



# STATES OF REFORM:

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## THE 2023 REPRESENTUS LEGISLATIVE LANDSCAPE ANALYSIS

DAVID O'BRIEN, REPRESENTUS POLICY DIRECTOR;  
ANH-LINH KEARNEY, REPRESENTUS POLICY ANALYST

# INTRODUCTION

One of the first things you notice when you start researching proposed election laws is that there are a lot of them. Hundreds. Thousands even. And more are introduced every year. This can make it hard to keep track of what's going on in the world of democracy reform. Who's considering proposals you like? Who's trying to do things you hate? Who's working on things you've never even heard of?

Another thing you'll notice is that it can be hard to categorize proposed election laws. Is it a minor, technical adjustment or a significant change to the election process? Does it cover a single, discrete subject or several?

As an organization that works to pass pro-democracy laws (and defeat anti-democracy ones) across the country, we try to keep track of the various proposals that get introduced every legislative session. There are some excellent tools to track proposed election laws already—many of which we used to create this report—but most of them are either narrowly focused on a specific topic or broadly focused on all election legislation. After years of waiting for a single resource that covers all state legislation over our areas of interest, we decided to make it ourselves.

Many of the subjects in this report cover our main areas of advocacy. Others are policies with exciting potential that we're keeping an eye on. This list of proposals includes pieces of legislation that we supported and promoted as well as others that we opposed. A proposal's inclusion in this report doesn't necessarily mean that we support or endorse it.

We have tried to make this report as comprehensive as possible without being overwhelming. In that spirit, this report focuses on:

- **Legislatures** – This report only tracks proposals that were introduced in legislatures. It doesn't include attempts by members of the public to place questions on the ballot through an initiative process. Referrals by legislatures to place ballot measures on the ballot for public approval are included in this report, but initiatives that qualify for the ballot through a signature drive, without first going through a legislature, are not. It also doesn't include changes in rules and regulations by state agencies.
- **Legislation** – This report only tracks proposals that, if passed, would change the law. Bills and resolutions that would either change laws directly or refer questions to the ballot are included, while other legislative actions that wouldn't change the law or otherwise affect how elections are conducted (such as committee hearings or symbolic resolutions declaring support or opposition to the subjects of this report) are not.
- **States** – This report only tracks proposals introduced in state legislatures. It doesn't track proposals in Congress or local legislatures, like city councils. Many of these proposals would affect federal and local elections, but they are all introduced at the state level.

Even with these restrictions we had to make some difficult calls. "Campaign finance," for example, is such a big topic that it could be its own report. We decided to focus on a few subcategories of that topic with the most exciting potential for growth. Every section provides a brief description of the subject area and an explanation why we think it's worth monitoring.

It's our hope that, in a time of pessimism about the future of democracy, this report conveys how active and vibrant the democracy movement is. We also hope that democracy advocates will use the information in this report to inform their efforts, helping them to decide what and where the greatest opportunities and threats are.

## TOPLINES

<b>CATEGORY</b>	<b>Total Bills</b>	<b>Total passed by state legislatures (incl. vetoes)</b>	<b>Total passing only one chamber of a state legislature</b>	<b>Total Vetoes</b>
<b>Overall</b>	<b>350</b>	<b>37</b>	<b>21</b>	<b>5</b>
<b>Ranked-Choice Voting</b>	<b>108</b>	<b>11</b>	<b>5</b>	<b>2</b>
<b>Direct Democracy</b>	<b>58</b>	<b>8</b>	<b>7</b>	<b>0</b>
<b>Vote-by-mail</b>	<b>53</b>	<b>6</b>	<b>0</b>	<b>2</b>
<b>Primary Reform</b>	<b>52</b>	<b>6</b>	<b>1</b>	<b>0</b>
<b>Campaign Finance Reform</b>	<b>41</b>	<b>5</b>	<b>7</b>	<b>1</b>
<b>Redistricting</b>	<b>26</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>State Voting Rights Act</b>	<b>10</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Proportional Representation</b>	<b>19</b>	<b>1</b>	<b>1</b>	<b>0</b>

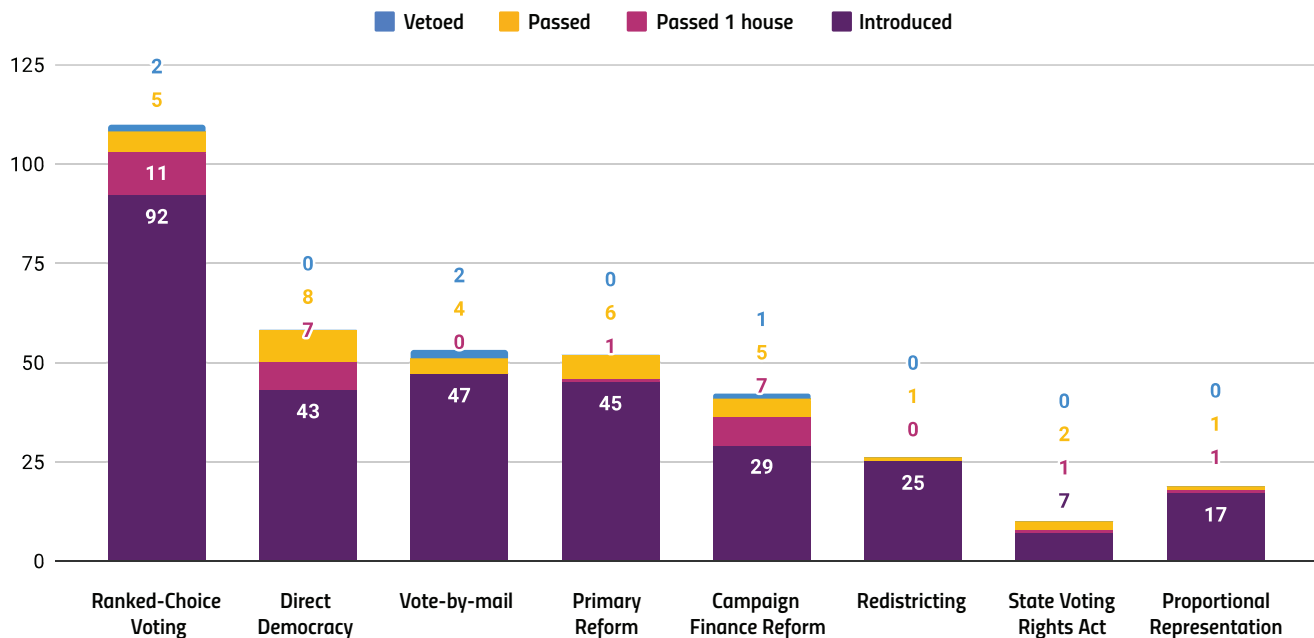
- This year we tracked **350 pieces of legislation** total across **eight different categories** that was introduced in **48 states and one territory**.
- Of those, **37 were passed or referred** to the ballot by state legislatures, **5 of which were vetoed**.
- Proposals about **ranked choice voting** far out-numbered the other reform proposals, making up nearly **30% of proposals** tracked and passed. The ranked choice voting proposals that passed were almost evenly divided between bills that would allow or study its use and bills that would ban or repeal it.
- The next largest category was **direct democracy**, with reforms to the initiative process making up nearly **16% of bills tracked** and just over **20% of bills passed**. Notably, all the proposals passed in this category were attacks on the initiative process.
- **Vote-by-mail** policies and **primary reform** policies each accounted for **14% of bills tracked** and **13% of bills passed**, with **5 proposals becoming law** in each category.

Several stories emerge from the 2023 legislative session. For example, the widespread national interest in ranked choice voting (RCV), both positive and negative, is immediately obvious. Legislators introduced bills and resolutions about RCV in thirty-seven states and the Commonwealth of Puerto Rico. The vast majority of this legislation was favorable to RCV, but there are signs of opposition. Legislators in five states passed laws to ban RCV, two of which were vetoed, leaving three states with new RCV bans on the books.

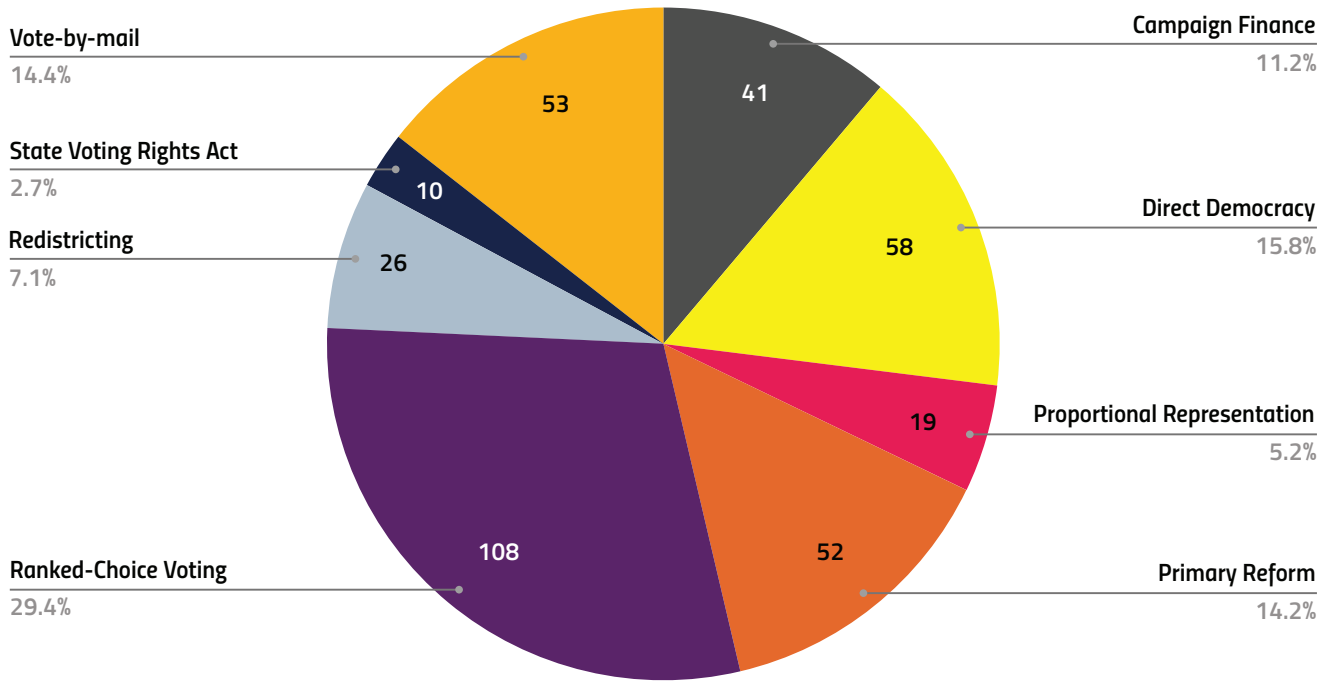
Attacks on direct democracy through proposals to undermine the ballot initiative process is another major theme of 2023. The Ohio legislature’s attempt to raise the number of votes a constitutional amendment needs to pass to a 60% supermajority was probably the most high-profile example, but legislators across the country introduced bills designed to make it harder to pass laws by a citizens’ initiative. The news isn’t all bad for direct democracy supporters. Legislators in nine states introduced legislation to create or resurrect an initiative process, although none of them passed.

These stories and others—the variety of approaches to changing primary elections, the growing interest in state-level voting rights acts, the progress of mail voting since the beginning of the COVID-19 pandemic—are discussed in more detail in this report.

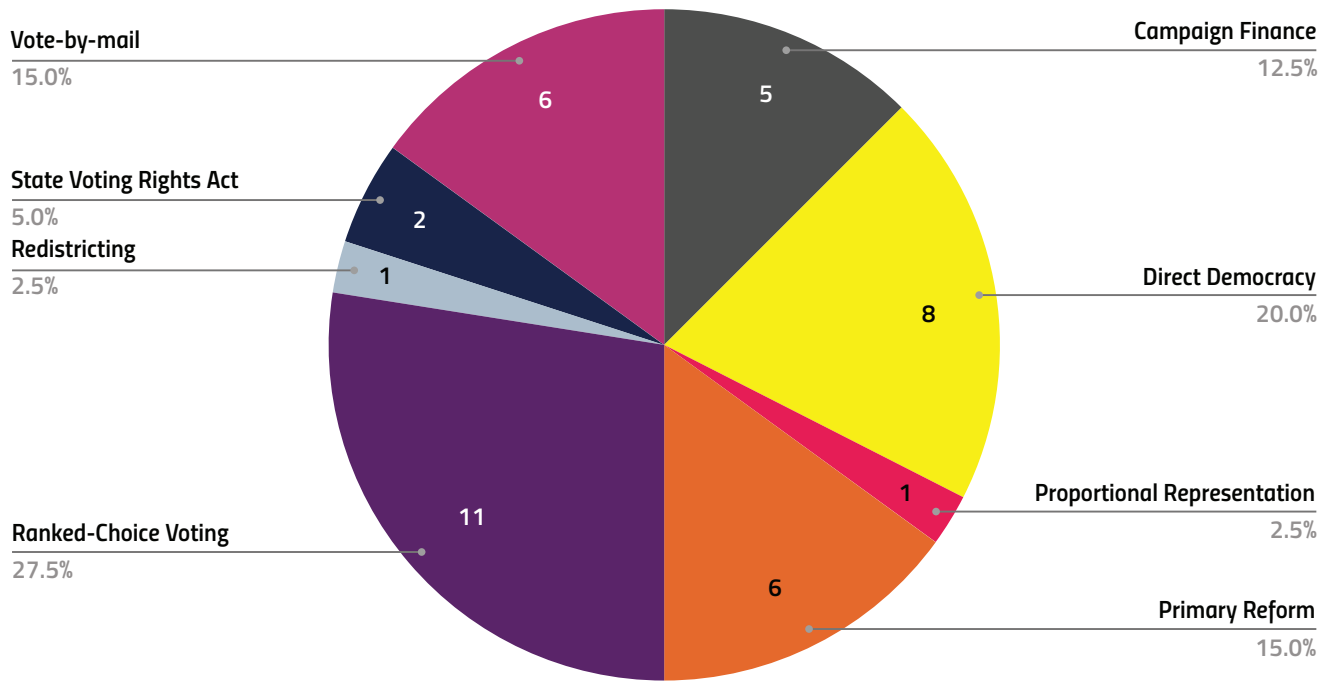
## LEGISLATIVE OUTCOMES



## PROPOSALS BY CATEGORY



## PASSED PROPOSALS BY CATEGORY



## **BACKGROUND AND METHODOLOGY**

The data in this report comes from a wide network of resources provided by the leading organizations in each of these respective policy areas. We owe an enormous debt to organizations like FairVote, the National Conference of State Legislatures, Voting Rights Lab, National Vote at Home Institute, the Ballot Initiative Strategy Center, the Initiative and Referendum Institute, and the Brennan Center for their extremely helpful tools and resources. Our research team identified resources where these policies are tracked, and filled in any missing gaps with our own searches using Legiscan. Keep in mind that it's nearly impossible for this search to be conclusive. Bills can change in a myriad of ways throughout the legislative process, specific terms are not always consistent from state-to-state, and some pieces of legislation will inevitably be left out. We have tried our best to be comprehensive, but achieving total coverage is often more of an aspirational process than a realizable endpoint.

Since legislative proposals can include multiple subjects (and even the lines between subject areas themselves can be blurry), many proposals appear in more than one section. A bill to adopt Alaska-style Top Four elections, for example, will appear in both the **ranked choice voting** and **primary reform** sections.

While numbers can be useful, numbers alone don't reveal the effort that goes into passing a law or provide much insight into a legislative reform effort. Put simply, it's very hard to pass a law. The vast majority of bills that get introduced in a year won't be passed. Successful proposals are often unsuccessfully introduced for years before they finally get traction. Experienced advocates understand that sometimes even a small fraction of their proposals becoming law in a legislative session can be an extraordinary success. The best way to understand a movement's overall legislative success is not to look at a single session in isolation but to look at trends over time, which we hope this report can provide in years to come.

### **Terminology**

Each section contains definitions relevant to its subject matter, but there are a few terms that recur throughout the report.

- A **bipartisan bill** is a bill that is sponsored by a group of legislators who are members two different parties or members of one party and independent legislators.
- A **committee bill** is a bill produced by a legislative committee instead of an individual legislator. The rules for introducing committee bills vary by state, and committee bills often don't include the names of individual legislators, which can make it difficult to determine the partisanship of their supporters.
- A state with a **divided government** is one where the governorship and the legislature, or the two chambers of the legislature, aren't controlled by the same political party.
- A **multipartisan bill** is a bill sponsored by a group of legislators who are members of more than two parties, including independent legislators.
- A bill's **sponsor** is a legislator who proposes or introduces it to the legislature for consideration.
- A **study bill** is a bill that creates a body or directs an existing body to research a particular issue and produce recommendations on what the state should do about it.
- A state with a governing **trifecta** is one where the governorship and both chambers of the legislature are controlled by the same party.<sup>1</sup>

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<sup>1</sup> Nebraska, whose unicameral legislature has a single chamber, would be considered a trifecta state for the purposes of this report. We relied on Ballotpedia's [State government trifectas page](#) to identify states with trifectas and divided governments.

