

Voting Legislation in 2021

Introduction

2021 was a busy year for state legislatures in enacting voting laws. According to a report by the Brennan Center for Justice, between January 1 and July 14, 18 states enacted 30 laws that restrict access to the vote. During the same period, 25 states enacted 54 laws with provisions to expand voting access. A great many more have been proposed and may be acted on in the near future (Brennan Center, 2021 July, <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-july-2021>).

The last time there was a flurry of voting legislation was in 2011, the year following an upheaval of political parties in Congress. However, the most significant event during the recent past which has had the greatest effect on voters was the 2013 Supreme Court case *Shelby County vs. Holder*, an important court case concerning the landmark Voting Rights Act.

This report offers an overview of the Voting Rights Act of 1965, of the recent Supreme Court decisions that have watered it down, and state legislative activity concerning voting law that has ensued.

The Voting Rights Act of 1965 (VRA)

The Voting Rights Act of 1965 (VRA), signed into law by Lyndon Johnson, was meant to overcome legal barriers at the state and local levels that prevented African Americans from their right to vote under the 15th Amendment (1870) to the Constitution, which provides that "[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Congress later amended the Act multiple times to expand its protections—the last time in 2006. The legislation has always passed with deep bipartisan support. The law contains numerous provisions that regulate elections. Most important are Sections 2, 4, and 5.

Section 2 Sets up the broad principles behind the VRA. It prohibits any voting law that results in a "denial or abridgement of the right of any citizen of the United States to vote on account of race or color." A 1982 amendment made clear that an election law could also violate Section 2 if evidence showed the law *has the result of* "denying a racial or language minority an equal opportunity to participate in the political process."

Section 4 Establishes a formula—the "coverage formula"—that determines which states and localities have had a history of egregious voting discrimination practices and so will be subject to review or "preclearance" when seeking to pass voting legislation.

Section 5 This section of the law sets up a preclearance requirement which states that those jurisdictions with a history of discriminatory practices had to submit proposed legislation for preapproval to the U.S. Justice Department or a 3-judge federal court before implementing any change affecting voting. Section 5 applies to jurisdictions encompassed by the "coverage formula" (covered jurisdictions) from Section 4 of the law.

Two Recent VRA Supreme Court Decisions

2013: In *Shelby County v. Holder*, the Supreme Court in a 5-4 decision invalidated the coverage formula of Section 4 of the VRA. The Court reasoned that the formula was unconstitutional. Section 4 of the VRA “imposes current burdens that are no longer responsive to the current conditions in the voting districts in question. Although the constraints this section places on specific states made sense in the 1960s and 1970s, they do not any longer and now represent an unconstitutional violation of the power to regulate elections that the Constitution reserves for the states” (*Shelby County v. Holder*). The Court did not strike down Section 5, but without the coverage formula of Section 4, it became unenforceable until Congress comes up with a new formula.

Also, Section 4 “is now outdated and does not reflect the changes that have occurred in the last 50 years in narrowing the voting turnout gap in the states in question” (*Shelby County v. Holder*).

The effect of this decision was almost immediate. Texas, Mississippi, North Carolina and South Carolina implemented laws that were previously denied preclearance. The passage of laws to restrict access to voting can be accomplished primarily because of the Supreme Court decision.

Even with the weakening effect of this decision on Sections 4 and 5 of the VRA, there is still a significant weapon against discriminatory bills in Section 2, prohibiting any voting law that has the result of “denying a racial or language minority an equal opportunity to participate in the political process.” Many constitutional scholars are now debating whether the recent Supreme Court decision, *Brnovich v. DNC* (July 1, 2021), will have a significant effect on further restricting minority groups from equal voting access because, very likely, many of the new state voting laws that have passed this past year will be challenged in court.

July 2021: In the *Brnovich v. DNC* case, the Democratic National Committee challenged two Arizona laws. The first was a regulation requiring out-of-precinct ballots voted provisionally to be entirely discarded, even votes for president, governor, or some other race in which the voter could have cast a ballot anywhere in the state. The second was a criminal statute barring anyone but a voter’s family member or caregiver from returning early ballots for another person (the “ballot collection ban”).

