

SB 13-FN - AS INTRODUCED

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

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ANALYSIS

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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

3           IV. Any person who holds a driver's license that is of a class of licenses issued by another  
4 state exclusively to undocumented immigrants who are unable to prove lawful presence in the  
5 United States when the licenses are issued, the driver's license, or other permit purporting to  
6 authorize the holder to operate a motor vehicle on public roadways, is invalid in this state and does  
7 not authorize the holder to operate a motor vehicle in this state. Such classes of licenses include  
8 licenses that are issued exclusively to undocumented immigrants or licenses that are substantially  
9 the same as licenses issued to citizens, residents, or those lawfully present in the United States, but  
10 have markings establishing that the license holder did not exercise the option of providing proof of  
11 lawful presence.

12           (a) Any person who drives a motor vehicle in this state holding a driver's license that is  
13 of a class of licenses described in paragraph IV shall be guilty of a class B misdemeanor.

14           (b) The department, to facilitate the enforcement of this paragraph and to aid in  
15 providing notice to the public and visitors of invalid licenses, shall maintain on its website a list of  
16 out-of-state classes of driver's licenses that are invalid in this state.

17           (c) Not later than 30 days before each state primary election to be held pursuant to RSA  
18 653:8, 30 days before each state general election to be held pursuant to RSA 653:7, and on February 1  
19 of each year and on October 1 of each odd-numbered year, the department shall update list required to  
20 be maintained pursuant to subparagraph (b) and shall transmit a copy of that list to the secretary of  
21 state.

22           2 Driver's License Compact; Undocumented Foreign State Licenses Invalid. Amend RSA  
23 263:77, I(b)(2) to read as follows:

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

29           3 Voting Procedure; Obtaining a Ballot; Valid License Required. Amend RSA 659:13, II(a)(1) to  
30 read as follows:

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1 (1) A driver's license issued by any state or the federal government[-] ***that is not***  
2 ***invalid in this state pursuant to RSA 263:1, IV.***

3 4 Effective Date. This act shall take effect 60 days after its passage.

**SB 13-FN- FISCAL NOTE  
AS INTRODUCED**

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

**FISCAL IMPACT:**

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

**\*Expenditure = Cost of bill                \*Appropriation = Authorized funding to cover cost of bill**

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	Indeterminable			
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	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](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