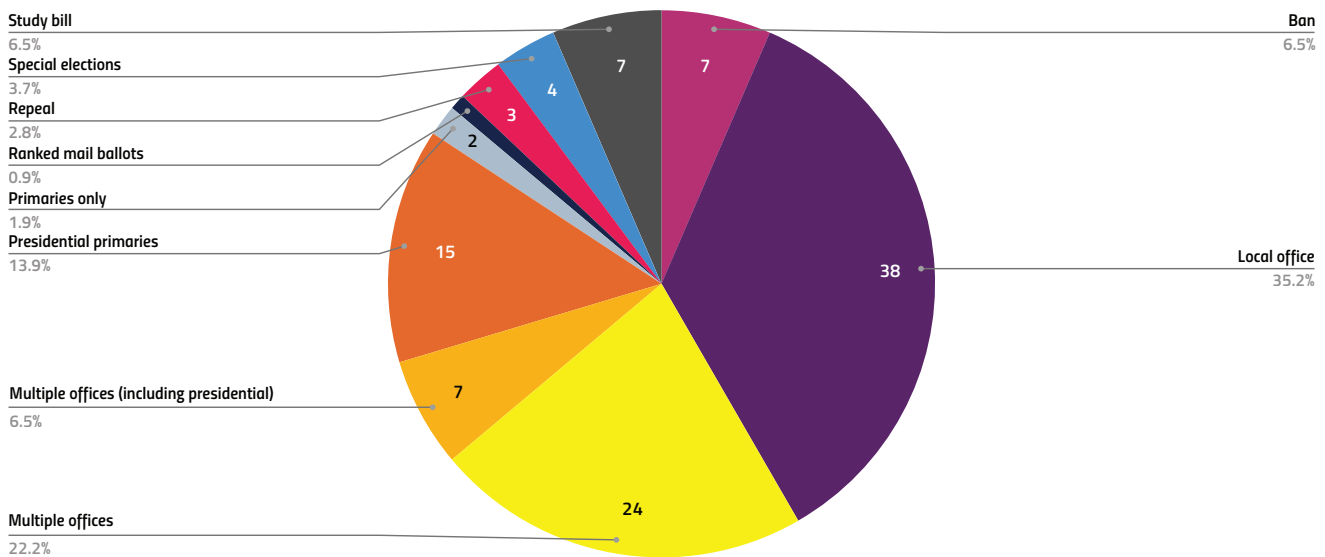
A note on the categories used for our Toplines and Fast Stats analysis. “Total passed” or “Total passed by state legislatures” refers to the number of proposals that have successfully made it through a state legislature. This includes proposals that were vetoed by governors. “Vetoes” refers to proposals that have made it through a state legislature but were vetoed by the governor and therefore did not become law. “Total passing only one chamber” refers to proposals that were passed by one half of a state legislature (e.g., just a state senate or just a state house or representatives) but failed to make it through the other half. While these proposals didn’t make it far enough to become law (or even be vetoed), passing one chamber is an indication that a proposal has some significant momentum and political support. Finally, “proposals” and “pieces of legislation” are used throughout the report to reflect that fact that the things we track include both bills and resolutions.

# RANKED CHOICE VOTING

## What is it?

Ranked choice voting (RCV) is a voting method that allows voters to rank candidates. Each voter's ballot counts as a vote for its highest-ranked candidate, and if no candidate has enough votes to win then the candidate with the fewest votes is eliminated the votes are counted again, with votes for the eliminated candidate counting the voters' next choice. When used to elect a single person (a method that's also known as "instant run-off voting"), RCV can elect the candidate who has majority support without requiring a separate runoff election. Other versions of RCV can elect multiple candidates, and it can be used as a form of proportional representation (see the Proportional Representation section). Ranked choice voting has been used in American elections for over a century, mostly at the local level, and is used in national elections in countries like Australia and Ireland.<sup>2</sup>

## RANKED-CHOICE VOTING PROPOSALS BY SUBCATEGORY



## Why are we tracking it?

Ranked choice voting is currently one of the structural reform ideas with the most interest. Recent high profile adoptions in Maine (2016), New York City (2019), and Alaska (2020) have shone a national spotlight on the reform and every year brings new adoptions, from elections for local office to presidential elections.<sup>3</sup> Reformers are drawn to RCV for many reasons, including its potential to eliminate costly, low-turnout runoff elections, address the "spoiler effect" and lesser-of-two-evils problems endemic to plurality winner elections, elect consensus candidates with broad support, and disincentivize negative campaigning.<sup>4</sup>

<sup>2</sup> The Ranked Choice Voting Resource Center, [The History of RCV](#).

<sup>3</sup> FairVote, [Where is Ranked Choice Voting Used?](#)

<sup>4</sup> Campaign Legal Center, [Ranked Choice Voting](#).



## Fast Stats:

<b>Total proposals:</b>	<b>108</b>
<b>Total states and territories:</b>	<b>38</b>
<b>States with the most bills:</b>	<b>MA (11), TX (9)</b>
<b>Total proposals passed:</b>	<b>11</b>
<b>Proposals passing only one chamber:</b>	<b>4</b>
<b>Proposals that passed and were vetoed:</b>	<b>3</b>
<b>Bipartisan proposals and committee bills:</b>	<b>16</b>

## By the numbers:

⚡ 77 proposals were introduced by Democrats, 14 were introduced by Republicans, 11 had bi- or multipartisan sponsorship, 5 were committee bills, and 1 was introduced by a third party (Puerto Rico's Movimiento Victoria Ciudadana).

- Of the 16 bi- or multipartisan and committee bills, 4 would apply to **local elections**, 1 would apply to **presidential primaries**, 6 would apply to a combination of local, state, and federal elections, and 1 would **ban the use of RCV**.
  - Only 1 of those bills passed as of the time of publication (ID's [H 179](#)). It was also the only of those bills that is hostile to RCV, banning its use in any election in the state.
  - Bipartisan, multipartisan, and committee bills were introduced in 13 states (CT, CO, GA, IA, ID, KS, MA, NH, OR, SC, VT, WI, WY).
    - » 6 of these states are Republican trifectas, 4 of these states are Democratic trifectas, and, and 3 are in states with divided governments.
- Of the 14 Republican bills, 3 would repeal the use of RCV, 6 would **ban the use of RCV** in future, 2 would adopt **RCV for presidential primary elections**, 1 would adopt it for state offices, 1 would expand the types of offices that can be elected with RCV, and 1 would adopt a form of **RCV for regular primary elections**.
  - The 9 bills to ban or repeal RCV were introduced in 7 states (AK, AZ, ME, MT, ND, SD, TX).
  - The 5 bills to adopt or expand the use of RCV were introduced in 2 states (KY, UT, VA).
- The single proposal that was introduced by a third party was a **study bill** that was introduced in Puerto Rico.

⚡ Of the 11 proposals that were passed by legislatures:

- 5 **ban the use of RCV**.
  - 4 bans were introduced by Republicans and 1 was a committee bill from a Republican

controlled legislative committee (ID's [H 179](#)).

- 4 of the bans were passed in Republican trifectas (ID, MT, ND, SD) and 1 was passed in a divided state with a Republican legislature and a Democratic governor (AZ).
  - 2 of these bans (AZ's [HB 2552](#) and ND's [HB 1273](#)) were vetoed by the governor. Arizona's governor is a Democrat and North Dakota's governor is a Republican.<sup>5</sup>
  - None of the 5 states used RCV in any elections at the time of the ban.
- 3 authorize the use of **RCV in certain local elections**.
    - All were introduced by Democrats, 2 were in states that are Democratic trifectas (CA and CT) and one in a divided state with a Democratic legislature and Republican governor (VT).
    - 2 authorize a specific jurisdiction in the state to use RCV (CA's [AB 1227](#) authorizes its use in Santa Clara County and VT's [H 508](#) does so for Burlington).
    - 1 is a **state voting rights act**, which allows proportional RCV to be used as a remedy to address vote dilution in local elections (CT's [HB 6941](#)).
  - 1 refers refers a question to the 2024 general election ballot asking voters if they want to adopt RCV for various elections, including statewide and congressional office and presidential elections (OR's [HB 2004](#)).
  - 2 creates a task force to study the possibility of using RCV in future elections (IL's [SB 2123](#) and MN's [HF 1830](#)).

#### ⚡ 4 proposals made it through single chamber of a legislature but not all the way through.

- 1 was to adopt RCV for presidential primaries (VT's [S.32](#))
- 1 would amend the state constitution to expand RCV to general elections for governor and state legislatures (ME's [LD 1917](#))
- 1 would authorize courts to use proportional RCV to address voting rights violations in local governments (CT's [SB 1226](#)). That proposal was eventually combined with a state budget bill and became law that way (CT's [AB 1227](#))
- 1 would ban the use of RCV (TX's [SB 921](#))

#### ⚡ 38 proposals would allow **RCV in local elections**.

- 3 passed and 1 passed a single chamber.
- 30 were introduced by Democrats, 6 had bipartisan sponsorship or were committee bills, and was introduced by a Republican.
- 24 would give local governments the ability to adopt RCV for certain kinds of local elections.
- 9 authorize a specific local government to adopt RCV.
- 4 are state voting rights acts that would allow courts to use proportional RCV as a remedy to correct voting rights violations in local elections. (See the section on [State Voting Rights Acts](#)).

#### ⚡ 22 proposals would adopt **RCV for presidential primary elections**.

<sup>5</sup> North Dakota's RCV ban also banned another voting method called Approval Voting. Fargo, North Dakota uses Approval Voting for municipal elections. See Jim Monk, KVRN, [Burgum vetoes bill that would have banned ranked-choice and approval voting](#).

- » 17 were introduced by Democrats, 2 were introduced by Republicans, and 3 had bipartisan sponsorship.
- » 1 passed (OR's [HB 3509](#), which referred a ballot question to voters about adopting RCV for several state and federal races, including presidential primaries).

⚡ 31 proposals would adopt **RCV for some combination of local, state, and federal elections**.

⚡ 4 proposals were to use **RCV in special elections to fill vacancies**.

⚡ 7 proposals were **study bills**, that would create task forces to explore the possibility of adopting RCV.

- » 2 passed (MN's [HF 1830](#) and IL's [SB 2123](#)).
- » 1 was the only proposal introduced in a US territory and the only proposal introduced by legislators affiliated with a party other than Democratic and Republican parties (Puerto Rico's [RC0831](#)).

⚡ 2 proposals would adopt RCV for state or federal primary elections.

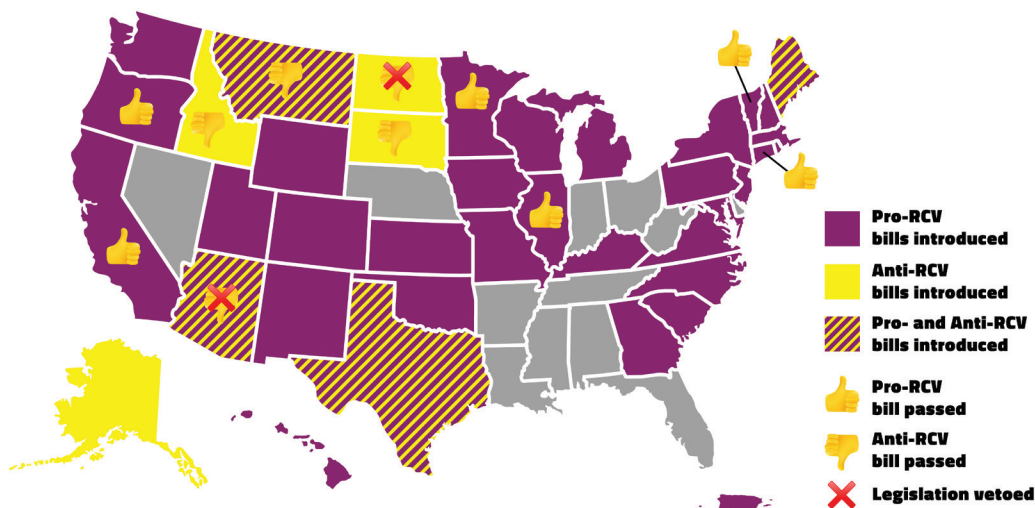
- » 1 of which (UT's [HB 205](#)) passed one chamber of the state legislature.

⚡ 7 proposals would **ban the use of RCV**.

- » 5 were passed by state legislatures, 2 of which were vetoed by governors.
- » 6 were introduced by Republicans and 1 was a committee bill that was introduced by a committee controlled by Republicans (ID's [H 179](#)).
- » 6 were introduced in Republican trifecta states and 1 was introduced in a divided state with a Republican legislature and a Democratic governor.

⚡ 3 proposals would repeal the use of **RCV in state and federal elections**.

⚡ 1 would allow absentee voters to used **ranked ballots in races with runoff elections** (TX's [HB 1444](#)).



## **Additional Analysis:**

Ranked choice voting is, by far, the policy area we tracked with the most legislative activity. Legislators introduced 108 bills or resolutions related to RCV in 37 states and one US territory. Advocates can brag that in the 2023 legislative session, ranked choice voting legislation was considered in 74% of states.

The most common kinds of RCV legislation would allow local elections to use RCV, followed by those that would bring RCV to presidential primary elections. Both of these are familiar territory for RCV. The most frequent use of RCV in the United States is at the local level<sup>6</sup> and the 2020 Democratic presidential primary featured RCV in four states<sup>7</sup>. Interest in using RCV in these contexts was also evident in the successful RCV proposals. Of the six pieces of pro-RCV legislation that became law, three relate to local elections (CA's [AB 1227](#), CT's [HB 6941](#), and VT's [H 508](#)), one creates a task force to explore the possibility of using RCV in presidential primaries (IL's [SB 2123](#)), and one will adopt RCV for presidential primary elections (among others) if approved by the voters in 2024 (OR's [SB 506](#)).

Not all of this year's legislation was positive for RCV. Ten proposals were bills that would repeal the current use of RCV or ban future use. Five of those proposals were passed by state legislatures, although two of those were vetoed. On one hand, this is another sign that RCV's moment has arrived. Legislators rarely ban a practice unless they take its threat (or promise, depending on your perspective) seriously. On the other hand, these bans create new legal obstacles for advocates in those states and indicate a new level of nationally-coordinated opposition to RCV.

All of the legislation hostile to RCV was sponsored by Republicans or Republican controlled committees, but on closer inspection, the situation is more complex than unified Republican opposition and unified Democratic support. Republican legislators sponsored at least 16 pro-RCV proposals, either on their own or as part of a bi- or multipartisan group. A bill to use a form of RCV, called the contingent vote, in primary elections was passed by the Republican-controlled Utah House of Representatives (UT's [HB 205](#)). And one of the two governors who vetoed an RCV ban was North Dakota's Doug Burgum, a Republican. Conversely, while Democratic legislators didn't sponsor any anti-RCV legislation, pro-RCV proposals in Democratic-controlled legislatures weren't guaranteed success. Of the 65 proposals that would adopt, allow, study, expand, or otherwise advance the use of RCV that were introduced in legislatures controlled by Democrats, six (9.23%) became law. In short, advocates shouldn't take Democratic support or Republican opposition for granted.

Overall, 2023 was a momentous year for RCV. Most state legislatures saw at least one bill or resolution about it. Oregon's successful [HB 2004](#) marks only the third time a state legislature (rather than the public via a ballot initiative) has passed a law that could bring RCV to state or federal elections<sup>8</sup>. Ranked choice voting is now firmly on the national agenda.

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<sup>6</sup> FairVote, [Where is Ranked Choice Voting Used?](#)

<sup>7</sup> FairVote, [RCV in Presidential Primaries](#).

<sup>8</sup> The first being North Carolina, which in 2006 passed G.S. 163-329, which adopted RCV for some statewide judicial elections. See Robert Joyce, Coates' Canons NC Local Government Law, [Instant Runoff Voting](#). The second is Maine, whose legislature passed LD 1083 in 2019, which expanded the state's use of RCV to presidential elections. See League of Women Voters of Maine, [Ranked Choice Voting Timeline](#).

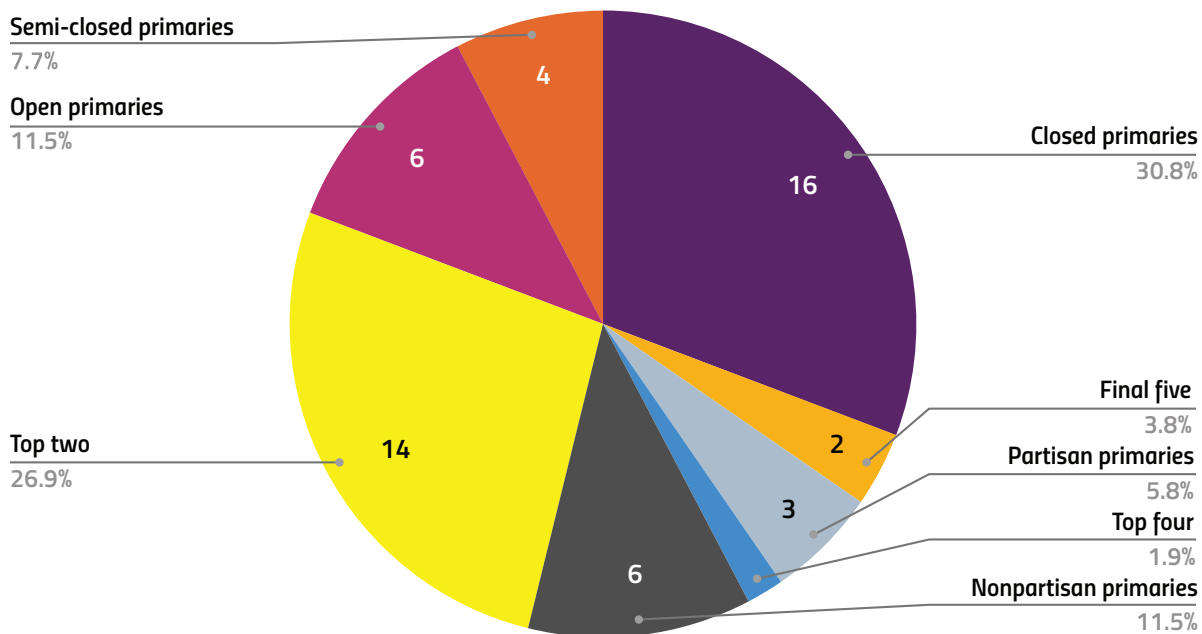
# PRIMARY REFORM: OPEN AND NONPARTISAN PRIMARIES

## What is it?

Primary elections are held to determine which candidates will appear in a general election. The laws governing primary elections vary widely, addressing things like who can vote in them and how candidates are selected to advance to the general. Primary elections typically have much lower turnout than general elections, but in areas dominated by one party they can often be the determinative election, rendering the general election a mere formality.

“Primary reform,” for the purposes of this report, refers to reforms that would change the primary election process by either (1) changing who is eligible to vote in primary elections based on their party registration or membership status (i.e., whether the primary is **open** or **closed**, or something in between), or (2) changing whether primaries serve to decide a political party’s nominee or simply to narrow down the field of candidates who will appear in the general election (i.e., whether the primary is **partisan** or **nonpartisan**). Legislation that would affect primary elections in other ways are not included here, but may be addressed in other sections (for example, a bill that would adopt ranked choice voting for primary elections but make no changes to voter eligibility would be included in the [Ranked Choice Voting](#) section but not here). Partisan primary election types vary widely across the states. Nonpartisan primary election systems are common for local elections and certain positions (such as elected judgeships) across the country. Four states, California, Washington, Alaska, and Louisiana, use some form of nonpartisan primary election for all state and congressional elections, and Nebraska uses one to elect its state legislature.