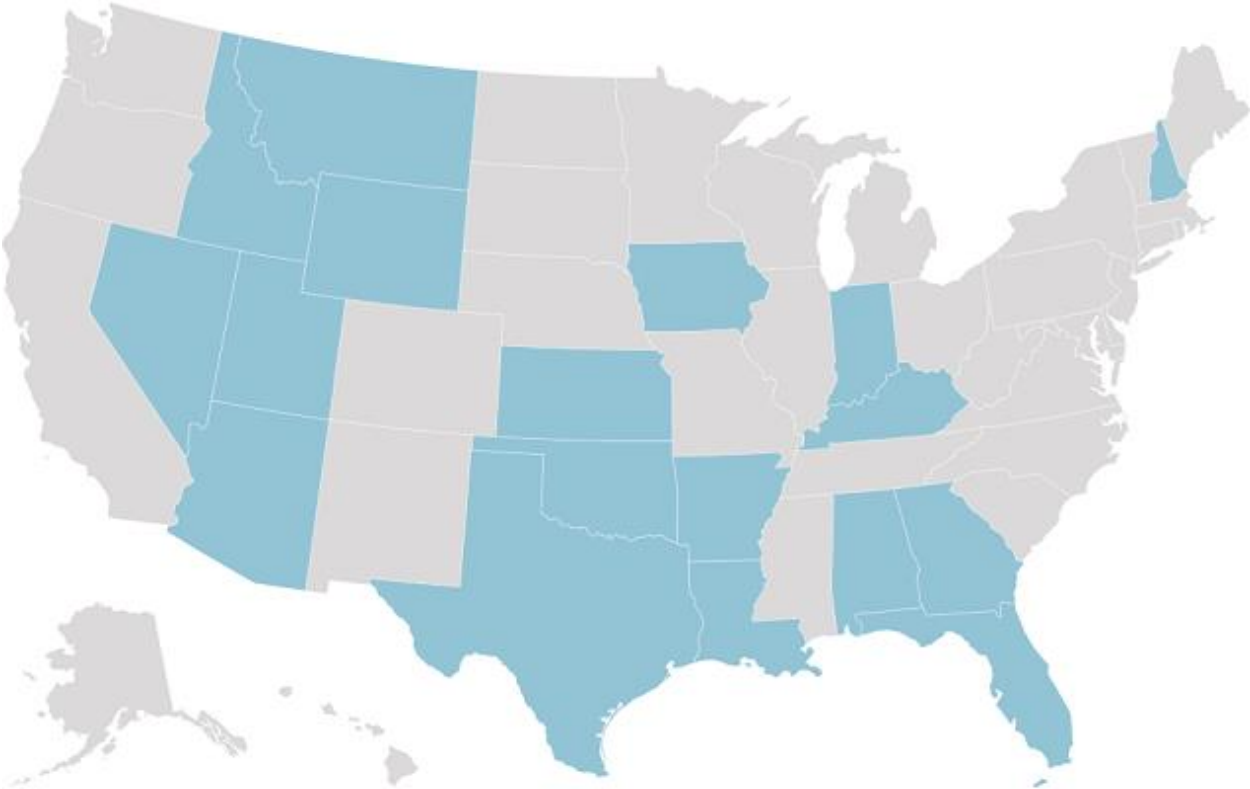
The DNC challenged the out-of-precinct policy as violating Section 2 of the VRA because it adversely affects Arizona’s Native American, Hispanic and African American citizens. The DNC also challenged House Bill 2023, which criminalized the collection and delivery of another person’s ballot after having been permissible before 2016. The Supreme Court decided on a 6-3 vote that neither of Arizona’s election policies violated the VRA or had a racially discriminatory purpose. Many critics of the decision feel that it will further weaken the VRA and make it harder to overturn new laws that use race-neutral language but have the effect of discriminating against people of color.

The next pages present information from the Brennan Center for Justice report on restrictive and expansive voting legislation that has been enacted in various states in 2021 (Brennan Center, 2021, July 22, <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-july-2021>).

