



NEW YORK STATE LEGISLATURE

December 14, 2021

Honorable Letitia James
New York State Attorney General
Office of the Attorney General
The Capitol
Albany, NY 12224

Re: New York City local law allowing noncitizens to vote in elections

Dear Attorney General James:

We write to strongly urge you to file a lawsuit against the City of New York in defense of the State Constitution and New York State citizen's fundamental right to vote in response to Int. No. 1867-A, which passed the New York City Council on December 9, 2021.

This legislation allows for nearly 800,000 noncitizens to vote in New York City elections. As you know, section one of Article II of the New York State Constitution extends the right to vote to *citizens* that are 18 years or older and are residents of the state, and of the county, city, or village for 30 days preceding an election. Additionally, section five of Article II states "laws shall be made for ascertaining, by proper proofs, the *citizens* who shall be entitled to the right of suffrage hereby established..." Allowing noncitizens to vote in an election is in clear violation of these provisions of the State Constitution.

Additionally, you, as the Attorney General, have a substantial interest in the fundamental rights of the citizens of New York. This law will dilute the citizen vote by flooding elections with illegitimate votes. Non citizens who want to vote should go through the legal process required to become a citizen before being given this sacred right.

For these reasons, we strongly urge you to uphold your oath of office and defend the State Constitution by not allowing this unconstitutional legislation to go unchallenged.

Sincerely,

Handwritten signature of Robert G. Ort in black ink.

Robert G. Ort
NYS Senate Minority Leader

Handwritten signature of Andrew Lanza in black ink.

Andrew Lanza
NYS Senate Minority Deputy Leader