## PRIMARY REFORM PROPOSALS BY SUBCATEGORY



## **Why are we tracking this?**

As general elections become increasingly uncompetitive thanks to things like gerrymandering and partisan geographic sorting, many reformers see primary elections as the best opportunity to improve electoral competition and promote moderation. Proposals to increase the number of voters who are eligible to vote in primaries, or changing the role of primaries as nominating contests for party candidates, have become increasingly popular. Alaska's adoption of a **top four nonpartisan primary** system in 2020 has fueled interest in nonpartisan primary systems like **top four** and **final five**.<sup>9</sup>

Primary elections can be divided into two main categories:

- A **partisan primary** is primary election held to choose nominees of a political party to represent that party in a general election. This is the most common type of primary election at the state and federal level. All presidential primary elections are partisan primaries. Types of partisan primaries include:
  - » **Closed primary** – A partisan primary in which only voters registered or otherwise affiliated with a particular party can vote.
  - » **Semi-closed primary** – A partisan primary in which only voters registered with a particular party and independent or unaffiliated voters can vote.
  - » **Open primary** – A partisan primary in which all qualified voters can vote, whether or not they are registered with any particular party.
  - » **Partially open primary** – A partisan primary in which only voters registered or otherwise affiliated with a particular party can vote, but voters can change their party affiliation on Election Day.
- A **nonpartisan primary**, also known as a “nonpartisan blanket primary,” is a primary election in which all candidates run and all qualified voters can vote, regardless of party affiliation. Nonpartisan primaries are held to narrow down the field of candidates to determine who will appear in the general election. Candidates in nonpartisan primaries might be able to identify their preferred political party on the ballot, but candidates who advance from a nonpartisan primary to a general election are not the nominees of a political party. Nonpartisan primaries are common in local elections and are used in some places for state and congressional elections, such as in California, Alaska, and Washington. Some advocates refer to nonpartisan primaries as “**open primaries**,” but each can have distinct legal ramifications and policy outcomes, and this report follows the lead of most academic literature and court decisions and distinguishes between the two. Types of nonpartisan primaries include:
  - » **Top two** – A nonpartisan primary in which the two candidates with the most votes advance to a general election.
  - » **Top four** – Also known as “Final Four.” A nonpartisan primary in which the four candidates with the most votes advance to a general election. General elections held after Top Four primaries are conducted using ranked choice voting.
  - » **Final five** – Also known as “Top Five.” A variation of top four in which the five candidates with the most votes advance to a general election.

<sup>9</sup> Russell Berman, The Atlantic, [The Political-Reform Movement Scores Its Biggest Win Yet](#).

## Fast Stats:

<b>Total proposals:</b>	<b>51</b>
<b>Total states:</b>	<b>25</b>
<b>States with the most proposals:</b>	<b>NC (7), AZ (4), NM (4), TN (4)</b>
<b>Total proposals passed:</b>	<b>5</b>
<b>Proposals passing only one chamber:</b>	<b>1</b>
<b>Bipartisan proposals:</b>	<b>4</b>

## By the numbers:

⚡ 29 proposals were introduced by Republicans, 18 were introduced by Democrats, and 4 had bipartisan sponsorship.

⚡ Of the 5 proposals that became law:

- All 5 were introduced by Republicans.
- 1 was in a Republican trifecta (WY) and 4 were in divided states with a Democratic governor and a Republican-controlled legislature (AZ, NC).
  - The AZ proposal ([HCR 2033](#)) referred a constitutional amendment to ban nonpartisan primaries to the voters in the 2024 general election. (The governor cannot veto a ballot measure referral in AZ.)
  - The 3 NC proposals ([HB 452](#), [SB 265](#), [HB 66](#)) all affected local elections in specific towns or counties by changing them from **partisan** to **nonpartisan primaries** or vice versa.
  - The WY proposal switched the state from a **partially open primary** to a **closed primary**.

⚡ 26 of the proposals related to **partisan primaries** and 25 related to **nonpartisan primaries**.

⚡ Of the proposals relating to **partisan primaries**:

- 16 would switch to **closed primaries**.
  - 1 became law (WY's [HB 103](#)).
  - All 16 were sponsored by Republicans.
  - The proposals were introduced in 8 states (FL, IA, MO, MT, OH, TN, TX, WY), all of which are Republican trifectas.
- 6 would adopt **open primaries**.
  - None became law.
  - 2 were introduced by Democrats, 2 by Republicans, and 2 had bipartisan sponsorship.
  - The proposals were introduced in 4 states (CT, NJ, NM, PA).

- » All 4 proposals sponsored by members of a single party, either Democrat or Republican, were introduced in states with Democratic trifectas (CT, NJ, NM).
  - » 1 bipartisan proposal was introduced in a state with a Democratic trifecta (NM) and one was introduced in a state with a divided government where Democrats control the governorship and the lower house of the state legislature while Republicans control the upper house of the legislature (PA).
- 4 would adopt **semi-closed primaries**.
    - None become law.
    - 3 were introduced by Democrats and 1 had bipartisan sponsorship.
    - The proposals were introduced in 4 states (AZ, CT, DE, RI).
    - 2 of the Democratic-sponsored bills and the 1 bipartisan-sponsored bill were introduced in states with Democratic trifectas (CT, DE, RI).
    - 1 Democratic-sponsored bill was introduced in a divided state with a Democratic governor and a Republican-controlled legislature (AZ).
  - 1 would require all local elections to be **partisan**.
    - The bill was introduced by Republican legislators in a divided state with a Democratic governor and a Republican-controlled legislature (KY).
    - Partisan elections in Kentucky are currently closed. Switching local elections from nonpartisan to partisan would have the effect of adopting closed primaries for those offices.

#### ✈ Of the proposals relating to **nonpartisan primaries**:

- 5 would repeal the use of nonpartisan primaries or ban their adoption.
  - All 5 proposals were sponsored by Republicans.
  - The proposals were introduced in four (4) states (AK, AZ, FL, NC).
    - » Two (2) states are Republican trifectas (AK, FL).
    - » Two (2) are divided states with Democratic governors and Republican-controlled legislatures (AZ, NC).
  - 1 proposal, which did not pass, would have repealed the use of nonpartisan primaries in state and federal elections and returned to a partisan primary system (AK's [HB 4](#)). Alaskan voters adopted top four voting in a 2020 ballot initiative, and this bill would revert the state's elections to the previous system.
  - 2 of the proposals, one of which was successfully referred to the ballot, would amend the state constitution to prohibit the use of nonpartisan primaries in elections for partisan offices (AZ's [HCR 2033](#)). Arizona currently uses partisan primaries for state and federal offices, and if approved by the voters, this amendment would prevent the state from ever adopting nonpartisan primaries for those offices without another constitutional amendment.
  - 1 bill, which did become law, would switch local elections in some towns or counties from nonpartisan to partisan, and others from partisan to nonpartisan (NC).
- 19 would adopt or allow some kind of **nonpartisan primary system**.
  - 2 bills passed into law.
    - » Both successful bills adopted top two voting for some local government offices in certain towns in North Carolina.
  - 14 would adopt **top two** voting.



- » The proposals were introduced in nine (9) states (AZ, CT, HI, IL, ME, MN, MT, NC, RI).
- » 10 of the proposals were introduced by Democrats while 4 were introduced by Republicans.
  - 6 of those proposals sponsored by Democrats were introduced in states with Democratic trifectas (HI, IL, ME, RI), while 4 were introduced in divided states with a Democratic governor and Republican-controlled legislature (AZ, NC).
  - 2 of the Republican-sponsored proposals were introduced in states with Democratic trifectas (CT, MN), 1 was introduced in a Republican trifecta (MT), and 1 in a divided state with a Democratic governor and Republican-controlled legislature (NC).
- 2 of the proposals would adopt a **top four** system.
  - None of the proposals passed into law.
  - The proposals were introduced in 2 states (ME, NC).
  - Both proposals were introduced by Democrats.
    - » 1 was introduced in a state with a Democratic trifecta (ME).
    - » 1 was introduced in a divided state with a Democratic governor and Republican-controlled legislature (NC).
- 2 proposals would adopt a **final five** system.
  - 1 did not pass. It was introduced by Democrats in a Democratic trifecta state (NM's [SJR 7](#)).
  - 1 was still awaiting action as of the time of publication. It has bipartisan sponsorship and is in a divided state (WI's [SB 528](#)).
- 5 would apply only to local elections, 3 of which passed.

### **Additional Analysis:**

While proposals that would either adopt nonpartisan primaries or open partisan primaries to unaffiliated voters and voters from other parties were introduced by both Democrats and Republicans, proposals that would close partisan primaries or repeal or ban the use of nonpartisan primaries were exclusively introduced by Republicans.

Bills to adopt closed primaries were introduced solely by Republicans, and solely in states where Republicans control the governorship and the legislature. The sponsors may see closed primaries as a means to protect Republican control over the state, or they may see closed primaries as a way to assist their faction of the party if the state is experiencing conflict between groups within the Republican Party. Bills to adopt open primaries were more bipartisan, with equal numbers introduced by Republicans, Democrats, or bipartisan groups of legislators. The states where open primary proposals were introduced were either Democratic trifectas or states with divided government.

While members of both parties introduced proposals for nonpartisan primaries, the only successful legislation to adopt them affected local elections (all of which passed in North Carolina). The only successful nonpartisan primary proposal that would affect state or federal elections is the ballot referral in Arizona that, if approved by the voters, would ban nonpartisan primaries for those offices.

Closer examination reveals that many of the nonpartisan primary proposals would only apply in certain situations and appear to be in reaction to a state's particular political conditions. Three of the proposals introduced in North Carolina, for example, would only apply to judicial elections. North Carolina had nonpartisan judicial elections for decades until 2015, when the legislature passed a bill making them partisan.<sup>10</sup> Since then, control of the North Carolina Supreme Court has shifted a few times, most recently in 2022 when Republicans took the majority.<sup>11</sup> This likely explains why these three bills were only sponsored by Democrats and went nowhere in the Republican-controlled legislature.

Similarly, Montana's [SB 566](#), which was introduced by a Republican, would have adopted a top two primary for US Senate, but with sunset provision that would cause it to expire in 2025, limiting its use to a single Senate race in 2024. That year, Senator John Tester, the only Democrat who holds statewide office, will be up for reelection, leading many to suspect that the bill was designed to improve a Republican challenger's chances by preventing a Libertarian or independent candidate from splitting the vote and allowing Tester to win with a plurality, as he had in 2006 and 2012. The bill received negative attention from across the political spectrum and the state's Republican controlled legislature didn't pass it.<sup>12</sup>

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<sup>10</sup> William Rafferty, Judicature, [States Continue to Experiment with Partisan Judicial Elections](#).

<sup>11</sup> Hannah Schoenbaum, AP, [Republicans retake control of North Carolina Supreme Court](#).

<sup>12</sup> Arren Kimbel-Sannit, Montana Free Press, [Senate passes bill creating top-two primary in Tester's 2024 U.S. Senate race](#).

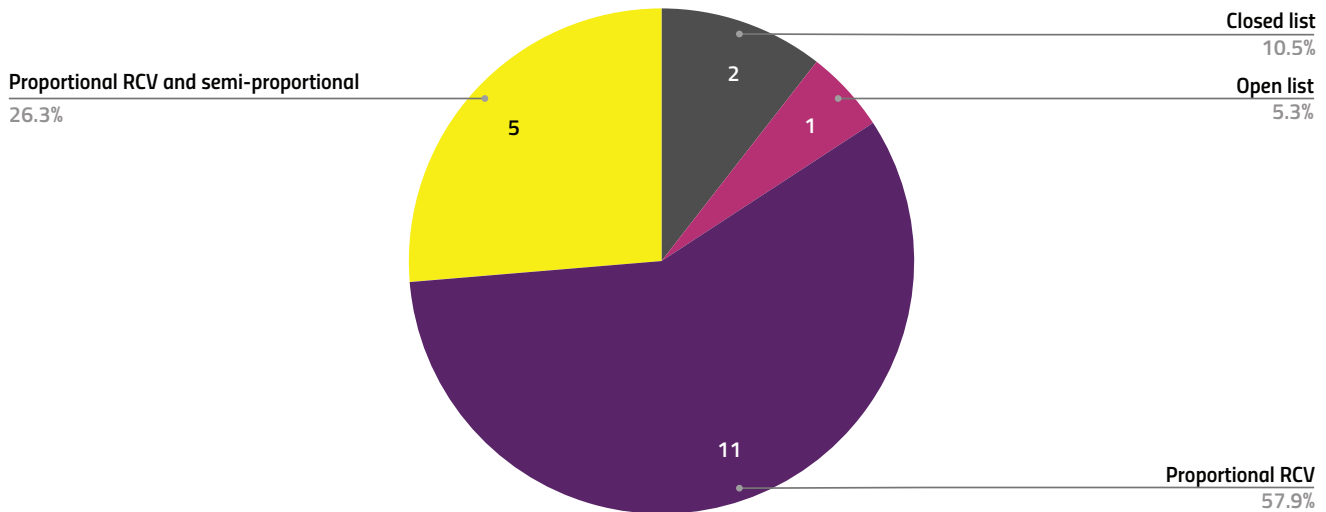
# PROPORTIONAL REPRESENTATION

## What is it?

“**Proportional representation**” describes a class of voting methods that allows groups of voters to elect candidates in proportion to their overall share of votes cast. In contrast, **winner-take-all** methods award every seat in an electoral district to the candidate or candidates who win the most votes, allowing a single party or group to win all the representation in that district. Under a purely proportional system, for example, a party or group of candidates who win a third of the total votes cast in an election would win about a third of the seats up for election. Under a winner-take-all method, however, that same party or group of candidates could end up with a majority of seats or even no seats at all, depending on how (and if) that jurisdiction is split into districts and what the vote breakdown is within each district.

While most American elections use winner-take-all voting methods, there is a history of proportional and **semi-proportional** voting methods at the local and even the state levels. In the early 20th century, two dozen American cities adopted the proportional form for ranked choice voting, including major cities like New York, Cleveland, and Cincinnati.<sup>13</sup> Illinois used **cumulative voting**, a semi-proportional voting method, to elect its House of Representatives for over a century,<sup>14</sup> and Puerto Rico uses another semi-proportional method called the single non-transferable vote, which is a form of **limited voting** to elect some seats in both chambers of its legislature.<sup>15</sup>

## PROPORTIONAL REPRESENTATION PROPOSALS BY SUBCATEGORY



## Why are we tracking this?

Reformers have become increasingly interested in proportional representation voting methods because of their potential to produce elected bodies that more closely reflect voter preferences, lead to more competitive elections, and reduce or eliminate the impact of gerrymandering.

13 The Ranked Choice Voting Resource Center, [The History of RCV](#).

14 Illinois Periodicals Online, History of cumulative voting, 1870-1970: [Three is better than one](#).

15 Manuel Álvarez-Rivera, Elections in Puerto Rico, [The Puerto Rico Legislative Assembly Electoral System](#).

16 FairVote, [Where is Proportional Ranked Choice Voting Used?](#)

Proportional representation has been used to elect some local offices in places like Minneapolis, MN and Cambridge, MA,<sup>16</sup> for decades, but voters in Portland, OR's approval last year of a ballot measure to adopt proportional RCV to elect its entire city council has sparked greater national interest in proportional methods.<sup>17</sup> Many proposals for state voting rights acts include provisions for using proportional and semi-proportional voting methods as potential remedies due to their ability to secure representation for minority communities when those who draw electoral districts can't (or won't) create a majority-minority district.

### **Categories and definitions:**

- **List** systems are proportional representation methods that award seats to political parties or slates of candidates based on each party or slate's voteshare.
  - » In **closed list** systems, voters vote for a party or slate.
  - » In **open list** systems, voters vote for the individual candidates who are each identified with a particular party or slate and whose combined votes are used to determine the vote share of their party or slate.
- **Proportional ranked choice voting** (proportional RCV), also known as "the single transferable vote," is a form of ranked choice voting used to proportionally elect multiple candidates. Instead of electing the candidate who receives a majority of votes, proportional RCV elects candidates using a threshold determined by the number of people who will be elected. An election to fill two seats requires each winning candidate to get more than a third of the votes to win, one to fill three seats requires each candidate to win more than a fourth of the votes, and so on.
- **Semi-proportional** methods are voting methods that can allow groups of voters to elect candidates in proportion to their vote share under certain conditions but do not necessarily guarantee a proportional outcome. Like proportional RCV, semi-proportional methods allow voters to vote for individual candidates and do not require candidates to run as part of a slate or party list. Most semi-proportional methods elect the individual candidates with the most votes (e.g., In an election to fill three seats, the three candidates who receive the most votes win). Types of semi-proportional methods include:
  - » **Cumulative voting** – A voting method that provides voters with as many votes as there are candidates to be elected and allows voters to give multiple votes to the same candidate. In an election to fill three seats, for example, a voter could vote for three different candidates, give one candidate two votes and another candidate one vote, or give three votes to the same candidate.
  - » **Limited voting** – A voting method that allows voters to vote for fewer candidates than there are candidates to be elected. In an election to fill five seats, for example, a voter might be able to vote for up to three candidates.

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<sup>16</sup> FairVote, [Where is Proportional Ranked Choice Voting Used?](#)

<sup>17</sup> Voters in Portland, ME also adopted proportional RCV for the at-large seats on its city council on the same day, making Nov. 9, 2022 the single most successful day on record for proportional representation in cities named "Portland." See FairVote Action, [Ranked Choice Voting Just Had Its Biggest Election Day Ever.](#)

## Fast Stats:

<b>Total proposals:</b>	<b>19</b>
<b>Total states:</b>	<b>7</b>
<b>States with the most proposals:</b>	<b>MA (9), CT (3)</b>
<b>Total proposals passed:</b>	<b>1</b>
<b>Proposals passing only one chamber:</b>	<b>1</b>
<b>Bipartisan proposals:</b>	<b>2</b>

## By the Numbers:

✈ 17 of the 19 bills had all Democrat sponsors. 2 bill had bipartisan sponsorship (CT's [SB 1226](#) and MA's [H 711](#)).

✈ All 7 states where bills were introduced have Democratic trifectas.

✈ 5 of the bills (including, CT's [HB 6941](#), the only bill that passed) were state voting rights acts that would allow proportional and semi-proportional voting methods to be used as remedies for voting rights violations in local elections. (See the [State Voting Rights](#) section for more information).

✈ 2 of the proposals would have applied to state legislative elections. The other 17 would apply to local elections.

- The 2 proposals applying to the state legislature would have adopted a form of list proportional representation, with one that would adopt closed list (OR's [HJR 25](#)) and one that appears to adopt open list (CT's [HJR 17](#)).
- Of the 17 bills proposals that would apply to local government elections, 1 was for closed list, 11 allowed for proportional RCV, and 5 allowed for proportional RCV and semi-proportional methods such as cumulative and limited voting.
- 5 of the proposals would allow the use of proportional RCV in specifically named cities (all of which are in MA).