New Restrictive Laws enacted between January 1 and July 14, 2021

Effect on voting	Bill numbers
Shorten window to apply for a mail ballot	AL H.B. 538, AR S.B. 643, GA S.B. 202, IA S.F. 413, KY H.B. 574, OK H.B. 2663
Shorten deadline to deliver mail ballot	AR S.B. 643
Make it harder to remain on absentee voting lists	AZ S.B. 1485, FL S.B. 90
Eliminate or limit sending mail ballot applications to voters who do not specifically request them	GA S.B. 202, IA S.F. 413, KS H.B. 2332
Eliminate or limit sending mail ballots to voters who do not specifically request them	FL S.B. 90
Restrict assistance in returning a voter's mail ballot	AR H.B. 1715, FL S.B. 90, IA S.F. 413, KS H.B. 2183, KY H.B. 574, MT S.B. 530
Limit the number, location, or availability of mail ballot drop boxes	FL S.B. 90, GA S.B. 202, IA S.F. 413, IN S.B. 398
Impose stricter signature requirements for mail ballots	AZ S.B. 1003, ID H.B. 290, KS H.B. 2183
Impose harsher voter ID requirements for mail voting	FL S.B. 90, GA S.B. 202, MT S.B. 169
Impose harsher voter ID requirements for in-person voting	AR H.B. 1112, AR H.B. 1244, NH H.B. 523, MT S.B. 169, WY H.B. 75
Expand voter purges or risk faulty voter purges	AZ S.B. 1819, IA S.F. 413, FL S.B. 90, KY H.B. 574, LA H.B. 167, TX S.B. 1111, UT H.B. 12
Increase barriers for voters with disabilities	AL H.B. 285, IA S.F. 568, TX H.B. 3920
Ban snacks and water to voters waiting in line	FL S.B. 90, GA S.B. 202
Eliminate Election Day registration	MT H.B. 176
Reduce polling place availability (locations or hours)	IA S.F. 413, MT S.B. 196
Increase number of voters per precinct	NV S.B. 84
Limit early voting days or hours	GA S.B. 202, IA S.F. 413

