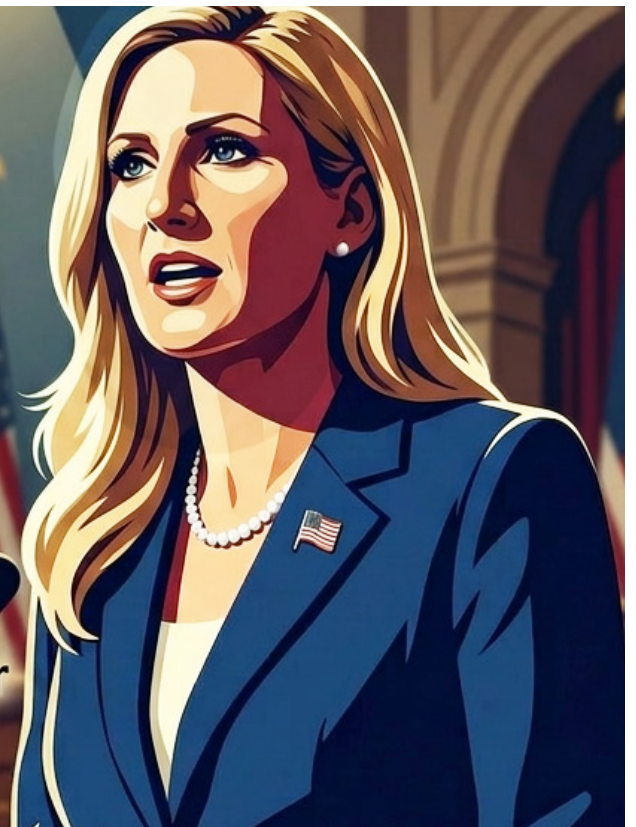


Noncitizens are now voting in two major California cities: San Francisco and Oakland. Legally. Including those in the country illegally.

Who are they?



We need a constitutional amendment in this 250th year of our Republic because only citizens of the United States should vote in



Noncitizen Voting Q&A

April 7, 2026

Question: What stops the California Assembly from allowing noncitizens to vote in federal elections?

Answer: Nothing.

Noncitizens are now voting in two major California cities: San Francisco and Oakland. Legally. Including those in the country *illegally*.

And California courts have upheld the constitutionality, after San Francisco's law was challenged.

Voting in the Golden State doesn't have to be limited to U.S. citizens.

So, it's not all that far-fetched to think California's legislature might one day pass a statute allowing noncitizens to vote in state legislative elections. Maybe in Maryland, too, where 16

cities now have legal and illegal aliens voting. Or Vermont, where a legislative supermajority overrode the governor to say yes to three cities giving the vote to noncitizens. Legislation has been introduced in both New York and Connecticut, in recent years, to give noncitizens the vote in those states' legislative elections.

"The Constitution is clear," law professor Bradley Smith [wrote](#) Monday in *The Wall Street Journal*, "Under Article I and the 17th Amendment, any person who is allowed to vote in a state legislative election is automatically also allowed to vote for members of Congress."

In other words, the federal statute that purports to ban noncitizen voting in federal elections has a hole in it big enough to drive, say, the state of California through.

"A federal statute can't trump the Constitution's explicit, exclusive grant of power to each state to determine who is eligible to vote," explained the professor.

. . . "even if the SAVE America Act were passed. . . .

"Although no state allows noncitizens to vote for its legislature," Smith said, "that could change."

We need a constitutional amendment in this 250th year of our Republic because only citizens of the United States should vote in federal elections. Rep. Laurel Lee (R-Fla.) [just introduced it](#).

This is Common Sense. I'm Paul Jacob.