## Additional Analysis:

Most of the proportional representation proposals introduced this session (17 out of 19) would have affected local elections, either by allowing local governments to adopt them or allowing courts to use proportional and semi-proportional methods as remedies to voting rights violations. The fact that only two of the ten proposals would have applied to state governments could be a sign that legislators are generally more willing to consider changing the process of how other people are elected than they are making changes to their own elections, but

it could also be due to the fact that in many states adopting proportional representation for state legislative elections is a more difficult process than doing so for local elections, often requiring an amendment to the state constitution.

Massachusetts was, by far, the leader with nine proposals introduced this legislative session. In part, this is probably due to the state's long history with proportional representation (particularly proportional RCV) at the local level and an active and well-organized community of reformers.

While local government election methods can usually be changed by an ordinary bill in the state legislature, many state constitutions effectively require winner-take-all elections for the legislature through requirements that each legislator be elected in a single-member district. This is why both proposals affecting state legislative elections (OR's [HJR 25](#) and CT's [HJR 17](#)) were resolutions to amend the state constitution.

The most popular method was proportional RCV, followed by cumulative and limited voting (which were included with proportional RCV in five of the proposals, all of which were state voting rights acts), and then closed list with two and open list with one. The fact that both proposals affecting state legislatures would adopt a list system could be a sign that state legislators would be more amenable to running in that kind of system rather than another method, such as proportional RCV. But the small sample size makes it difficult to draw hard conclusions. Finally, semi-proportional methods were only included in state voting rights acts. This is probably because there is a long history of federal courts using various semi-proportional methods as remedies in federal Voting Rights Act cases, but there doesn't seem to be interest in using them in any other context.<sup>18</sup>

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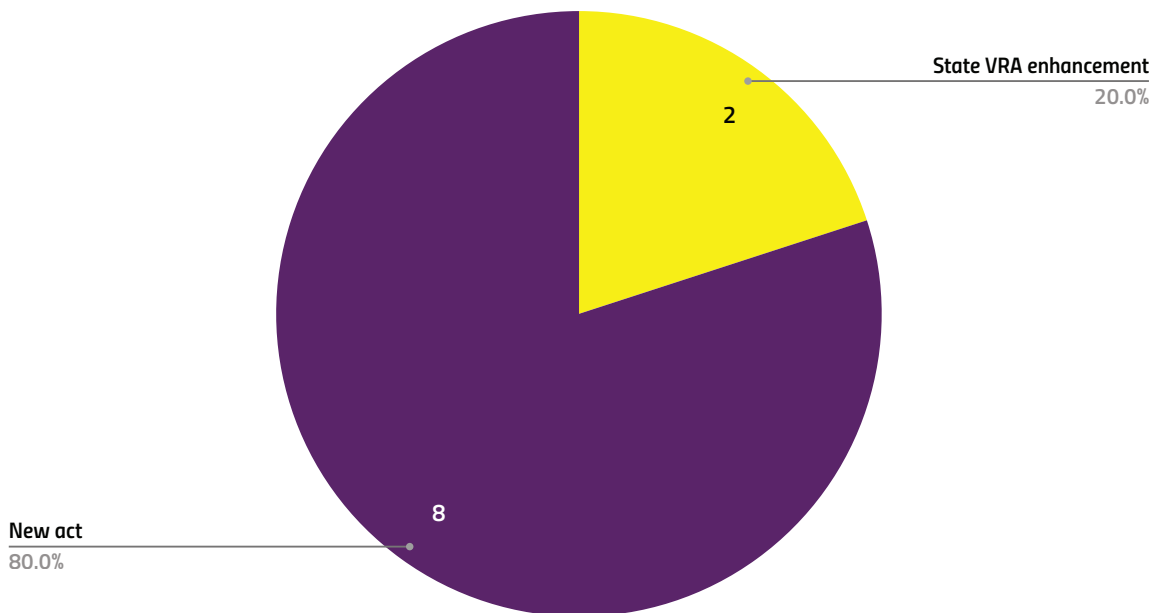
<sup>18</sup> Richard Engstrom, "[Cumulative and Limited Voting: Minority Electoral Opportunities and More](#)," Saint Louis University Public Law Review: Vol. 30 : No. 1 , Article 7 (2010).

# STATE VOTING RIGHTS ACTS

## What are they?

State Voting Rights Acts (state VRAs) are state laws modeled on the federal Voting Rights Act. Like the federal VRA, state VRAs enable designated communities with a history of political exclusion and disenfranchisement (typically racial, ethnic, and linguistic communities) to challenge electoral laws and practices that create barriers to their political participation and dilute their voting power. This is done by creating causes of action that allow members of those communities or designated government agencies to bring lawsuits, and preclearance requirements, which require jurisdictions with a history of discrimination to receive permission before making changes to the electoral process that could affect protected communities. California became the first state to adopt its own VRA in 2001. Since then, five other states have adopted state VRAs, with Connecticut becoming the most recent adoption this year.

## STATE VOTING RIGHTS ACT SUBCATEGORY BREAKDOWN



## Why are we tracking this?

Interest in state VRAs has grown in recent years as the Supreme Court has gradually weakened the federal VRA. Some voting rights advocates see state VRAs as a way to entrench the protections of the federal VRA into state law as well as an opportunity to go further and establish stronger protections than exist at the federal level.

State VRAs can also serve as vehicles for other reforms discussed in this report. The broad authority they provide courts to fix voting rights violations means that state VRAs can enable courts to use things like proportional representation as remedies to address discriminatory and dilutive election laws and policies.

## Fast Stats:

<b>Total proposals:</b>	<b>10</b>
<b>Total states:</b>	<b>6</b>
<b>States with the most proposals:</b>	<b>CT (2), MD (2), WA (2)</b>
<b>Total proposals passed:</b>	<b>2</b>
<b>Proposals passing only one chamber:</b>	<b>1</b>
<b>Bipartisan proposals:</b>	<b>1</b>

## By the Numbers:

🚀 9 bills were introduced by Democrats, and 1 bill (CT's [SB 1226](#)) had bipartisan sponsorship (58D/1R).

🕒 All 6 states in which state VRAs were introduced were Democratic trifectas.

🚀 7 bills would create brand new state VRAs, and 2 bills would make changes to an existing state VRA (WA's [SB 5047](#) and [HB 1048](#)).

## Additional Analysis:

In 2023, legislators introduced ten state VRA bills in six states. One of those states, Connecticut, passed a state VRA into law. Connecticut's VRA law was initially introduced as a standalone bill ([SB 1226](#), "An Act Concerning State Voting Rights in Recognition of John R. Lewis") but was later incorporated into the state budget bill ([HB 6941](#)) and passed into law that way.

Washington State also passed legislation related to state VRAs. Washington adopted a VRA in 2018 (the Washington Voting Rights Act). This session, Washington passed legislation ([HB 1048](#)) building on the Washington Voting Rights Act by adding and expanding provisions related to party standing, establishing and remedying violations, and cost recovery, and creating the requirement that "the right to vote shall be construed liberally."

All six states where a state VRA was introduced this session are Democratic trifectas. All state VRA bills were sponsored entirely by Democrats, with the exception of the unsuccessful legislation in Connecticut, which had a single Republican co-sponsor. That bill was eventually combined with a budget bill, which, while sponsored only by Democrats, received significant Republican votes for final passage.<sup>19</sup>

<sup>19</sup> 42 Republicans vote "yea" and 12 voted "nay" in the House vote (see <https://legiscan.com/CT/rollcall/HB06941/id/1339014>) while 10 Republicans vote "yea" and 1 voted "nay" on the Senate vote (see <https://legiscan.com/CT/rollcall/HB06941/id/1339542>). Since the bill combined the state VRA with the state's annual budget, support or opposition to HB 6941 may not be entirely based on any legislator's view on the proposed state VRA itself as a vote in favor of the bill would also be a vote in favor of the proposed budget.



State VRAs are a relatively new policy idea, and the amount of state VRA legislation is still relatively small. The most obvious commonality between the state VRA legislation introduced this session is that it has all been introduced in Democratic-controlled states with overwhelmingly Democratic sponsorship. This could be the result of partisan polarization on the issue, as we have seen at the federal level with support for legislation to restore parts of the federal VRA.<sup>20</sup> Still, we may see different trends in future legislative sessions.

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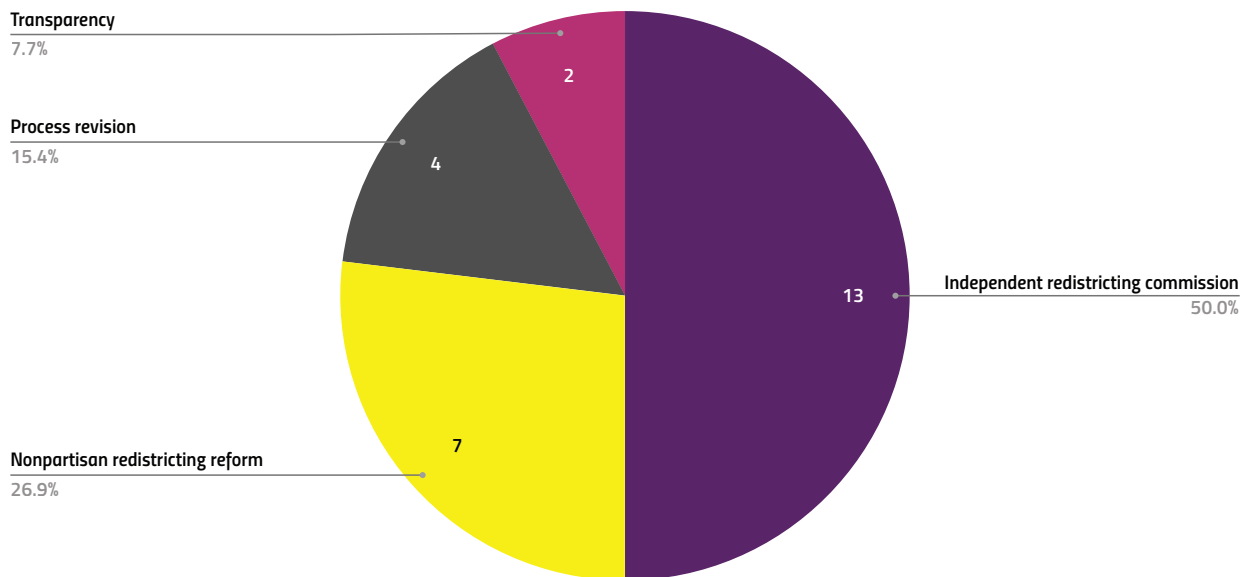
20 The John Lewis Voting Rights Advancement Act, HR 14, had exclusively Democratic sponsorship as of the time of publication. See <https://legiscan.com/US/sponsors/HB14/2023>.

# REDISTRICTING

## What is it?

Every ten years after the census is taken, electoral district maps are redrawn in a process called redistricting. These maps show the geographic boundaries of political representation in state legislatures and the US Congress. Redistricting laws govern the way these electoral districts are drawn, and the process has been subject to manipulation for decades by power-hungry politicians in a practice known as gerrymandering. **Gerrymandering** happens when electoral districts are drawn and manipulated in order to favor one party over another or dilute the voting power of a targeted group.

## REDISTRICTING PROPOSALS BY SUBCATEGORY



## Why are we tracking this?

Americans are increasingly recognizing gerrymandering as a driving force behind uncompetitive elections with unrepresentative outcomes. Many reformers see policies like **independent redistricting commissions (IRC)**, which take control over the redistricting process away from state legislatures and put it in the hands of a group of citizens with strict conflict-of-interest and partisan balance requirements, as an effective way to promote fairness and better representation. This report tracks IRC laws in addition to bills that implement nonpartisan redistricting reforms, increase transparency in the redistricting process, or revise the process itself in a substantial way. It does not include bills that actually pass new district maps and does not include proposed changes to sub-components of the process.

## Categories and definitions:

- **Transparency** – A bill that increases public access and transparency to the redistricting process. This can include requiring legislative committees to hold public hearings and allow for public comment on redistricting.
- **Independent redistricting commission (IRC)** – A body of citizens separate from the legislature, responsible for drawing the districts used in congressional and state legislative maps. Independent redistricting commission laws typically establish criteria for who can serve on the commission and how maps should be drawn to make the process more transparent and impartial. To qualify as a truly independent commission, it must include a body with partisan balance (including independents), that

operates independently of the legislature, isn't appointed by the legislature, and creates maps that don't need to be approved by the legislature.

- **Nonpartisan redistricting reform** – A proposal that creates a nonpartisan process for redistricting, but falls short of including all of the criteria to qualify as a fully independent redistricting commission.
- **Revise Process** – A bill that substantially changes the process and/or criteria for how districts are apportioned

### Fast Stats:

<b>Total proposals:</b>	<b>25</b>
<b>Total states:</b>	<b>9</b>
<b>States with the most proposals:</b>	<b>TX (9) AND NC (5)</b>
<b>Total proposals passed:</b>	<b>1</b>
<b>Proposals passing only one chamber:</b>	<b>0</b>
<b>Bipartisan proposals:</b>	<b>1</b>

### By the Numbers:

⚡ 2 bills about **transparency** were introduced, 1 in Democratic trifecta New York and 1 in Louisiana, which has a divided government. Both bills were introduced by Democrats

- The Louisiana bill ([SB80](#)), requiring legislative committees to hold public hearings and allow for public comment on redistricting, passed.

⚡ 13 bills establishing **Independent Redistricting Commissions** were introduced in 6 states (IN, NC, OK, OR, SC, TX); none passed. All but 2 bills were introduced by Democrats; there was 1 bill (OR's [SJR10](#)) with bipartisan sponsorship (10 Republicans and 2 Democrats) and 1 bill sponsored by Republicans.

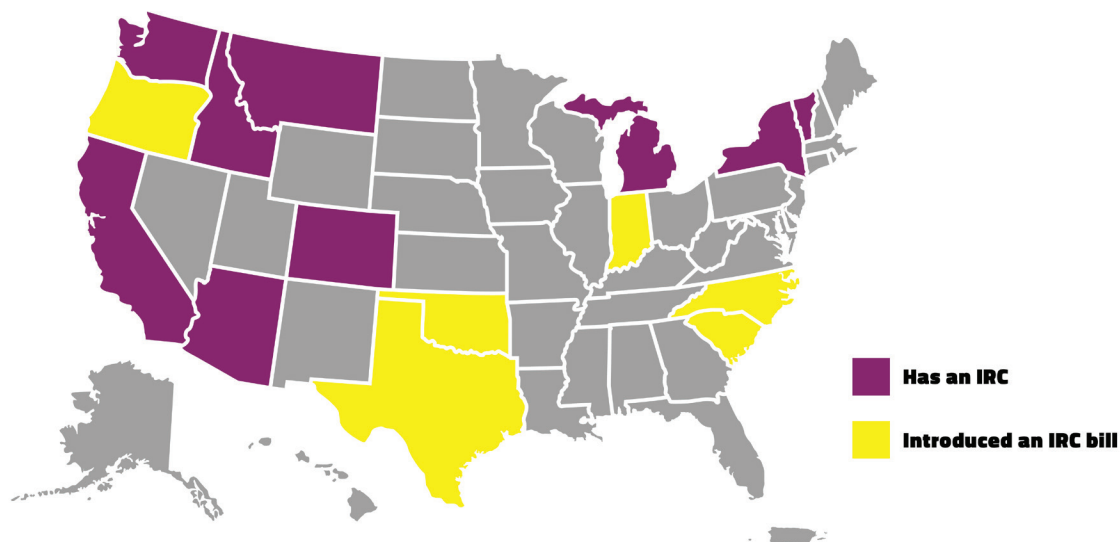
- 9 bills were introduced by Democrats in Republican trifecta states (IN, OK, SC, TX).
- 2 bills were introduced in a Democratic trifecta state (OR), one by Republicans (OR's [SJR9](#), the only bill sponsored by Republicans in this category) and one by Democrats.
- 2 bills were introduced by Democrats in a state with divided government (NC).

⚡ 7 bills on **Nonpartisan Redistricting Reform** were introduced in 3 states (SC, TX, NC), all by democrats. None passed.

- 5 bills were introduced by Democrats in Republican trifecta states (SC, TX)
- 2 bills were introduced by Democrats in a state with divided government (NC).
- These proposals fell short of qualifying as a fully independent redistricting reform, either because an elected or appointed official still plays a substantial role in establishing the commission or commissioner selection process, or because the commission is not required to have partisan balance.

3 bills including **major process revisions** were introduced in 3 states (DE, NC, SC); none passed

- 1 bill was introduced by Republicans in a Democratic trifecta state (DE).
- 1 bill was introduced by Democrats in a Republican trifecta state (SC).
- 1 bill was introduced by Republicans in a divided state (NC).
- 2 of these bills proposed better criteria and processes for redistricting. The Delaware bill, proposed by Republicans, proposed the Carnegie Mellon Method.<sup>21</sup>
- The bill from North Carolina (**H376**) would've allowed Senators to revise senate districts "from time to time" which presents big red flags for impractical administration and potential gerrymandering



### **Additional Analysis:**

2023 is a few years removed from the last decennial redistricting process. New maps are in place, elections have occurred under the new maps, and most major court battles over contested maps have been settled. One wouldn't expect to see many bills filed about the redistricting process since the next redistricting cycle is seven years away. However, the bills filed reveal continued energy to reform this process, even in what's considered an "off-year" for redistricting.

Texas and North Carolina saw several bills filed to improve the process, which correlated with particularly contentious redistricting cycles in those states.<sup>22</sup> The vast majority of proposed redistricting bills were attempts to pass an independent redistricting commission. When we look at the partisanship of sponsors, we see that almost 100% of the time, it's the party in the minority that's sponsoring ambitious redistricting reforms. In Texas and the Carolinas, Democrats introduced the vast majority of redistricting reform legislation and in Oregon, Republicans sponsored a bill for an independent redistricting commission. There was even a bipartisan IRC bill proposed in Oregon, but ultimately, none of the IRC bills introduced this year passed a single house.

The only redistricting reform to pass this year was Louisiana's **SB80**, which requires the legislative committee to hold public hearings and allow for public comment on redistricting.

21 This is also known as an "I cut, you choose" method involving both parties in the process as a solution to gerrymandering. Bryon Spice, Carnegie Mellon University News, ["I-Cut-You-Choose" Cake-Cutting Protocol Inspires Solution to Gerrymandering](#).