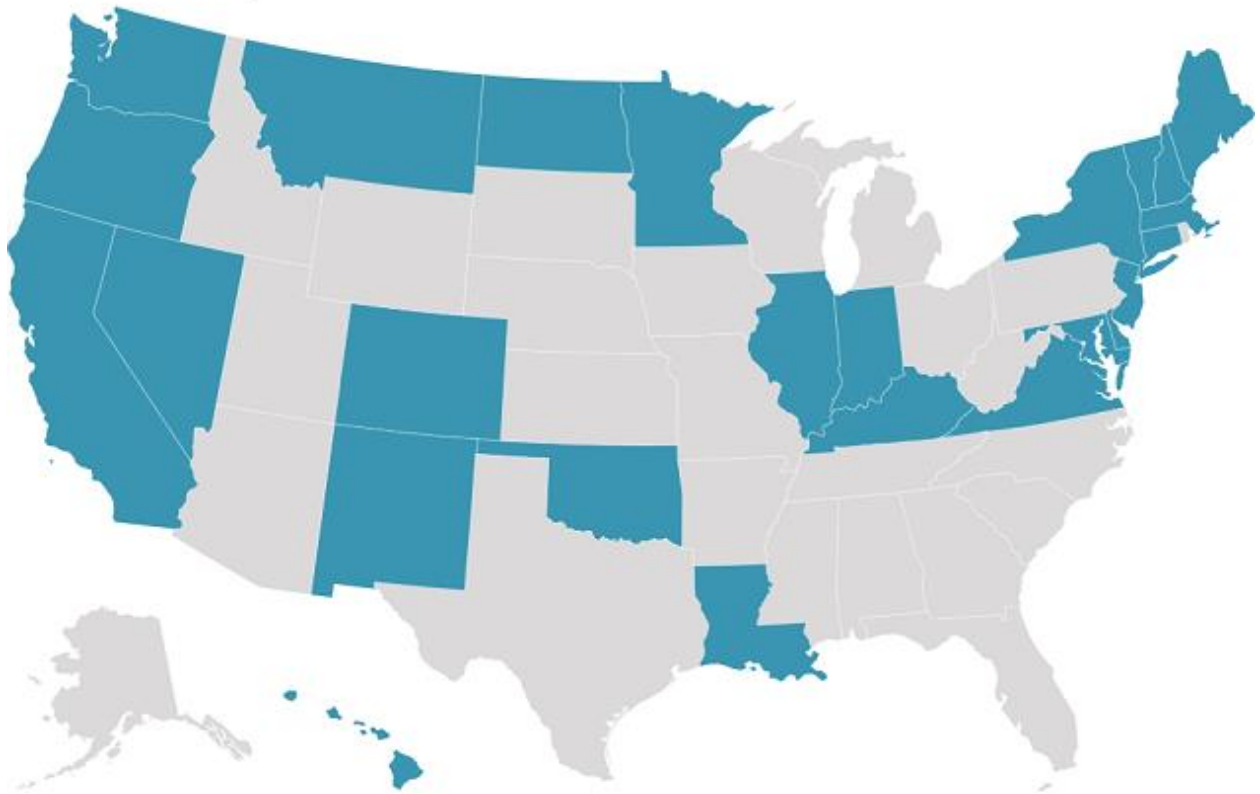
States with New Restrictive Laws



New Expansive Laws enacted between January 1 and July 14, 2021

Effect on voting	Bill numbers
Expand early voting opportunities	IN H.B. 1479, KY H.B. 574, LA H.B. 286, MA H. 73, MD H.B. 206, MD H.B. 745, MD S.B. 596, NJ S.B. 3203, OK H.B. 2663, VA H.B. 1968
Ease mail voting (misc.)	CA S.B. 29, CA S.B. 152, CT S.B. 1202, IL S.B. 825, IN S.B. 398, KY H.B. 574, MD H.B. 1048, MD S.B. 683, ME L.D. 1399, ME L.D. 221, ME L.D. 1363, MN H.F. 1952, ND H.B. 1253, NV A.B. 121, NV A.B. 321, VA H.B. 1888, VA S.B. 1097, VA S.B. 1245, VT S.B. 15
Expand mail ballot drop box access/drop-off locations	HI S.B. 548, IL H.B. 1871, KY H.B. 574, MD H.B. 1048, MD S.B. 683, ME L.D. 1363, NV A.B. 321, VA H.B. 1888, VA S.B. 1245, VT S.B. 15
Ease voter registration	CT S.B. 1202, DE S.B. 5, HI S.B. 159, HI S.B. 548, ME L.D. 1126, ND H.B. 1078, NV A.B. 321, NV A.B. 432, NY A.B. 2574, VA H.B. 2125
Provide greater access to voters with disabilities	HI S.B. 548, IL S.B. 825, IN S.B. 398, KY H.B. 574, MA H. 73, ME L.D. 221, MT S.B. 15, ND H.B. 1253, NV A.B. 121, VA H.B. 1921, VA S.B. 1245, VA S.B. 1331
Improve language accessibility	CO H.B. 1011, OR H.B. 3021, VT S.B. 15
Protect polling place access	IL S.B. 825, MD H.B. 745, NM H.B. 231, NV A.B. 321, VT S.B. 15
Prohibit discrimination through state voting rights act	VA S.B. 1395, VA H.B. 1890
Ease voter ID requirement	IN H.B. 1485, ME L.D. 1575, ND H.B. 1447
Restore voting rights to people with past convictions	CT S.B. 1202, NY S.B. 830B, WA H.B. 1078
Ease voting for people in jail	MD S.B. 525, NH H.B. 555
Expand Election Day Registration	HI S.B. 548, NV A.B. 321
Improve voter list maintenance	LA H.B. 167, OR H.B. 2681

States with New Expansive Laws



A Few State Portraits

Georgia

Three states have passed broad omnibus laws with multiple provisions: Georgia, Florida and Iowa. One of the earliest and most notorious is Georgia's Senate Bill 202. Some of the changes to the state's voting laws include a reduced time to apply for a mail-in ballot. The earliest that voters can request a mail-in ballot is 11 weeks before an election, shortened from 180 days, less than half as much time as before; and the deadline to complete an application is 2 Fridays before election day changed from the Friday before election day. Counties in Georgia can only start mailing out ballots 4 weeks before election day, previously 7 weeks.

