Dist 8; Sen. Sullivan, Dist 18; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19; Sen. Rochefort, Dist 1; Sen. Murphy, Dist 16; Rep. Weyler, Rock. 14; Rep. Vose, Rock. 5; Rep. L. Walsh, Rock. 15

COMMITTEE: Judiciary

ANALYSIS

This bill invalidates out-of-state driver's licenses issued specifically to undocumented immigrants.

Explanation: Matter added to current law appears in ***bold italics***.Matter removed from current law appears ~~[in brackets and struck through]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

01/30/2025 0144s 25-0219

11/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT invalidating out-of-state driver's licenses issued to undocumented immigrants.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Driver's License Penalty; Undocumented Immigrants; Invalid License. Amend RSA 263:1 by inserting after paragraph III the following new paragraph:

IV. If a driver's license is of a class of licenses issued by another state exclusively to undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued, the driver's license, or other permit purporting to authorize the holder to operate a motor vehicle on public roadways, is invalid in this state and does not authorize the holder to operate a motor vehicle in this state. Such classes of licenses include licenses that are issued exclusively to undocumented immigrants or licenses that are substantially the same as licenses issued to citizens, residents, or those lawfully present in the United States but have markings establishing that the license holder is not lawfully present in the United States.

(a) Law enforcement officers or other authorized representatives of the department shall not initiate a traffic stop solely on suspicion of a violation of RSA 263:1, IV.

(b) The department, to facilitate the enforcement of this paragraph and to aid in providing notice to the public and visitors of invalid licenses, shall maintain on its website a list of out-of-state classes of driver's licenses that are invalid in this state. The department shall update this list no later than annually. Any state on this list may contact the department to have themselves removed from the list if the state can demonstrate in that state's laws or regulations that the type of license listed on the department's website is not issued exclusively to undocumented immigrants.

(c) Any person in violation of this statute shall be guilty of a violation. For a second or subsequent offense, the person shall be guilty of a class B misdemeanor.

2 Driver's License Compact; Undocumented Foreign State Licenses Invalid. Amend RSA 263:77, I(b)(2) to read as follows:

(2) ***Except as specified in RSA 263:1, IV, [Make] make*** the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

3 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-0219
12/10/24

SB 13-FN- FISCAL NOTE AS INTRODUCED

AN ACT invalidating out-of-state driver's licenses issued to undocumented immigrants.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

The Department of Safety states any impact to the Division of Motor Vehicles to administer this bill would be absorbed within its normal, routine operating budget levels.

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, Department of Safety, New Hampshire Association of Counties, and New Hampshire Municipal Association