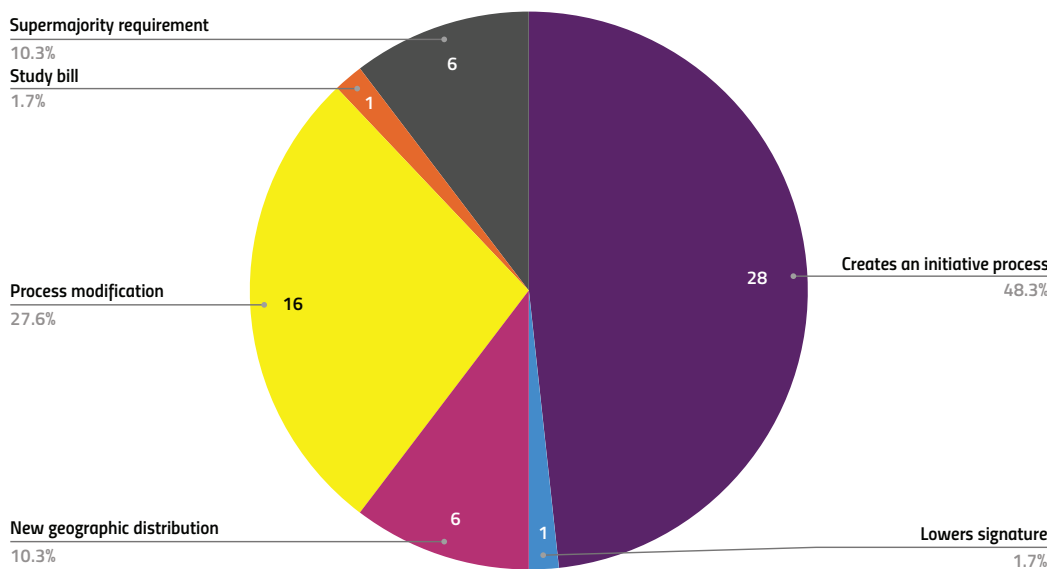
22 Elvia Limón, Texas Tribune, [Gov. Greg Abbott signs off on Texas' new political maps, which protect GOP majorities while diluting voices of voters of color](#); Lucille Sherman, Axios, [What to know about NC's latest redistricting process](#).

# DIRECT DEMOCRACY

## What is it?

This category includes laws governing the initiative process, the legislative vehicle by which ordinary citizens can participate in direct democracy by bypassing legislators to put proposed laws on the ballot. It typically consists of a qualification process, where proposed legislation is presented to voters, and those who support the proposal can sign a petition to put the legislation on the ballot. Once a certain threshold of valid signatures is reached, all voters get to weigh in on Election Day. South Dakota was the first state to adopt it in the late 19th century. Today, 26 states have a statewide initiative process.<sup>23</sup>

## DIRECT DEMOCRACY PROPOSALS BY SUBCATEGORY



## Why are we tracking this?

The initiative process plays an important role in giving voters a direct role in lawmaking, and is one of the main vehicles election reformers use to pass structural reforms that legislators won't. In this report, we track laws that propose substantial changes to the initiative process—from attempts to make the process of qualifying an initiative harder, to supermajority requirements for passage of initiatives, to amendments that improve or ease the process. We do not include smaller changes to components of the process, such as qualifications for signature gatherers or changes to the petition form. We realize these changes can present substantial new hurdles, but those are beyond the scope of this project.

## Categories and definitions:

- **New geographic distribution requirement:** A geographic distribution requirement refers to the number of jurisdictions (usually counties or congressional districts) that petitions must be circulated in and signatures must be gathered from. A law with this label creates a new or higher geographic distribution requirement.
- **Process modification:** This label is an umbrella term referring to any law that substantially modifies the process for qualifying an initiative.
- **New initiative process:** A law that creates or re-establishes the citizen's initiative process and supporting laws.

23 Initiative and Referendum Institute, [State-by-State List of Initiative and Referendum Provisions](#)

- **Supermajority requirement:** Any law that requires a ballot question to pass with more than 50%+1 support at the polls.
- **Lowers signature requirements:** A bill that reduces the number of signatures required to qualify an initiative for the ballot.
- **Study committee:** A bill that creates a committee of lawmakers tasked with researching and evaluating whether to create or reform the initiative process.

### **Fast Stats:**

<b>Total proposals:</b>	<b>58</b>
<b>Total states:</b>	<b>22</b>
<b>States with the most proposals:</b>	<b>MS (15), MO (10)</b>
<b>Total proposals passed:</b>	<b>8</b>
<b>Proposals passing only one chamber:</b>	<b>1</b>
<b>Bipartisan proposals:</b>	<b>2</b>

### **By the Numbers:**

⚡ 7 proposals with **New geographic distribution requirements** were introduced in 5 states (AR, ID, MO, OH, OK), all by Republicans in Republican trifecta states.

- The only one to pass was **HB 1419** in Arkansas, which increased the number of counties where petitions must be circulated from 15 to 50.
- Idaho's **SJR 101** would've forced petition gatherers to circulate petitions in every county, as opposed to the current requirement of 18 out of 35 counties. This bill passed out of one house and had 29 cosponsors.
- In MO, lawmakers introduced a similar proposal (**HJR 2**) that would've increased signature requirements from 8% of legal voters in each of two-thirds of the congressional districts to 15% from every congressional district.

⚡ 17 bills were introduced in 8 states (AR, CA, MO, MT, ND, OK, SD, UT) to **Modify the Process** generally or in multiple parts. 6 of these bills passed, and they either had a neutral or negative effect on accessing the initiative process.

- 16 bills were introduced by Republicans in Republican trifecta states
- 1 bill was introduced by Democrats in a Democratic trifecta state (CA)
- Montana passed a restriction on attempting any initiative that's substantially similar to a defeated ballot issue from the past 4 years (**SB 93**)
- North Dakota passed a bill (**SCR 4013**) that now requires initiatives to be a single subject and requires all ballot measures to be voted on at both a primary and general election.

- Arkansas passed two new hurdles to its initiative process. The first was [HB 1320](#), which gives the Attorney General more power to review, reject, or amend ballot titles of proposed initiatives if they deem the title “misleading”. The second ([SB 377](#)) targets signature gatherers, making it a misdemeanor offense to change, erase, intentionally destroy, or alter a signature, pay someone for their signature, or misrepresent the purpose or effect of the petition. It also creates and regulates the growing role of petition blockers: individuals who are hired to prevent signatures from being collected.
- Missouri introduced 7 of the bills in this category, none passed, but the attacks ranged from requiring a photo ID to sign a petition ([HB 704](#)), increased signature requirements ([HJR 25](#)), to banning pay-per-signature gathering ([SB 490](#)).

⚡ There were 28 bills to **create an initiative process** filed in 9 states (HI, IL, KY, MS, NJ, PA, RI, TX, WV); none passed, but two bills from MS passed one house.

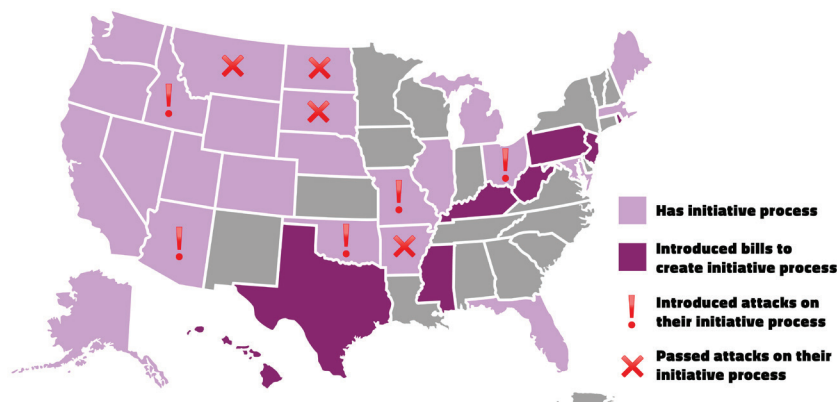
- 19 of these bills were introduced in Republican trifecta states, 6 by Democrats, 1 by a bipartisan group, and 12 by Republicans
- 7 bills were introduced in Democratic trifecta states, 6 by Republicans and 1 by a Democrat
- 2 bills introduced in states with a divided government, both by Democrats
- MS is home to 15 of the 28 bills filed, and the target of advocates hoping to re-establish the initiative process there.

⚡ There were 6 bills introducing a **supermajority requirement** in 4 states (AZ, MO, OH, OK); none passed, but two passed one house.

- All were introduced by Republicans, 3 in Republican trifecta states and 1 in a state with a divided government where the Governor is a Democrat, and the Legislature has a Republican majority.
- 5 of the 6 bills proposed a 60% supermajority, while one (MO [HJR 43](#)) proposed a 57% majority for constitutional amendments.

⚡ One bill for a **study committee** was introduced by a Democrat in the divided state of Louisiana, to establish a study committee tasked with exploring the creation of an initiative process. It did not receive a hearing.

⚡ There was one bill to **lower signature requirements** introduced in a Republican trifecta state with bipartisan sponsorship - WY's [HJR 8](#) - that would've lowered signature requirements from 15% to 5% in at least 2/3 of the counties in the state.



## **Additional Analysis:**

In recent years, we've written about the trend of lawmakers meddling with the citizen's initiative process<sup>24</sup> and this year was no exception. Twenty-two states introduced 58 bills about the initiative process, and the only ones that passed either undermined the accessibility of the initiative process or were neutral towards it. Even amidst these attacks, however, there were 28 bills filed in 9 states to create a statewide initiative process where they don't currently exist. This was by far the biggest category of proposed bills, and fifteen of these proposals came from Mississippi alone.

Mississippi is a unique battleground for the right to keep and access the initiative process. The initiative process has been broken in that state since 2021<sup>25</sup>, when the Mississippi Supreme Court struck down a recently-passed marijuana initiative as unconstitutional. The Mississippi Constitution requires a fifth of signatures from each of the five congressional districts, but when the state lost a congressional district after the 2000 census it became mathematically impossible to comply with the letter of this requirement. The court left it to the legislature to amend the constitution and fix the language, but the legislature has failed to do so for the last two years in a row. This year, an attempt to bring back the initiative process showed promise, but the House and Senate could not agree on signature-gathering requirements and the legislation died.<sup>26</sup>

Another major battle wound up on the Ohio ballot in August of this year after the legislature referred an amendment that would've required a supermajority of 60% yes votes to pass an initiated statute or amendment. Supermajority questions have appeared on the ballot in 11 states over the last 5 years,<sup>27</sup> and 5 other states introduced supermajority bills this year.

This year has also seen lawmakers limit access to the initiative process by raising the geographic distribution requirement for gathering signatures, meaning petitions must be circulated and signed in more counties or congressional districts. In turn, the cost of collecting enough signatures to qualify for the ballot goes up tremendously, and often prohibitively. There were 7 bills introduced to create new geographic distribution requirements, and in Arkansas, lawmakers passed [HB 1419](#), which tripled the number of counties where petitions must be circulated and signed in order to qualify an initiative. Arkansas voters have repeatedly voted down attacks on their initiative process. In 2020, voters rejected an amendment referred by the legislature ([Issue 3](#)) that would've increased the geographic distribution requirements, instituted a 60% supermajority, and eliminated the signature-curing period. In 2022, voters rejected again rejected a 60% supermajority question ([Issue 2](#)) by almost 60%.

These attacks on the initiative process are usually preceded by a successful citizen's initiative passing a widely popular reform that the ruling party opposed. In Missouri, ten bills were proposed to undermine the initiative process this year, on the heels of voters approving recreational marijuana in 2022<sup>28</sup> and expanding Medicaid alongside approving redistricting reform [in 2020](#).<sup>29</sup> Oklahoma had four bills imposing new hurdles on the initiative process this year, also after voters recently approved [medical marijuana](#) and [Medicaid expansion](#). Arkansas also saw four attacks on the initiative process this year, after voters passed an \$11 minimum wage in 2018 and after lawmakers kept several popular initiative proposals off the ballot in recent years (as their process allows, with the Attorney General exercising a lot of discretion in the qualification process).<sup>30</sup>

24 Joseph and Kearney, RepresentUs, [Attacks on Direct Democracy in the States](#).

25 Madeline Nolan, WAPT, [New momentum for reinstating the ballot initiative, an issue that has languished for 2 years](#).

26 Emily Wagster Pettus, AP, [Mississippi senator kills initiative plan, minus abortion](#).

27 See Joseph and Kearney, *Attacks on Democracy in the States*, above.

28 Ballotpedia, [Missouri Amendment 3, Marijuana Legalization Initiative](#).

29 Ballotpedia, [Missouri 2020 Ballot Measures](#).

30 Including campaigns RepresentUs supported in 2020 for independent redistricting and a top four RCV election system

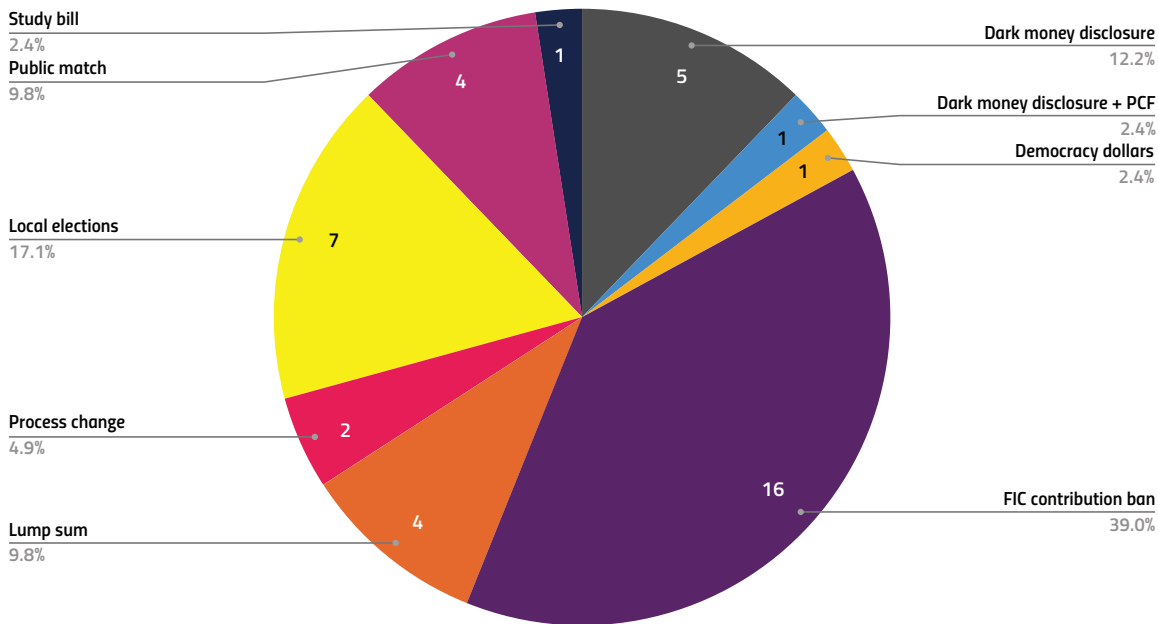


# CAMPAIGN FINANCE REFORM: DARK MONEY, PUBLIC CAMPAIGN FINANCE, AND FOREIGN INFLUENCED CORPORATIONS

## What is it?

Campaign finance reform is an umbrella term for proposals to reform the laws about the funds raised and money spent on electoral campaigns, including candidates, parties, initiatives and referendums. The goal is to increase transparency and limit the role of big money in politics, through policies that shine a light on dark money, provide public dollars to replace private funding for campaigns, and ban certain foreign entities from spending in our elections.

## CAMPAIGN FINANCE PROPOSALS BY SUBCATEGORY



## Why are we tracking this?

The high cost of running elections keeps politicians fundraising year-round. Election reformers work on proposals that change the way money flows through campaigns because those laws can have a substantial impact on who runs and ultimately represents voters, while rooting out big money and corruption in politics.

The network of laws and regulations that cover campaign finance is massive. To fully encapsulate the laws introduced in that category is beyond the scope of this project. This report focuses on a few discrete reforms within the larger campaign finance umbrella, including various models of public campaign financing, dark money disclosure, and an emerging reform that bans foreign-influenced corporations from spending in our elections.

## Categories and definitions:

- **FIC ban:** A law that prohibits foreign-influenced business entities from making contributions or expenditures for election purposes. Definitions may vary, but generally, foreign-influenced business entity refers to a publicly-traded corporation that is at least partially owned by a foreign citizen, foreign corporation, or foreign government.
- **Public campaign finance (PCF):** A law that establishes a publicly-funded program for qualifying candidates for public office to receive public dollars. The method or model by which that money is

distributed may vary, but common models include lump-sum payments, public matching programs, or a voucher-based program.

- » **Lump Sum:** provides public funding for campaigns by giving lump sums of public dollars to qualifying candidates for public office. To qualify, candidates must meet a set of requirements for participation that can range widely between jurisdictions, but often include rules such as adhering to certain contribution limits, not taking large private donations, and demonstrating broad voter support through signatures or small-dollar donations.
  - » **Public match:** a type of public campaign finance program where small-dollar donations to qualifying or participating candidates are matched with public dollars
  - » **Democracy dollars** (also known as **democracy vouchers**): a system of public campaign financing where voters are issued vouchers that they can donate to political candidates who, in turn, redeem them for public campaign funds
- **Dark money disclosure:** A law that increases or creates new disclosure requirements for independent expenditures or political actions committees. Requirements can vary, but they often concern independent expenditures and coordinated expenditures, require transfer records for independent expenditures, and higher reporting requirements for independent expenditures. Sometimes, it includes disclosure of original contributors on independent expenditures for public communications or disclosure of the top 3 contributors to noncandidate committees that make only independent expenditures.
  - **Local Public Campaign Financing Programs:** Establishes a public campaign financing program for county or municipal elections or offices.

**Fast Stats:**

<b><u>Total proposals:</u></b>	<b>42</b>
<b><u>Total states:</u></b>	<b>15</b>
<b><u>States with the most proposals:</u></b>	<b>NY (8), MN (7)</b>
<b><u>Total proposals passed:</u></b>	<b>5</b>
<b><u>Vetoed:</u></b>	<b>1</b>
<b><u>Proposals passing only one chamber:</u></b>	<b>7</b>
<b><u>Bipartisan proposals:</u></b>	<b>3</b>

**By the Numbers:**

- ⚡ 16 bills on **FIC bans** were introduced in 8 states (HI, MA, ME, MN, NY, PA, VA, WA). 14 bills were introduced by Democrats, and 2 had bipartisan sponsorship.
  - 13 of the Democrat-sponsored bills and 1 of the bipartisan bills were introduced in states with democratic trifectas

- 2 bills were introduced in states with divided governments
  - PA's [SB 11](#) introduced by Democrats in a divided state with a Democrat-controlled House and Governor and a Republican Senate
  - VA's [SB 1648](#) with bipartisan sponsorship in a Democrat-controlled Senate and Republican-controlled House and Governor
- 3 bills passed at least one house
- Two bills were passed by legislatures, one in Minnesota as part of the Democracy for the People Act Package ([HF 3](#)) and one in Maine ([LD 1610](#)) championed by the Protect Maine Elections campaign. However, the Maine bill was vetoed by the Governor, and the Legislature failed to override her veto. The bill will now be Question 2 on the Maine statewide ballot in November 2023.