Other potentially restrictive measures in the Georgia law:

- Applicant for a mail-in ballot needs a driver's license or state ID number. As many as 200,000 Georgians do not have these IDs (Fair Fight, <https://fairfight.com/wp-content/uploads/2021/04/TOP-50-Reasons-Why-SB202-Is-Harmful-to-Voters.pdf>).
- State and local government organizations cannot send unsolicited applications for ballots.
- All 159 counties must have at least one drop box and the number of drop boxes is capped at 1 per 100,00 active voters or 1 for every early voting site (whichever is smaller). This could lead to a decrease in drop boxes in the greater Atlanta metro area from 94 boxes to 23. <https://apnews.com/article/ga-state-wire-georgia-voting-rights-laws-voting-c552e88d294e5f35e2eea595177bc4b5>
- All drop boxes must be inside buildings and they are only accessible during early voting days and hours. No 24/7 drop boxes. Changes requirement from 24-hour camera surveillance to in-person security, leading to much higher costs to counties.
- It outlaws handing out money or gifts including food and drink to anyone standing within 150 feet of the polls and 25 feet from any voter in line. (The urban centers of Georgia often have long waits to vote).
- Runoff elections will be shortened from 9 weeks to 4 weeks after an election, likely eliminating or shortening voting by mail in the run-offs. No new voters could be registered before the runoff because the registration deadline would be the day before the earlier election.
- Bans most out-of-precinct provisional ballots except between 5-7 PM on Election Day. Requires out-of-precinct voters to sign a sworn statement providing an explicit reason why they could not make it in time to another polling place assigned to them.

Some of the more significant provisions involve changes to the State Election Board and the counting of votes after Election Day.

- The Secretary of State, the official in almost every state that supervises elections, will no longer chair the State Election Board, becoming instead a non-voting member. The new chair will be appointed by a majority of the state House and Senate.
- Allows the State Election Board to suspend county superintendents and appoint a single individual with the authority to make all personnel decisions regarding local election directors and supervisors and all poll officers.

- Grants the State Election Board power to suspend county board of elections following a 3-person performance review board investigation and hearing. The State Election Board has the power to appoint all 3 members of the review board with local election officials from ANY county.
- Counties must count all the ballots non-stop as soon as polls close, finish counting and report the results by 5 PM the next day.
- Counties are required to post and report the total number of ballots cast on election day, cast during early voting, cast via mail voting and provisional ballots all by 10 PM on election night.
- Moves election certification deadline 6 days after polls close (instead of 10 days).

There are a few provisions In Georgia Senate Bill 202 that expand voting access.

- Added an additional mandatory Saturday for early voting.
- If wait times surpass one hour, precincts with more than 2000 voters would have to add more staff or split the precinct at the next election.
- Election officials can begin processing (but not tabulating) ballots 2 weeks before the election.
- Allows more people in adjoining counties to be poll workers.

Florida

Florida's governor signed the state's omnibus voting bill into law on April 29, 2021. The law was enacted because of concerns about election integrity even though in November 2020, Governor DeSantis took the stance that Florida was a model of how elections should be run. Many of the provisions in the law are similar to those in Georgia – the need for a driver's license number or Social Security number and the limiting of drop boxes to indoor locations and only during early voting hours. The new law requires the boxes to be monitored in person where previously some counties used surveillance cameras. In past elections, sheriff's office employees could watch the drop boxes. Now, only election officials are allowed. There is a limit as to who can deliver a vote-by-mail ballot on a voter's behalf. This greatly affects elderly voters and voters with disabilities. And it bans election supervisors from mailing a vote-by-mail ballot to a person without a special request. This is a reaction to some states that sent mail-in ballots to all voters because of the pandemic. Another precautionary measure during the pandemic had non-governmental, non-partisan groups donating private funds for election-related expenses. The Florida law prohibits this.

