Election Policies: The state of play in 2021

This primer highlights the active work to strengthen democracy through election policies found in state legislatures across the country in 2021. It illustrates how Democrats and Republicans are addressing the issues related to election security and ballot access in different ways. The listed bills build on the recommendations of the MAP's P.E.E.R. Project to increase access to absentee voting, expand early voting, and enhance ballot security. MAP is continuously adding resources for legislators; please contact us at policy@millennialaction.org for more information.

Existing Bipartisan Legislative Packages

The following bipartisan bill packages include various measures to enhance ballot security, increase access to the ballot, codify temporary changes from 2020 into law, and modify existing election procedures.

- MD: HB156 (*Bipartisan*) The bill would require local boards of elections to obtain input from institutions of higher education, retirement communities, and military installations when establishing precinct boundaries and designating polling places.

- OK: SB77 (*Bipartisan*) The bill would establish a secure website to allow online voter registration of individuals who provide identification and proof of Oklahoma residency.

- OK: HB1793 (*Bipartisan*) The bill would offer new options for returning certain absentee ballots to the county election board, including hand delivery, USPS, or a private mail service; it would also modify the procedure for completing an absentee ballot by requiring a voter signature to be witnessed by two people who did not sign the affidavit.

- KY: HB232 (*Bipartisan*) The bill would automatically restore the voting rights of individuals convicted of certain felonies upon completion of their imprisonment, probation, or parole.

- KY: HB574 (*Bipartisan*) The bill would establish three days of early in-person voting before Election day, would transition the state toward universal paper ballots to guarantee a paper audit trail, and would prohibit and penalize ballot harvesting.

- NH: HB61 (*Bipartisan*) The bill would allow no-excuse absentee voting and would allow partial processing of absentee ballots prior to election day.

- NJ: S3250 (*Bipartisan*) The bill would establish the Voting Improvement Task Force, tasked to evaluate absentee voting in New Jersey, ballot counting and processing, and the feasibility of ranked-choice voting in New Jersey.

Opportunities for **Bipartisan Legislative Packages**

Considering the aforementioned key elements of the P.E.E.R. Project, in some states, both Republicans and Democrats have approached pressing policy issues from diverging positions--foregoing potential opportunities to work across the aisle and garner more support. Below is a list of partisan bills that did not receive bipartisan support. Nevertheless, these bills demonstrate that Democrats and Republicans nationwide share a commitment to improving access to and confidence in our electoral systems.

Absentee Voting (Vote-by-Mail): The following legislation aims to address and enhance absentee voting in the state of Maryland. The Democratic and Republican proposals are included because both address different issues related to absentee voting in Maryland. The proposals contain areas of potential overlap and will likely need to be combined in order to pass the Democratic legislature and be signed by the Republican governor in Maryland.

- MD: HB1047 (*Democrat support only*) The bill would require the State Board of Elections to make at least 300 ballot drop boxes available for certain elections, establish a formula for the purpose of allocating drop boxes among the counties, and would authorize a voter to request to receive a postcard, email, or text message concerning the status of the voter's absentee ballot.

- MD: SB233 (*Republican support only*) The bill would prohibit an envelope enclosing an absentee ballot, as well as absentee ballot return envelopes, from including language or information that visibly identifies the political party affiliation of the voter.

Early Voting: The P.E.E.R. Project found that expanding early voting dates to reduce voter concentration at polling places increases voter turnout and the safety of election workers and voters. With a successful early voting turnout in Arizona, bills in the Arizona legislature aim to address different aspects related to early voting. The Republican bill would require electioneering to be allowed in the same manner at voting centers as polling places. Voting centers are authorized centers where voters can cast their ballots regardless of their residential address, whereas polling places are traditionally public buildings like schools, fire-stations, and houses of worship. The Democratic bill would require on-site early voting locations to remain open on the three days preceding election day.

- AZ: SB1020 (*Republican support only*) The bill would remove the ability of a county recorder in charge of elections to designate emergency non-electioneering polling places. The legislation would require electioneering to be allowed at vote centers in the same manner as polling places.

- AZ: HB2344 (*Democrat support only)* The bill would require the county recorder to establish on-site early voting locations at the recorder's office, which shall open the same day the county begins to send out early ballots. The legislation would require on-site early voting locations to remain open until 7:00pm on the Saturday, Sunday, and Monday preceding election day.

Enhancing Election Security: The legislation below highlights work in Colorado and Rhode Island towards enhancing the security of election systems in order to maintain public confidence in election integrity. While these bills have originated in different states, they are indicative of Republican and Democratic legislative priorities to ensure election security.

- CO: HB1088 (*Republican support only*) The bill would require the state auditor to conduct an annual audit of the statewide voter registration system and verify the voter records against other official records. The audit would include at least 20% of the active registered voters in each county.

- RI: HB5600 (*Democrat support only*) The bill would require general assembly elections to be subject to the risk-limiting audits within the jurisdiction of the Rhode Island Board of Elections. The legislation would require the results of any audits to be published on the state board website within forty-eight hours of being accepted by the state board.