⚡ There were 11 **Public campaign finance** bills introduced in 6 states (HI, IL, NC, NY, WA, WV), 6 had Democratic sponsorship, and one had Republican sponsors. None passed, and only one passed one house.

- 9 of those bills were introduced by Democrats in Democratic trifectas, and only NY's [SB 7564](#) advanced past one house.
- 1 bill (NC's [HB 362](#)) was sponsored by 24 Democrats in a divided state where Republicans control the Legislature and a Democrat is Governor
- 1 bill ([SB 280](#)) had Republican sponsorship in the Republican trifecta state of West Virginia
- The tracked bills were about three main models of public campaign financing
  - There were 4 bills proposing **lump sum public funds**, one for all state and county offices (HI [HB 967](#)) and three for Supreme Court and Court of Appeals (IL [SB 2360](#), NC [HB 362](#), and WV [SB 280](#). It's worth noting that the North Carolina bill proposed bringing back a repealed program that was in effect between 2009 and 2013.
  - There were 6 bills about **public matching programs**; 3 bills proposed new public matching programs for IL and MA, and 3 in NY ([SB 7564](#) and [AB 7760](#)) proposing amendments to the existing statewide program. Illinois' proposals would've included the state legislature and statewide executive offices, and the rest covered just the state legislative offices.
  - There was one bill, WA [HB 1755](#) on bringing a **Democracy Dollars** program statewide.
- There were two bills in this category, from New York ([SB 7564](#) and [AB 7760](#)), that proposed changes to certain thresholds and procedures for an existing public matching system. Neither passed.

⚡ There were 6 bills introduced in 5 states (HI, IL, ME, NC, NJ) about **dark money disclosure**, 5 with democratic sponsorship and 1 with bipartisan sponsorship. Two bills passed: ME's [SB 1630](#) and NJ's [SB 2866](#).

- 5 of the bills were introduced in democratic trifectas, 4 were introduced by Democrats and one had bipartisan sponsors
- 1 bill was introduced by Democrats in a divided North Carolina where Republicans control the Legislature and a Democrat is Governor
- The two main dark money reforms we tracked are disclosure of some IE contributions (either over a certain amount or pertaining to specific kind of expenditure) or original source disclosure, where

all IE contributions and transfer records must be maintained and reported.

- Bills requiring disclosure of certain or some IE contributions: NJ [SB 2866](#), HI [SB 997](#), ME [SB 1630](#) (specifically for individuals paying for campaign texts), NC [SB 306](#), NJ [SB 2866](#)
- Bills requiring original source disclosure: ME [SB 1590](#), IL [HB 3804](#)
- There were 7 bills introduced in 2 Democratic trifecta states to either start or amend **local programs for public campaign financing**. 4 of those bills had democratic sponsorship, and 3 were committee bills which have bipartisan membership. One passed, and one passed one house, both from the state of Maryland.
  - A pair of bills in CA would've permitted candidates for local office to accept public funds if a local program was established.
  - The other 5 bills pertained to local public campaign finance programs in Maryland, and the only one to pass extended equal campaign funds for the student member of the Prince George's County Board of Education, which already has a public campaign finance program.
- There was one **study bill** filed, for the evaluation of and potential implementation of a public campaign financing program. It was introduced by a Democrat in a Democratic trifecta state, and did not pass or receive a hearing.

### **Additional Analysis:**

This year, the most popular proposal across all campaign finance reform categories tracked was foreign-influenced corporation bans, with 16 bills on the topic proposed in 8 states. Across the public campaign financing category, the most-introduced model was lump sum public financing (7), followed by small-dollar public matching programs (4), and democracy dollars (1). Of the 45 bills introduced, only 5 passed and 1 was vetoed - two dark money/independent expenditure disclosure bills (NJ and ME), two bills about local public campaign financing (MD and NY), and two FIC bans (MN [HF 3](#) and ME [LD 1610](#), which was vetoed). Let's break down some of the stories behind the numbers.

In New York, lawmakers attempted to change the existing public campaign finance system, which provides small donors with matching donations of up to \$250 in public funds. New York's [S 7564](#) would allow donations up to \$6,000 in the Assembly, \$10,000 in the Senate, and \$18,000 for statewide offices to be matched by public funds. This was met with widespread criticism, with advocates saying this change would defeat the purpose of the system. Ultimately, the Governor did not sign the bill. There were also proposals for public funding programs introduced in Hawaii, Massachusetts, and Illinois, and proposals related to local public campaign financing programs in New York, California, and Maryland. A bill ([HB 1755](#)) introduced in Washington would have followed the lead of Seattle's program by creating a democracy dollars program for state legislative elections. However, it failed to receive a hearing.

Maine's [LD 1610](#) was passed by the legislature this year, which would ban foreign government-influenced corporations from spending in the state's elections. Since 2020, foreign government-influenced corporations have spent more than \$100 million dollars in Maine elections.<sup>31</sup> Most of this was spent by corporations with ownership in Canada and Spain, who own the two major power companies in Maine, in an attempt to fight a ballot question brought by voters to establish a non-profit public power company.

<sup>31</sup> Protect Maine Elections, [Learn more about YES on 2](#).

Ballot initiatives go through a unique process in Maine where, when voters submit enough signatures to qualify, the proposal is first presented to the legislature. If the proposal is not adopted without change, or if it's vetoed by the Governor, it is placed on the ballot before voters.<sup>32</sup> Lawmakers passed the citizens' proposal, but Gov. Janet Mills vetoed the legislation, so the question was set to appear on the November 2023 ballot. The people of Maine voted to approve the measure on November 7,<sup>33</sup> making it the second state to ban political spending by foreign-influenced corporations this year.

This is part of a broader trend to ban foreign influence in our elections; we identified 16 bills filed in 8 states this year to ban foreign-influenced corporations from spending in our elections. In Washington and New York, FIC bans passed in one house. Minnesota alone introduced 7 of those bills, and an FIC ban was included and passed in a broader slate of pro-democracy reforms ([HF 3](#)) passed by the We Choose Us MN grassroots campaign. This package initially included democracy dollars, but those provisions did not make it into the final version.

New Jersey's "Election Transparency Act," ([S 2866](#)) which is an omnibus campaign finance and ethics reform bill that passed despite many concerns flagged by election reformers. The bill doubles campaign contribution limits, requires some dark money groups to disclose large donors if they spend over \$7,500, all while gutting the leadership structure of the state's Election Law Enforcement Commission and shortening the time for completing investigations into impropriety from 10 years to 2 years. It also quashes existing investigations for acts that occurred outside the new two-year window between 2013 and 2021, including an estimated 80 percent of the agency's other open investigations, officials have said.<sup>34</sup> Meanwhile in North Carolina, election reformers on the ground formed a coalition around the Fix Our Democracy bill ([HB 362](#)), which proposed a slate of campaign finance and transparency reforms like true source disclosure (over \$6K for PACs or \$1K for individuals), increased transparency for digital and other political ads, a record of digital political ads kept, and establish a NC Public Campaign Fund which would provide lump sum public financing to candidates for judicial races at the Supreme Court and Appellate Court levels (bringing back a program that was launched in 2009 but repealed in 2013).

After the US Supreme Court's decision in Citizens United opened the floodgates for dark money to flow through independent expenditure committees, passing reforms at the state level may be the next best option for regulating dark money and strengthening campaign finance laws. Historically, legislative progress in this category has been difficult because politicians rarely want to change the system they're winning under. Despite that fact, our analysis shows there's still legislative interest and energy behind reforming the campaign finance system.

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32 The Maine Secretary of State Bureau of Corporations, Elections, and Commissions, [Citizen Initiative Application Packet](#).

33 Portland Press Herald, [2023 live statewide and local election results](#)

34 Tracey Tulley, The New York Times, [Gov. Murphy Signs Law Decried as a 'Frontal Assault' on Good Government](#).

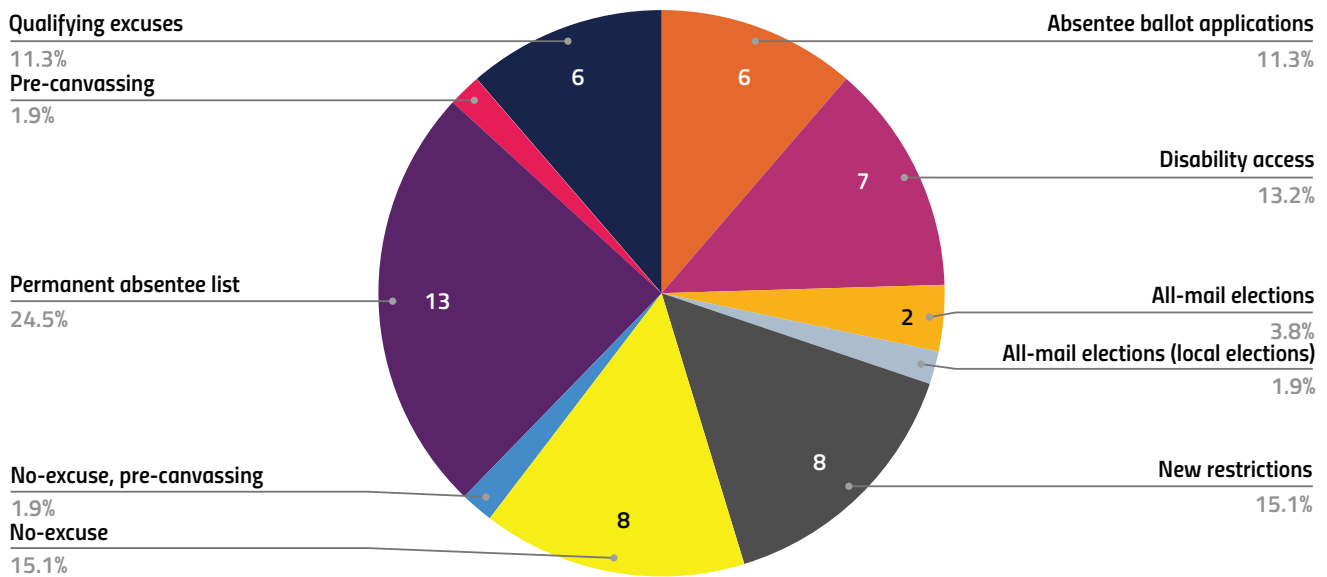
# VOTE-BY-MAIL

## What is it?

**Vote-by-mail** (VBM) is an umbrella term referring to reforms that increase access to mail ballots, also known as absentee ballots.

States offer a spectrum of options to voters who can't vote in-person on Election Day, and the accessibility of absentee ballots differs by state. Some states require voters to provide an excuse for voting absentee, like work travel or medical restrictions. Some states don't require an excuse at all. Some states will allow voters to sign up to automatically receive mail ballots for each election, called a permanent absentee voter list. Eight states, California, Colorado, Hawaii, Nevada, Oregon, Utah, Vermont and Washington, are full vote-by-mail states, meaning every voter receives a ballot in the mail, which can be sent back via mail or dropped off at a ballot drop box. There's really a continuum of mail ballot access, from most restrictive (excuse required, after an absentee ballot application is requested and submitted) to least restrictive (ballots mailed directly to all registered voters), and bills that move the states along that continuum are tracked in this section.

## VOTE-BY-MAIL PROPOSALS BY CATEGORY



## Why are we tracking this?

Election reformers pay attention to mail voting policies because access to ballots is a voting rights issue, and the COVID-19 pandemic revealed to many what voters with disabilities have long known: voting by mail is an essential element of ballot access. In this report, we include bills that change the access of absentee ballots, from the application process to qualifying excuses, to permanent lists and full vote-by-mail. We also highlight bills designed specifically to provide access to absentee ballots for voters with disabilities and older voters. There are many components of the absentee voting process that are not included, but our goal is to track major reform proposals that move states further along the VBM continuum (no excuse, qualifying excuses, permanent absentee list, increased disability access) or restrict access. Pre-canvassing is also included as an important component of the administration of mail ballots.

## Fast Stats:

<b>Total proposals:</b>	<b>53</b>
<b>Total states:</b>	<b>17</b>
<b>States with the most proposals:</b>	<b>NY (9), MN (7)</b>
<b>Total proposals passed:</b>	<b>3</b>
<b>Bipartisan proposals:</b>	<b>2</b>

## Categories and definitions:

- **Absentee ballot applications:** A bill that affects the process for requesting or sending an absentee ballot application. Bills in this category vary from sending notices to all voters about a permanent absentee voting list, to allowing an absentee ballot application for an election to automatically apply to a runoff, to prohibiting state employees from distributing an absentee ballot application without a request.
- **Absentee qualifying excuses:** A bill that changes or expands the list of qualifying excuses to vote absentee.
- **Disability access:** A bill that increases access to voting by mail, particularly for voters with disabilities and older voters. This includes a myriad of policies, from polling or mail ballot support at assisted living facilities, to accessible online portals for voters with disabilities to request ballots and information.
- **New restrictions:** Any bill that creates a substantial new restriction to accessing an absentee ballot. This includes repealing existing pathways for access, or adding hurdles to applying for a mail ballot.
- **Full VBM (local):** Allows local governments to hold elections entirely by mail, often for ease of access for small or widespread rural populations that would traditionally have to travel long distances to a polling place.
- **No-excuse:** A bill that allows a voter to vote with an absentee ballot without needing a qualifying excuse.
- **Permanent absentee list:** A program where voters can register to automatically receive absentee ballots at every election. We include bills that create a permanent absentee voter list, substantially change the process for joining or maintaining the list.
- **Pre-canvassing:** To improve ballot processing speeds and get faster results, some jurisdictions allow election workers to open envelopes, verify signatures, or even begin scanning ballots into tabulators before polls close on Election Day. This is a practice known as pre-canvassing, or pre-processing,<sup>35</sup> and we include this category of proposals because they are necessary for supporting other vote-by-mail reforms and help produce faster election results and lessen the burden on election administrators on election night.

35 Gordon, Hymen-Metzger, et al., Bipartisan Policy Center, [Ballot Pre-processing Policies Explained](#).

## By the numbers:

⚡ 6 bills in 5 states (GA, IL, NY, OR, TN) about **applications for absentee ballots**. All but one (TX [H 4753](#)) would've increased access to absentee ballot applications. None passed.

- 1 bill introduced by a Republican in a Democratic trifecta state
- 1 bill introduced by a Democrat in a Republican trifecta state
- 3 bills introduced by Democrats (or a democratic majority committee) in a Democratic trifecta state and 1 bill introduced by Republicans in a Republican trifecta state
- Some bills proposed ways to **increase access** to absentee ballots:
  - Allowing an absentee ballot application for a given election serve as an automatic application for a runoff absentee ballot in that election - especially effective in Georgia with the frequent runoffs there (GA [S 101](#))
  - Sends a notice to voters about the permanent absentee list, if they aren't already registered (IL [S 1465](#) and [S 2302](#))
  - Sends an absentee ballot application to voters who filed one in the last election, and provides for a permanent absentee ballot application list (NY [S 5076](#))
  - Allows county clerks to permit an absentee voter to obtain a ballot at the county clerk's office (OR [H 3109](#)) - notably this proposal comes from a VBM state
- Some proposed ways to **limit access** to absentee ballot applications:
  - TX [H 4753](#) would prohibit officers and employees of a state or political subdivision from distributing an application for an absentee ballot to someone who did not request it

⚡ 6 bills affecting **qualifying excuses to vote absentee** were introduced in 4 states (NH, NY, TX, WV), all by Democrats, none passed.

- 4 bills introduced in Republican trifecta states, and 2 introduced in a Democratic trifecta state.
- 5 of the bills would add/expand the list of qualifying excuses to vote absentee, including: health-related (NH [H 586](#) - travel/presence at a polling place is a danger to health), religious observance (NY [A 4204](#)), age 65 or older (NY [A 5797](#) and WV [H 2811](#)), and work-related travel (TX [H 5172](#))
- One of the bills would require all county commissions to develop emergency absentee voting procedures (WV [H 2625](#))

⚡ 6 bills were introduced in 4 states (NY, OK, TN, TX), which would've **increased access to absentee ballots for voters with disabilities**. Only one passed, but it was ultimately vetoed.

- 5 bills were sponsored by Democrats, 1 bill had bipartisan sponsorship (and was the only bill to pass).
- 1 bill was sponsored by Democrats in a Democratic trifecta state.
- The other 5 bills were introduced in Republican trifecta states, 4 by Democrats and 1 by a bipartisan group of four House members in Texas.
- Some of the ways access would've been increased for voters with disabilities under these bills:
  - Send a Board of Inspectors to help deliver and complete absentee ballot applications to residents of senior living facilities (NY [S 3025](#))



- Ensure all full-time residents of nursing homes are entitled to vote absentee, regardless of whether or not county officials will appear on site to administer and process votes. (TN [S 729](#) and [H 730](#))
- Create accessible online and mail balloting options and applications for voters with disabilities or who cannot otherwise appear in-person at a polling place (OK [H 2344](#) and TX [H 2379](#) and [H 3159](#))

⚡ 8 bills were introduced in 4 states (AZ, MN, PA, SD) that would've introduced **new restrictions to accessing absentee ballots**. All were introduced by Republicans, and none passed.

- 1 was introduced in a Republican trifecta state, 4 were introduced in a Democratic trifecta state, the other 3 were introduced in divided governments.
- Proposed restrictions included:
  - 4 bills filed in Minnesota attempted to add an ID requirement for in-person and absentee voting, and requires those assisting disabled voters to register with an election judge (MN [H 573](#), [H 965](#), [H 1188](#), [H 1251](#))
  - 2 bills would've repealed no-excuse absentee voting, and required an excuse to qualify for an absentee ballot (AZ [H 2231](#) and SD [H 1217](#))
  - 1 bill filed in Pennsylvania would've prohibited a permanent absentee list ([S 292](#))
  - 1 bill filed in Arizona would've ended early and absentee voting altogether ([H 2232](#))

⚡ 3 bills filed in 2 states (MN, NY) would've implemented **full vote-by-mail**. Both bills were introduced by Democrats in Democratic trifecta states, and neither passed.