The League of Women Voters of Florida, the Black Voters Matter Fund and the Florida Alliance for Retired Americans filed suit stating "Senate Bill 90 does not impede all of Florida's voters equally." A suit was also brought by the NAACP Legal Defense and Education Fund, Disability Rights Florida and Common Cause, who argue that the law violates constitutional protections and the 1965 Voting Rights Act.

Pennsylvania

Pennsylvania's legislators proposed a sweeping overhaul of the state's election system this past Spring. The changes, similar to those passed into law by other states, include some restrictive and some expansive provisions. Some of the restrictive measures include:

- Making voters show ID every time rather than when they vote in a precinct for the first time. Driver's license or another government-issued ID, voter registration cards, college IDs would be acceptable. Department of State would be required to provide free photo ID cards to any voter who requests one.
- Requiring an arbitrary signature match for mail-in ballots without a thorough system to cure.
- Continuing counting votes until results are determined
- Limiting ballot boxes in the counties - one drop box per 100,000 residents. Limiting satellite election offices.
- Limiting drop box hours – open during limited hours in the 7 days before election day, with poll workers from both parties checking IDs
- Banning pop-up ballot collection sites.
- Reducing the number of days to register to vote by moving the deadline back to 30 days before an election
- Eliminating the annual option to be sent a mail-in ballot
- Eliminating the option to go to a county election office and apply for and receive a mail-in ballot in the same visit
- Moving the deadline for requesting mail ballots to 15 days before election day from 7 days
- Banning counties from accepting private donations for election administration
- Reducing the role of local and state election administrators while giving the PA Legislature more authority.

Some of the expansive measures include:

- Allowing counties to begin processing and counting mail ballots 5 days before the election.
- Creating 6 days of in-person early voting beginning in 2025
- Covering the cost of counties buying electronic poll books.
- Requiring Pennsylvania Department of State to cover half the cost of early vote centers.
- Increasing pay for poll workers.

PA House Bill 1300 was passed in the PA House on June 22 and in the Senate on June 25. It was passed along strict partisan lines. The bill was vetoed by Governor Wolf on June 30. In his letter explaining the veto, Governor Wolf wrote,

This bill is ultimately not about improving access to voting or election security, but about restricting the freedom to vote. If adopted, it would threaten to disrupt election administration, undermine faith in government and invite costly, time-consuming, and destabilizing litigation. Instead of trying to silence the voices of some Pennsylvanians, we should build on the bipartisan achievements of ACT 77 of 2019. To that end, I am willing to engage in good faith to refine our shared priorities and work to find common ground in areas where we do not currently have agreement. I am committed to working sincerely towards legislation that supports voter access and can be passed on a bipartisan basis in the fall. (Wolf, 2021, <https://www.governor.pa.gov/wp-content/uploads/2021/06/HB-1300.pdf>)

Pennsylvania legislators plan to reintroduce this legislation when they return to session in September. One of Governor Wolf's major concerns was on voter ID requirements, and he has changed his public

position to say that he is open to new voter ID requirements. Some legislators believe that Wolf is concerned that any voter ID changes made through a constitutional amendment process may be far more severe than one which is negotiated with the General Assembly.

As a result of the governor's veto of House Bill 1300, members of the state Senate have already approved the constitutional amendment for voter ID, but under state law the measure must pass the legislature twice over two consecutive sessions, then be put on a ballot for voters to approve. The governor cannot veto an addition to the state constitution. At the end of this year's current session, **PA Senate Bill 735** had been referred to the House State Government Committee.

Public support for ID requirements is strong. A Monmouth University poll found that 80% of Americans support showing ID when voting and a Franklin & Marshall poll found that 74% of registered voters in PA are in favor of the policy. The League of Women Voters of Pennsylvania strongly opposes SB 735 (LWVPA, 2021). The organization believes that voter ID requirements are fair game for discussion, but that the PA Constitution should be reserved for enshrining rights, not imposing requirements.

On **HB 1300**, the PA League states that it offers very little in the way of solutions that county election officials support, but addresses nonexistent problems and is largely meant to discourage potential voters. Of major concern to the PA League is the fact that the bill shifts the voter registration deadline to 30 days before an election rather than the current 15 days. LWVPA has long supported same-day registration, which is available in about 20 states throughout the country.

