



Civics is all around us. There is a lot to know about the government and how "We the People" interact with the government and each other. Let's help each other expand our civic literacy.



Voting is a right inherent to our system of government that has been **expanded over time** through federal legislation and constitutional amendments. In order for our constitutional republic to function, we vote for representatives to serve in the legislature and **we vote for a president** to lead us.

The U.S. House of Representatives recently **passed legislation** that would create uniform national voting standards. But don't we already have national voting standards? To answer that, we need to look at the states themselves.

How each state protects the right to vote **varies** a great deal. The regulation of elections - deciding who can vote, where people vote, how people vote, and how many places there will be to vote - has generally been a power of the states under Article I, Section 4 of the U.S. Constitution and the 10th Amendment.

Recently, many state legislatures **like Georgia** have begun changing election laws in response to many Georgians' questions about the 2020 presidential election. Opponents of these changes argue that they are likely to make it more difficult for some to vote, while supporters of these changes view them as necessary to ensure free, fair and secure elections. What do some of these new state laws look like? Generally speaking, some state legislatures are proposing or passing laws that will: reduce polling hours and existing early voting periods, limit mail-in/absentee voting, increase identification requirements, restrict the registration process, and reduce the ways in which ballots might be collected.

Interestingly, other states **like Virginia** are taking a different approach to election reform by making voting more accessible: reducing **voter discrimination**, expanding voting hours and access to the polls, and registration. As a consequence, voters in different states ultimately have very **different experiences** when it comes to casting a ballot on election day. And that is a result of **Article I, Section 4** of the U.S. Constitution.

In an effort to address these vast differences, the 'For the People Act of 2021' aims to create some uniformity in voting. It would guarantee mail-in/absentee voting, require at least 15 days of early voting in federal elections, mandate automatic voter registration, restore the right of former felons to vote, and require the use of paper ballots in all elections.

Opponents of this legislation argue that it is a clear violation of the **10th Amendment**. Voting regulations, they claim, are a state power and any effort to create uniform voting laws for all 50 states is a rejection of the concept of **federalism** that is at the heart of our system of government. Should this legislation survive a **Senate filibuster** and go on to be signed by the President, we are likely to see states file suit against it, asking the U.S. Supreme Court to decide a question about voting rights.



**To Think and To Do:** Look at **your state's voting laws**. Complete the chart to illustrate your state's approach to voting.

<b>My State</b>	
Who Can Vote (are there restrictions on who can vote?)	
How People Vote (what is the method (s)?)	
Where People Vote (where are the polling locations?)	
When Do People Vote (what are the days and hours?)	

**Optional Next Steps:** Now that you have completed the chart for your state, complete a second one for a different state of your choosing. Once the two charts are complete, compare them, and identify any similarities and differences between the two states' voting laws. Now look at the two states' voter turnout rates. How do the two states' **voter turnout rates** compare (higher, lower, about the same)? Based on the states' voting laws you compared, identify possible reasons why voter turnout may have been higher, lower, or about the same.

**Learn MORE about elections.**

- [Election Administration at the State and Local Level](#), from the National Conference of State Legislatures
- [Voting and Election Laws](#), from USA.Gov
- [Elections](#), from iCivics



**Lou Frey Institute**