- The NY proposals ([A 4270](#) and [A 190](#)) would provide absentee ballots to all voters.
- The MN proposal ([S 1361](#)) would authorize mail balloting in any municipality with fewer than 400 registered voters.

⚡ 9 bills filed in 5 states (AL, NH, NY, TX, WV) that proposed **no-excuse absentee voting**. All were introduced by Democrats, and none passed.

- 7 bills were introduced in Republican trifecta states, and 1 was introduced in a Democratic trifecta state
- Many of these proposals were paired with other promising reforms like pre-canvassing and electronic application portals. Some also roll back procedural requirements like signature verification and secrecy envelopes, or criminal offenses related to solicitation/distribution of mail ballots.

⚡ 13 bills in 6 states (AZ, CT, GA, MN, NY, OK) proposed implementing a **permanent absentee voter list** (10 bills) or proposed serious changes to an existing permanent absentee voter list program (3 bills). 4 of these bills passed, and one was vetoed.

- MN, NM, and CT all passed a permanent absentee voter list. The CT bill is a constitutional amendment, so voters will need to pass it on the ballot in 2024. AZ passed a bill that would've removed a voter from the permanent list after failing to vote in one general election, but it was subsequently vetoed by Gov. Katie Hobbs.
- 2 bills were introduced by Democrats in Republican trifectas (GA, OK).

- Of the 8 bills introduced in Democratic trifectas (CT, MN, NM, NY), 2 were introduced by a bipartisan coalition, 1 was introduced by a Republican, and the other 5 were introduced by Democrats.
- 3 bills were introduced in a state with a divided government (AZ), two had democratic sponsorship, and 1 had a Republican sponsor.

⚡ There were 2 bills in 2 states (NH, PA) proposing **pre-canvassing**. Neither passed.

- The New Hampshire bill was introduced by Democrats in the Republican trifecta state
- The Pennsylvania bill ([H 1420](#)) was introduced by Republicans in a divided state where Democrats control the office of Governor and the lower chamber of the legislature, and Republicans hold the upper chamber.

### **Additional Analysis:**

We tracked vote-by-mail reforms in 53 bills across 17 states. Three of those bills passed, bringing permanent absentee voter lists to MN and NM and no-excuse absentee voting in CT (pending voter approval next year, since it's a constitutional amendment requiring voter approval). The CT bill even had bipartisan sponsorship. This is in no way a conclusive list of legislation on the vote-by-mail process, which has a myriad of components that be undermined in discrete ways that are beyond the scope of this project. What's included are major pieces of legislation that altered vital access points to mail ballots.

There were also some interesting vetoes on bills in this category. The first came out of Arizona when Gov. Katie Hobbs vetoed H 2415, which would've removed a voter from the permanent absentee voter list after failing to vote in a single general election. Existing law doesn't remove voters until they fail to vote in two general elections. The other veto happened in Texas, where Gov. Greg Abbott vetoed a bipartisan bill (H 3159) that would've created accessible online and mail balloting options for voters who can't appear in-person at a polling place and need assistance filling out their ballots.

On the heels of the COVID-19 pandemic and contentious 2020 election, we continue to see bills attacking access to mail ballots. We tracked 10 bills in 5 states that would've seriously harmed existing mail ballot access, from rolling back no-excuse absentee voting and proposing required excuses again (AZ's H 2231 and SD's H 1217) to adding an ID requirement for in-person and absentee voting (four bills were introduced in MN on this). Most dramatically, AZ's H 2232 would've ended early and absentee voting. To reiterate, this is in no way a conclusive list of attacks on the vote-by-mail process, just major pieces of legislation that would've altered vital access points to mail ballots.

Even amidst the widespread mail voting disinformation of 2020, the use of vote-by-mail policies has grown and become normalized since the beginning of the COVID-19 pandemic the mass usage of mail ballots helped not only create the infrastructure for voting by mail, but also introduced more voters and election administrators to process. Compared to pre-pandemic years, the population with access to automatic mail ballot delivery options has doubled, and the population of voters living in places with "excuse-required" mail ballot options shrank by 40%.<sup>36</sup> This year, there were 16 bills introduced in 6 states that would've added to the population of voters receiving ballots automatically. Minnesota's estimated 4 million voters and New Mexico's 1.6 million voters are now included in that growing population thanks to reforms passed this past session, and Connecticut voters will get to decide whether to join that group next year on the November ballot.

## **ACKNOWLEDGMENTS**

This report would not have been possible without the support and work of many individuals and organizations whom we wish to thank here. First, thanks to Alexi Santiago and Saayom Ghosh for their research support, this report would not exist without them. This product was informed by excellent research by organizations like FairVote, National Vote at Home Institute, the Ballot Initiative Strategy Center, the Initiative and Referendum Institute, Unite America, Voting Rights Lab, the Brennan Center, the Campaign Legal Center, the Bipartisan Policy Center, the National Conference of State Legislatures, and Ballotpedia. We thank them for the resources and research they continue to provide to propel the movement forward. We'd also like to thank the numerous staffers, at our organization and at our partner organizations, for their thoughtful review and feedback on this report.

## **LINKS AND RESOURCES**

The following reports and resources played a vital role in the creation of this report.

- FairVote's RCV Legislation Tracker: <https://fairvote.org/ranked-choice-voting-legislation/>
- Voting Rights Lab Bill Tracker: <https://tracker.votingrightslab.org/pending/search>
- NCSL State Elections Legislation Database: <https://www.ncsl.org/elections-and-campaigns/state-elections-legislation-database>
- National Vote At Home Institute Research Database: <https://voteathome.org/research-database/>
- Ballot Initiative Strategy Center Attacks + Threats Tracker: <https://ballot.org/attacks-threats/>
- Ballotpedia's Redistricting Legislation Tracker: [https://ballotpedia.org/Redistricting\\_legislation\\_in\\_the\\_United\\_States,\\_2023](https://ballotpedia.org/Redistricting_legislation_in_the_United_States,_2023)

## APPENDIX OF BILLS

State	Bill #	Category	Sub-Category	Final Disposition	Last Action	# of Sponsors	Partisanship
HI	SB 997	Campaign Finance	Dark money disclosure	did not pass	Introduced	2	D
IL	HB 3804	Campaign Finance	Dark money disclosure	did not pass	Introduced	1	D
ME	SB 1590	Campaign Finance	Dark money disclosure	did not pass	Introduced	2	R/D
ME	SB 1630	Campaign Finance	Dark money disclosure	passed	Signed into law	1	D
NJ	SB 2866	Campaign Finance	Dark money disclosure	passed	Signed into law	2	D
NC	SB 306	Campaign Finance	Dark money disclosure + PCF	did not pass	Introduced	16	D
WA	HB 1755	Campaign Finance	PCF democracy dollars	did not pass	Introduced	9	D
HI	SB 1179	Campaign Finance	FIC contribution ban	did not pass	Passed one chamber	7	D
MA	SB 430	Campaign Finance	FIC contribution ban	did not pass	Introduced	1	D
MA	HB 722	Campaign Finance	FIC contribution ban	did not pass	Introduced	4	D
ME	LD 1610	Campaign Finance	FIC contribution ban	vetoed	Referred to the ballot	n/a	
MN	HF 3	Campaign Finance	FIC contribution ban	passed	Signed into law	35	D
MN	SF 3	Campaign Finance	FIC contribution ban	did not pass	Introduced	5	D
MN	SB 1546	Campaign Finance	FIC contribution ban	did not pass	Introduced	3	D
MN	HB 1723	Campaign Finance	FIC contribution ban	did not pass	Introduced	3	D
MN	HB 1270	Campaign Finance	FIC contribution ban	did not pass	Introduced	5	D
MN	SB 288	Campaign Finance	FIC contribution ban	did not pass	Introduced	5	R/D
MN	HB 117	Campaign Finance	FIC contribution ban	did not pass	Introduced	10	D
NY	S 371	Campaign Finance	FIC contribution ban	did not pass	Passed one chamber	11	D
NY	A 2633	Campaign Finance	FIC contribution ban	did not pass	Introduced	17	D
PA	SB 11	Campaign Finance	FIC contribution ban	did not pass	Introduced	12	D
VA	SB 1648	Campaign Finance	FIC contribution ban	did not pass	Introduced	5	R/D
WA	SB 5284	Campaign Finance	FIC contribution ban	did not pass	Passed one chamber	8	D
HI	HB 967	Campaign Finance	PCF lump sum	did not pass	Introduced	20	D
IL	SB 2360	Campaign Finance	PCF lump sum	did not pass	Introduced	1	D
NC	HB 362	Campaign Finance	PCF lump sum	did not pass	Introduced	24	D
NY	SB 7564	Campaign Finance	PCF process change	did not pass	Passed one chamber	1	D

NY	AB 7760	Campaign Finance	PCF process change	did not pass	Introduced	1	D
WV	SB 280	Campaign Finance	PCF lump sum	did not pass	Introduced	2	R
CA	AB 270	Campaign Finance	PCF for local elections	did not pass	Passed one chamber	4	D
CA	SB 24	Campaign Finance	PCF for local elections	did not pass	Passed one chamber	11	D
MD	SB 951	Campaign Finance	PCF for local elections	did not pass	Passed one chamber	cmte bill	
MD	HB 1079	Campaign Finance	PCF for local elections	passed	Signed into law	cmte bill	
MD	HB 213	Campaign Finance	PCF for local elections	did not pass	Introduced	16	D
MD	HB 176	Campaign Finance	PCF for local elections	did not pass	Introduced	15	D
MD	HB 1093	Campaign Finance	PCF for local elections	did not pass	Introduced	cmte bill	
IL	HB 2630	Campaign Finance	PCF public match	did not pass	Introduced	2	D
IL	HB 2349	Campaign Finance	PCF public match	did not pass	Introduced	2	D
MA	S 414	Campaign Finance	PCF public match	did not pass	Introduced	1	D
NY	AB 3292	Campaign Finance	PCF public match	did not pass	Introduced	11	D
OR	SB 500	Campaign Finance	Study bill	did not pass	Introduced	1	D
HI	HB 1173	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
IL	SJRCA 11	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
KY	HB 59	Direct Democracy	Creates an initiative process	did not pass	Introduced	2	D
MS	HC 26	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	D
MS	HC 33	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
MS	HCR 34	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
MS	SC 534	Direct Democracy	Creates an initiative process	did not pass	Introduced	2	R
MS	SCR 533	Direct Democracy	Creates an initiative process	did not pass	Passed one chamber	2	R
MS	SC 531	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
MS	SCR 530	Direct Democracy	Creates an initiative process	did not pass	Introduced	11	D
MS	SC 529	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
MS	SC 532	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
MS	HCR 3	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	D
MS	HCR 7	Direct Democracy	Creates an initiative process	did not pass	Introduced	3	D
MS	HCR 23	Direct Democracy	Creates an initiative process	did not pass	Introduced	3	R

MS	SB 2638	Direct Democracy	Creates an initiative process	did not pass	Passed one chamber	3	R
MS	SB 2639	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
MS	SB 2637	Direct Democracy	Creates an initiative process	did not pass	Introduced	10	D
NJ	SCR 111	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
NJ	ACR 97	Direct Democracy	Creates an initiative process	did not pass	Introduced	2	R
NJ	ACR 98	Direct Democracy	Creates an initiative process	did not pass	Introduced	3	R
NJ	ACR 175	Direct Democracy	Creates an initiative process	did not pass	Introduced	2	R
PA	SB 811	Direct Democracy	Creates an initiative process	did not pass	Introduced	2	D
RI	HJR 5236	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	D
TX	SJR 25	Direct Democracy	Creates an initiative process	did not pass	Introduced	2	D
WV	HJR 4	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
WV	HJR 11	Direct Democracy	Creates an initiative process	did not pass	Introduced	1	R
WY	HB 240	Direct Democracy	Creates an initiative process	did not pass	Introduced	6	R/D
WY	HJR 8	Direct Democracy	Lowers signature requirements	did not pass	Introduced	7	R/D
AR	SB 260	Direct Democracy	New geographic distribution requirement	did not pass	Introduced	12	R
AR	HB 1419	Direct Democracy	New geographic distribution requirement	passed	Signed into law	15	R
ID	SJR 101	Direct Democracy	New geographic distribution requirement	did not pass	Passed one chamber	29	R
MO	HJR 2	Direct Democracy	New geographic distribution requirement	did not pass	Introduced	1	R
OK	HJR 1026	Direct Democracy	New geographic distribution requirement	did not pass	Introduced	1	R
OK	HJR 1027	Direct Democracy	New geographic distribution requirement	did not pass	Introduced	1	R
AR	HB 1320	Direct Democracy	Process modification	passed	Signed into law	2	R
AR	SB 377	Direct Democracy	Process modification	passed	Signed into law	3	R
CA	AB 421	Direct Democracy	Process modification	did not pass	Passed one chamber	33	D
MO	HJR 25	Direct Democracy	Process modification	did not pass	Introduced	1	R
MO	HJR 24	Direct Democracy	Process modification	did not pass	Introduced	1	R
MO	HB 834	Direct Democracy	Process modification	did not pass	Introduced	1	R
MO	SB 490	Direct Democracy	Process modification	did not pass	Introduced	1	R
MO	HB 704	Direct Democracy	Process modification	did not pass	Introduced	1	R
MO	HB 703	Direct Democracy	Process modification	did not pass	Introduced	1	R

MT	SB 93	Direct Democracy	Process modification	passed	Signed into law	1	R
ND	HCR 3031	Direct Democracy	Process modification	did not pass	Introduced	7	R
ND	SCR 4013	Direct Democracy	Process modification	passed	Signed into law	4	R
OK	SB 518	Direct Democracy	Process modification	did not pass	Passed one chamber	3	R
SD	SB 113	Direct Democracy	Process modification	passed	Signed into law	1	R
UT	HB 38	Direct Democracy	Process modification	passed	Signed into law	2	R
UT	HB 68	Direct Democracy	Process modification	passed	Signed into law	2	R
LA	HCR 21	Direct Democracy	Study bill	did not pass	Introduced	1	D
AZ	SCR 1002	Direct Democracy	Supermajority requirement	did not pass	Passed one chamber	1	R
MO	SJR 10	Direct Democracy	Supermajority requirement	did not pass	Introduced	1	R
MO	SJR 5	Direct Democracy	Supermajority requirement	did not pass	Introduced	1	R
MO	HJR 43	Direct Democracy	Supermajority requirement	did not pass	Passed one chamber	1	R
OH	HJR 1	Direct Democracy	Supermajority requirement	did not pass	Introduced	35	R
OK	HJR 1031	Direct Democracy	Supermajority requirement	did not pass	Introduced	1	R
MA	H 3790	Proportional Representation	Closed list	did not pass	Introduced	1	D
OR	HJR 25	Proportional Representation	Closed list	did not pass	Introduced	1	D
CT	HJR 17	Proportional Representation	Open list	did not pass	Introduced	2	D
CT	HB 6941	Proportional Representation	Proportional RCV	passed	Signed into law	7	D
CT	SB 1226	Proportional Representation	Proportional RCV	did not pass	Passed one chamber	59	58D/1R
MD	SB 878	Proportional Representation	Proportional RCV	did not pass	Introduced	1	D
MI	SB 401	Proportional Representation	Proportional RCV	did not pass	Introduced	5	D
NJ	S 3369	Proportional Representation	Proportional RCV	did not pass	Introduced	4	D
MA	H 711	Proportional Representation	Proportional RCV	did not pass	Introduced	33	32D / 1 R
MA	S 433	Proportional Representation	Proportional RCV	did not pass	Introduced	13	D
MA	H 725	Proportional Representation	Proportional RCV	did not pass	Introduced	9	D
MD	H 1104	Proportional Representation	Proportional RCV	did not pass	Introduced	1	D
MN	HF 3276	Proportional Representation	Proportional RCV	did not pass	Introduced	1	D
NJ	A 5039	Proportional Representation	Proportional RCV	did not pass	Introduced	1	D

MA	H 684	Proportional Representation	Proportional RCV and semi-proportional methods	did not pass	Introduced	3	D
MA	H 664	Proportional Representation	Proportional RCV and semi-proportional methods	did not pass	Introduced	3	D
MA	H 714	Proportional Representation	Proportional RCV and semi-proportional methods	did not pass	Introduced	2	D
MA	H 3974	Proportional Representation	Proportional RCV and semi-proportional methods	did not pass	Introduced	3	D
MA	H 4112	Proportional Representation	Proportional RCV and semi-proportional methods	did not pass	Introduced	1	D
FL	HJR 405	Primary Reform	Closed primaries	did not pass	Introduced	1	R
IA	HB 148	Primary Reform	Closed primaries	did not pass	Introduced	9	R
MO	HB 31	Primary Reform	Closed primaries	did not pass	Introduced	1	R
MO	SB 392	Primary Reform	Closed primaries	did not pass	Introduced	1	R
MO	SB 240	Primary Reform	Closed primaries	did not pass	Introduced	1	R
MT	SB 484	Primary Reform	Closed primaries	did not pass	Introduced	1	R
OH	HB 208	Primary Reform	Closed primaries	did not pass	Introduced	9	R
OH	HB 210	Primary Reform	Closed primaries	did not pass	Introduced	8	R
TN	HB 121	Primary Reform	Closed primaries	did not pass	Introduced	1	R
TN	HB 405	Primary Reform	Closed primaries	did not pass	Introduced	6	R
TN	SB 452	Primary Reform	Closed primaries	did not pass	Introduced	1	R
TN	HB 1045	Primary Reform	Closed primaries	did not pass	Introduced	6	R
TX	HB 239	Primary Reform	Closed primaries	did not pass	Introduced	1	R
WY	HB 103	Primary Reform	Closed primaries	passed	Signed into law	17	R
WY	SB 163	Primary Reform	Closed primaries	did not pass	Introduced	7	R
WY	HB 207	Primary Reform	Closed primaries	did not pass	Introduced	3	R
WI	SB 528	Primary Reform	Final five	did not pass	Introduced	21	R/D
AK	HB 4	Primary Reform	Partisan primaries	did not pass	Introduced	4	R
NC	HB 851	Primary Reform	Top four	did not pass	Introduced	12	D
NM	SJR 7	Primary Reform	Final five	did not pass	Introduced	1	D
AZ	SCR 1036	Primary Reform	Nonpartisan primaries	did not pass	Introduced	2	R