Another important concern is the limiting of drop-box locations and hours. The bill limits one drop box per 100,00 residents per county and requires 2 election workers of both parties to be present to check IDs.

Terrie Griffin, president of the LWVPA, states:

...the bill raises questions about the curing of ballots, allows for discarding of ballots for small technical errors, fails to address potential intimidation of voters at ballot return locations or when voting in person, and creates a myriad of unfunded mandates that will further burden county election staff while denying them access to private funding used by many counties to accomplish needed functions.

On behalf of PA voters Griffin asks legislators "to set HB 1300 aside, wait for recommendations approved by a majority of the Election Law Advisory Board, and vote quickly on long-neglected redistricting reform bills with broad bipartisan support" (LWVPA, 2020, <https://www.palwv.org/news/lwvpa-response-to-election-code-bill-hb-1300>).

Pending National Legislation

There is an historic opportunity to strengthen democracy with the passage of two major pieces of legislation currently pending in the U.S. Congress – the For the People Act and the John Lewis Voting Rights Advancement Act.

For the People Act

The For the People Act is a comprehensive bill addressing many voting reforms that would return power to everyday Americans. The bill has many parts but three of the most important address voting registration and voter roll purges, money in politics and redistricting guidelines.

- The bill requires that all states offer online voter registration which many states offer already on their state websites.
- The major provision on registration in the bill is Automatic Voter Registration (AVR). With AVR, every citizen who interacts with designated government agencies would be automatically registered to vote unless they decline registration (opt-out). This would increase voter rolls (possibly by 50 million new voters) by switching from an opt-in system to an opt-out process.
- Same Day Registration (SDR) would allow eligible persons to register and vote at the polls on the same day. As of 2020, 21 states and the District of Columbia enacted SDR. The legislation ensures that previously incarcerated individuals who have completed their sentence would be eligible to vote in all federal elections. States would have to provide notification to individuals that their voting rights had been restored.
- Voter purges are also addressed in the legislation. The bill states that a voter cannot be removed from the rolls because they have not voted. It requires notice if they are to be removed and gives them an opportunity to remedy their situation.

Money in Politics

- The bill will increase the match for candidates to a 6-1 ratio on contributions of \$200 or less. Donors will see their contributions matched by public money. (A person donating \$20 will see their candidate receive \$120). This system would not be funded by taxpayer money. Funding comes from a nominal surcharge on criminal and civil penalties assessed against corporate wrongdoers. This program will help first-time candidates, candidates of color and female candidates without connections to big money networks.
- Requires all groups to disclose the donors who pay for that spending.
- Changes the rules governing online campaign ads vs. traditional media. Requires that the transparency laws that apply to traditional media to also apply to online ads.
- Requires sitting presidents, vice-presidents and major party candidates for those offices to disclose their tax returns.

The provisions on campaign finance are meant to fix inequities in the system. Over the last six election cycles, \$1 out of every \$13 contributed came from a dozen megadonors and their spouses (Brennan Center, 2021, July, <https://www.brennancenter.org/our-work/research-reports/people-act-separating-fact-fiction>).

Redistricting

- Requires states to create Independent Redistricting Commissions rather than having state legislatures draw their own district lines.
- Ban partisan gerrymandering by prohibiting adoption of any map that has the intent or effect of “unduly favoring or disfavoring” one political party over another;

- Establishes uniform rules that every state would have to follow when drawing congressional districts, including enhanced protections to make sure the political effectiveness of communities of color is not diluted and a mandate to keep towns, neighborhoods, and other geographic areas where people have shared identities and common interests together in one district, where possible;
- Requires that congressional redistricting be transparent and participatory, with open meetings and public hearings, opportunities for the public to review and comment on proposed maps, and public access to underlying data and software so that members of the public can analyze maps and/or create and propose alternatives. (LWV Utica-Rome, <https://my.lwv.org/new-york/utica-rome-metropolitan-area/article/summary-people-act>)

The national League of Women Voters strongly supports the For the People Act because it aligns with the League's long-held positions. The Chief Executive Officer of the LWV on April 15, 2021 wrote a letter to the members of the U.S. Senate asking them to vote for the bill. She stated that the LWVUS was advocating for the bill especially for the essential elements of expanding voter registration, returning citizens' voting rights, increasing voter participation and implementing fair redistricting (Kase, 2021, <https://www.lwv.org/expanding-voter-access/league-calls-passage-s1-people-act-senate>)

The John Lewis Voting Rights Advancement Act

The John Lewis Voting Rights Advancement Act restores the full protection of the original, bipartisan Voting Rights Act of 1965, last reauthorized in 2006. The Supreme Court's decision in 2013 made sections of the law inoperable.

- The bill creates a new coverage formula that applies to all states that have repeated voting rights violations for the preceding 25 years.
- The 25-year period "rolls," or continuously moves, to keep up with "current conditions," so that only states that have a recent record of racial discrimination in voting are covered.
- States that have repeated and persistent violations will be covered for a period of 10 years, but if they establish a clean record moving forward, they can come out of coverage.
- Establishes a targeted process for reviewing voting changes in jurisdictions nationwide, focused on measures that have historically been used to discriminate against voters.
- Allows a federal court to order states or jurisdictions to be covered for results-based violations, where the *effect* of a particular voting measure (including voter ID laws) is that it leads to racial discrimination in voting and to deny citizens their right to vote.
- Increases transparency by requiring reasonable public notice for voting changes.
- Allows the Attorney General authority to request federal observers be present anywhere in the country where there is a serious threat of racial discrimination in voting.
- Increases accessibility and protections for Native American and Alaska Native voters.

(Leahy, <https://www.leahy.senate.gov/imo/media/doc/John%20Lewis%20Voting%20Rights%20Advancement%20Act%20one%20pager.pdf>)

On August 24, 2021, Dr. Deborah Turner, LWVUS board president issued this statement reflecting the organization's position: "The *John Lewis Voting Rights Advancement Act* will restore the *Voting Rights*

Act to its original protections by reviewing and blocking anti-voter policies that too often target voters of color. We commend the House on passing this critical piece of legislation” (LWVUS, 2021, <https://www.lwv.org/newsroom/press-releases/lwv-statement-house-passage-john-lewis-voting-rights-advancement-act>).

Both bills have passed in the U.S. House of Representatives but are stalled in the U.S. Senate. Though efforts by advocacy groups continue, chances are slim that the bills will be passed in the Senate.

Closing Thoughts

Recent voting legislation is occurring in a highly partisan atmosphere, and it often claims to be solving a problem that doesn't exist: voter fraud. These conditions create the feeling that “voting integrity” is not the main intent. While some legislation seems to expand ease and access for voters, other legislation burdens the voter and those who administer election processes.

Of all the changes enacted in voting legislation, the most alarming for us have been changes that affect local executive control of election planning, oversight and reporting. Local control is very important because our local election officials know the map of their region—the number of registered voters, the number and locations of polling places, and each poll watcher; they know election week needs, election day needs and patterns of weather and work that influence voter traffic. Local control is key to local integrity and transparency. We are alarmed when--

A law expands the power of poll watchers, which could result in increased voter intimidation or harassment.

A law allows a single person to challenge the eligibility of an unlimited number of voters.

A law, as in Iowa, makes it a criminal offense for an election official to obstruct a poll watcher's activity.

A law, as in Iowa, Arkansas, Georgia, and Arizona, allows the state to punish local election officials for technical mistakes.

A law restricts or prohibits the use of non-partisan outside funding for election administration expenses. (This was crucial in 2020 during the pandemic, allowing election officials to conduct safe elections during the pandemic.)

A law, as in Pennsylvania or Georgia, reduces the role of the executive branch (our local and state election administrators) while giving the legislature—which has a clear interest in election outcomes—more authority over those elections.

A law, as in Georgia, removes judicial oversight from the county intervention process, then gives the legislature control of a State Election Board, and grants that Board broad powers to investigate and suspend (hire and fire) local election officials or municipal superintendents.

LWVIC members

Joyce Rizzo and Sue Welsh

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