AZ	HCR 2033	Primary Reform	Nonpartisan primaries	passed	Signed into law	14	R
AZ	HB 2799	Primary Reform	Top two	did not pass	Introduced	1	D
CT	HB 5694	Primary Reform	Top two	did not pass	Introduced	1	R
GA	HB 674	Primary Reform	Nonpartisan primaries	did not pass	Introduced	2	R
HI	HB 411	Primary Reform	Top two	did not pass	Introduced	1	D
IL	SB 2363	Primary Reform	Top two	did not pass	Introduced	1	D
ME	LD 1959	Primary Reform	Nonpartisan primaries	did not pass	Introduced	1	D
ME	LD 1991	Primary Reform	Top two	did not pass	Introduced	1	D
MN	HB 3308	Primary Reform	Top two	did not pass	Introduced	1	R
MT	SB 566	Primary Reform	Top two	did not pass	Introduced	1	R
NC	HB 452	Primary Reform	Top two	passed	Signed into law	2	R
NC	SB 265	Primary Reform	Top two	passed	Signed into law	1	R
NC	SB 306	Primary Reform	Top two	did not pass	Introduced	16	D
NC	HB 362	Primary Reform	Top two	did not pass	Introduced	24	D
NC	HB 69	Primary Reform	Top two	did not pass	Introduced	42	D
NY	A 479	Primary Reform	Top two	did not pass	Introduced	2	D
RI	H 5186	Primary Reform	Top two	did not pass	Introduced	6	D
SC	SB 204	Primary Reform	Nonpartisan primaries	did not pass	Introduced	1	D
NC	HB 66	Primary Reform	Nonpartisan primaries	passed	Signed into law	3	R
NC	HB 66	Primary Reform	Partisan primaries	passed	Signed into law	3	R
CT	SB 386	Primary Reform	Open primaries	did not pass	Introduced	1	R
NJ	SB 185	Primary Reform	Open primaries	did not pass	Introduced	1	D
NM	HJR 12	Primary Reform	Open primaries	did not pass	Introduced	3	2D/1R
NM	HB 54	Primary Reform	Open primaries	did not pass	Introduced	2	D
NM	SB 175	Primary Reform	Open primaries	did not pass	Introduced	1	R
PA	HB 976	Primary Reform	Open primaries	did not pass	Introduced	10	6D/4R
KY	HB 50	Primary Reform	Partisan primaries	did not pass	Introduced	2	R
AZ	HB 2153	Primary Reform	Semi-closed primaries	did not pass	Introduced	10	D

CT	HB 6248	Primary Reform	Semi-closed primaries	did not pass	Introduced	5	D
DE	HB 43	Primary Reform	Semi-closed primaries	did not pass	Introduced	5	3D/2R
RI	HB 5612	Primary Reform	Semi-closed primaries	did not pass	Passed one chamber	1	D
AZ	HB 2552	RCV	Ban	vetoed	Transmitted to Governor	39	R
ID	H 179	RCV	Ban	passed	Signed into law	N/A	cmte bill
MT	HB 598	RCV	Ban	passed	Signed into law	1	R
ND	HB 1273	RCV	Ban	vetoed	Transmitted to Governor	12	R
SD	SB 55	RCV	Ban	passed	Signed into law	28	R
TX	HB 3611	RCV	Ban	did not pass	Introduced	12	R
TX	SB 921	RCV	Ban	did not pass	Passed one chamber	5	R
CA	AB 1227	RCV	Local office	passed	Signed into law	2	D
CT	SB 1226	RCV	Local office	did not pass	Passed one chamber	17	16D,1R
CT	HB 5133	RCV	Local office	did not pass	Introduced	1	D
CT	HB 6941	RCV	Local office	passed	Signed into law	7	D
GA	HB 200	RCV	Local office	did not pass	Introduced	4	2D;2R
IA	HSB 183	RCV	Local office	did not pass	Introduced	n/a	cmte bill
IL	HB 3749	RCV	Local office	did not pass	Introduced	2	D
MA	H 711	RCV	Local office	did not pass	Introduced	33	32D / 1 R
MA	H 677	RCV	Local office	did not pass	Introduced	2	D
MA	S 433	RCV	Local office	did not pass	Introduced	13	D
MA	H 725	RCV	Local office	did not pass	Introduced	9	D
MA	H 684	RCV	Local office	did not pass	Introduced	3	D
MA	H 664	RCV	Local office	did not pass	Introduced	3	D
MA	H 714	RCV	Local office	did not pass	Introduced	2	D
MA	H 3790	RCV	Local office	did not pass	Introduced	1	D
MA	H 3974	RCV	Local office	did not pass	Introduced	3	D
MA	H 4112	RCV	Local office	did not pass	Introduced	1	D
MD	SB 878	RCV	Local office	did not pass	Introduced	1	D

MD	HB 1104	RCV	Local office	did not pass	Introduced	1	D
MD	HB 344	RCV	Local office	did not pass	Introduced	3	D
MI	SB 401	RCV	Local office	did not pass	Introduced	5	D
MN	HF 3276	RCV	Local office	did not pass	Introduced	1	D
NJ	S 3369	RCV	Local office	did not pass	Introduced	4	D
NJ	A 5039	RCV	Local office	did not pass	Introduced	1	D
NJ	S 267	RCV	Local office	did not pass	Introduced	2	D
NJ	A 1113	RCV	Local office	did not pass	Introduced	2	D
NY	A 3608	RCV	Local office	did not pass	Introduced	1	D
OR	SB 506	RCV	Local office	did not pass	Introduced	1	D
PA	SB 729	RCV	Local office	did not pass	Introduced	2	D
SC	HB 4022	RCV	Local office	did not pass	Introduced	2	1R/1D
TX	HB 259	RCV	Local office	did not pass	Introduced	2	D
TX	SB 359	RCV	Local office	did not pass	Introduced	1	D
TX	HB 2825	RCV	Local office	did not pass	Introduced	6	D
VA	HB 2118	RCV	Local office	did not pass	Introduced	1	D
VA	HB 1751	RCV	Local office	did not pass	Introduced	1	R
VT	H 424	RCV	Local office	did not pass	Introduced	2	D
VT	H 508	RCV	Local office	passed	Signed into law	9	D
WY	HB 0049	RCV	Local office	did not pass	Introduced	na	cmte bill
AZ	SB 1486	RCV	Multiple offices	did not pass	Introduced	2	D
CT	HB 5701	RCV	Multiple offices	did not pass	Introduced	22	21D,1R
CT	HB 5087	RCV	Multiple offices	did not pass	Introduced	1	D
HI	HB 1444	RCV	Multiple offices	did not pass	Introduced	5	D
HI	SB 401	RCV	Multiple offices	did not pass	Introduced	4	D
IL	SB 315	RCV	Multiple offices	did not pass	Introduced	2	D
IL	HB 2716	RCV	Multiple offices	did not pass	Introduced	1	D
KS	SB 202	RCV	Multiple offices	did not pass	Introduced	N/A	cmte bill
KY	SB 61	RCV	Multiple offices	did not pass	Introduced	1	R

ME	LD 1917	RCV	Multiple offices	did not pass	Passed one chamber	6	D
MN	SF 2270	RCV	Multiple offices	did not pass	Introduced	4	D
MN	HF 2486	RCV	Multiple offices	did not pass	Introduced	35	D
MT	HB 739	RCV	Multiple offices	did not pass	Introduced	1	D
NC	HB 851	RCV	Multiple offices	did not pass	Introduced	12	D
NH	HB 350	RCV	Multiple offices	did not pass	Introduced	9	8D, 1R
NH	HB 345	RCV	Multiple offices	did not pass	Introduced	10	8D, 1R, 11
NM	SJR 7	RCV	Multiple offices	did not pass	Introduced	1	D
NY	A 479	RCV	Multiple offices	did not pass	Introduced	2	D
NY	A 4351	RCV	Multiple offices	did not pass	Introduced	1	D
OK	HJR 1023	RCV	Multiple offices	did not pass	Introduced	1	D
OR	HB 3107	RCV	Multiple offices	did not pass	Introduced	N/A	cmte bill
RI	HB 5186	RCV	Multiple offices	did not pass	Introduced	6	D
VA	HB 2436	RCV	Multiple offices	did not pass	Introduced	1	D
WI	SB 528	RCV	Multiple offices	did not pass	Introduced	21	11 R / 10 D
CT	SB 389	RCV	Multiple offices (including presidential primaries)	did not pass	Introduced	8	7D, 1R
NJ	SB 1712	RCV	Multiple offices (including presidential primaries)	did not pass	Introduced	4	D
NJ	S 3784	RCV	Multiple offices (including presidential primaries)	did not pass	Introduced	2	D
NJ	A 5410	RCV	Multiple offices (including presidential primaries)	did not pass	Introduced	1	D
OR	HB 3509	RCV	Multiple offices (including presidential primaries)	did not pass	Introduced	1	D
OR	HB 2004	RCV	Multiple offices (including presidential primaries)	passed	Signed into law	18	D
VA	HB 2436	RCV	Multiple offices (including presidential primaries)	did not pass	Introduced	1	D
CO	SB23- 301	RCV	Presidential primaries	did not pass	Introduced	3	2D / 1R
IL	HB 2807	RCV	Presidential primaries	did not pass	Introduced	3	D
IL	SB 1456	RCV	Presidential primaries	did not pass	Introduced	2	D
IL	SB 2363	RCV	Presidential primaries	did not pass	Introduced	1	D
MO	HB 739	RCV	Presidential primaries	did not pass	Introduced	1	D
NY	A 1218	RCV	Presidential primaries	did not pass	Introduced	1	D
RI	H 5649	RCV	Presidential primaries	did not pass	Introduced	10	D

RI	S 322	RCV	Presidential primaries	did not pass	Introduced	10	D
VA	SB 1380	RCV	Presidential primaries	did not pass	Introduced	4	D
VA	SB 1380	RCV	Presidential primaries	did not pass	Introduced	4	D
VA	HB 2301	RCV	Presidential primaries	did not pass	Introduced	1	R
VA	HB 2301	RCV	Presidential primaries	did not pass	Introduced	1	R
VT	H 347	RCV	Presidential primaries	did not pass	Introduced	7	6D,1R
VT	S 32	RCV	Presidential primaries	did not pass	Passed one chamber	6	D
WA	HB 1592	RCV	Presidential primaries	did not pass	Introduced	1	D
TX	HB 1112	RCV	Primaries only	did not pass	Introduced	1	D
UT	HB 205	RCV	Primaries only	did not pass	Passed one chamber	2	R
TX	HB 1444	RCV	Ranked mail ballots	did not pass	Introduced	3	D
AK	HB 4	RCV	Repeal	did not pass	Introduced	4	R
ME	LD 768	RCV	Repeal	did not pass	Introduced	7	R
ME	LD 1038	RCV	Repeal	did not pass	Introduced	9	R
MA	S 413	RCV	Special elections	did not pass	Introduced	2	D
NM	SB 416	RCV	Special elections	did not pass	Introduced	2	D
TX	SB 637	RCV	Special elections	did not pass	Introduced	1	D
TX	HB 1792	RCV	Special elections	did not pass	Introduced	1	D
CT	HB 5712	RCV	Study bill	did not pass	Introduced	1	D
IL	SB 2123	RCV	Study bill	passed	Signed into law	36	D
MN	HF 1830	RCV	Study bill	passed	Signed into law	2	D
MN	SF 1636	RCV	Study bill	did not pass	Introduced	1	D
NJ	A 2016	RCV	Study bill	did not pass	Introduced	3	D
NY	S 5259	RCV	Study bill	did not pass	Introduced	3	D
PR	RC 0831	RCV	Study bill	did not pass	Introduced	2	CVM
IN	HB 1131	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
NC	S 642	Redistricting	Independent redistricting commission	did not pass	Introduced	9	D
NC	H 9	Redistricting	Independent redistricting commission	did not pass	Introduced	43	D
NC	S 306	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	16	D

NC	H 362	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	24	D
OK	HJR 1024	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
OR	SJR 9	Redistricting	Independent redistricting commission	did not pass	Introduced	2	R
OR	SJR 10	Redistricting	Independent redistricting commission	did not pass	Introduced	12	B
SC	H 3245	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
SC	HJR 3173	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	1	D
SC	HJR 3243	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
TX	HJR 15	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
TX	HB 731	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
TX	HB 693	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
TX	HB 21	Redistricting	Independent redistricting commission	did not pass	Introduced	1	D
TX	SB 115	Redistricting	Independent redistricting commission	did not pass	Introduced	2	D
TX	SJR 16	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	2	D
TX	HJR 4	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	1	D
TX	HJR 48	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	1	D
TX	SJR 12	Redistricting	Nonpartisan redistricting reform	did not pass	Introduced	1	D
DE	HB 44	Redistricting	Process revision	did not pass	Introduced	6	R
NC	H 376	Redistricting	Process revision	did not pass	Introduced	8	R
OK	SB 1085	Redistricting	Process revision	did not pass	Introduced	2	R
SC	HB 3069	Redistricting	Process revision	did not pass	Introduced	1	D
LA	SB 80	Redistricting	Transparency	passed	Signed into law	1	D
NY	A 3286	Redistricting	Transparency	did not pass	Introduced	3	D
WA	SB 5047	State VRA	State VRA enhancement	did not pass	Introduced	17	D
WA	HB 1048	State VRA	State VRA enhancement	passed	Signed into law	18	D
CT	HB 6941	State VRA	New act	passed	Signed into law	7	D
CT	SB 1226	State VRA	New act	did not pass	Passed one chamber	59	58D/1R
IL	HB 1244	State VRA	New act	did not pass	Introduced	2	D
MD	SB 878	State VRA	New act	did not pass	Introduced	1	D

MD	HB 1104	State VRA	New act	did not pass	Introduced	1	D
MI	SB 401	State VRA	New act	did not pass	Introduced	5	D
NJ	SB 2997	State VRA	New act	did not pass	Introduced	4	D
NJ	AB 4554	State VRA	New act	did not pass	Introduced	4	D
GA	S 101	Vote-by-mail	Absentee ballot applications	did not pass	Introduced	1	D
IL	S 1465	Vote-by-mail	Absentee ballot applications	did not pass	Introduced	1	R
IL	S 2302	Vote-by-mail	Absentee ballot applications	did not pass	Introduced	1	D
NY	S 5076	Vote-by-mail	Absentee ballot applications	did not pass	Introduced	1	D
OR	H 3109	Vote-by-mail	Absentee ballot applications	did not pass	Introduced	cmte bill	n/a
TX	H 4753	Vote-by-mail	Absentee ballot applications	did not pass	Introduced	1	R
NY	S 3025	Vote-by-mail	Disability access	did not pass	Introduced	1	D
OK	H 2344	Vote-by-mail	Disability access	did not pass	Introduced	1	D
NC	HB 66	Vote-by-mail	Disability access	passed	100%	3	R
TN	S 729	Vote-by-mail	Disability access	did not pass	Introduced	1	D
TN	H 730	Vote-by-mail	Disability access	did not pass	Introduced	3	D
TX	H 2379	Vote-by-mail	Disability access	did not pass	Introduced	1	D
TX	H 3159	Vote-by-mail	Disability access	vetoed	Transmitted to Governor	4	R/D
NY	A 190	Vote-by-mail	All-mail elections	did not pass	Introduced	6	D
NY	A 4270	Vote-by-mail	All-mail elections	did not pass	Introduced	1	D
MN	S 1361	Vote-by-mail	All-mail elections (local elections)	did not pass	Introduced	2	D
AZ	H 2231	Vote-by-mail	New restrictions	did not pass	Introduced	1	R
AZ	H 2232	Vote-by-mail	New restrictions	did not pass	Introduced	1	R
MN	H 573	Vote-by-mail	New restrictions	did not pass	Introduced	35	R
MN	H 965	Vote-by-mail	New restrictions	did not pass	Introduced	7	R
MN	H 1188	Vote-by-mail	New restrictions	did not pass	Introduced	6	R
MN	H 1251	Vote-by-mail	New restrictions	did not pass	Introduced	1	R
PA	S 292	Vote-by-mail	New restrictions	did not pass	Introduced	6	R
SD	H 1217	Vote-by-mail	New restrictions	did not pass	Introduced	13	R
AL	H 95	Vote-by-mail	No-excuse	did not pass	Introduced	1	D

NY	A 7632	Vote-by-mail	No-excuse	did not pass	Introduced	2	D
TX	H 67	Vote-by-mail	No-excuse	did not pass	Introduced	1	D
TX	H 241	Vote-by-mail	No-excuse	did not pass	Introduced	1	D
WV	S 156	Vote-by-mail	No-excuse	did not pass	Introduced	1	D
WV	S 163	Vote-by-mail	No-excuse	did not pass	Introduced	1	D
WV	H 2855	Vote-by-mail	No-excuse	did not pass	Introduced	7	D
WV	H 2897	Vote-by-mail	No-excuse	did not pass	Introduced	1	D
NH	S 220	Vote-by-mail	No-excuse, pre-canvassing	did not pass	Introduced	13	D
AZ	S 1436	Vote-by-mail	Permanent absentee list	did not pass	Introduced	1	D
AZ	H 2334	Vote-by-mail	Permanent absentee list	did not pass	Introduced	1	D
AZ	H 2415	Vote-by-mail	Permanent absentee list	vetoed	Transmitted to Governor	1	R
CT	HJR 1	Vote-by-mail	Permanent absentee list	passed	Signed into law	11	9D/1R
CT	SJR 29	Vote-by-mail	Permanent absentee list	did not pass	Introduced	cmte bill	n/a
GA	S 53	Vote-by-mail	Permanent absentee list	did not pass	Introduced	1	D
MN	S 3	Vote-by-mail	Permanent absentee list	did not pass	Introduced	5	D
MN	H 3	Vote-by-mail	Permanent absentee list	passed	Signed into law	35	D
NM	H 4	Vote-by-mail	Permanent absentee list	passed	Signed into law	5	D
NM	S 101	Vote-by-mail	Permanent absentee list	did not pass	Introduced	1	D
NY	S 1436	Vote-by-mail	Permanent absentee list	did not pass	Introduced	1	R
NY	A 5921	Vote-by-mail	Permanent absentee list	did not pass	Introduced	3	D
OK	H 2782	Vote-by-mail	Permanent absentee list	did not pass	Introduced	1	D
PA	H 1420	Vote-by-mail	Pre-canvassing	did not pass	Introduced	13	R
NH	H 586	Vote-by-mail	Qualifying excuses	did not pass	Introduced	1	D
NY	A 4204	Vote-by-mail	Qualifying excuses	did not pass	Introduced	1	D
NY	A 5797	Vote-by-mail	Qualifying excuses	did not pass	Introduced	1	D
TX	H 5172	Vote-by-mail	Qualifying excuses	did not pass	Introduced	1	D
WV	H 2625	Vote-by-mail	Qualifying excuses	did not pass	Introduced	1	D
WV	H 2811	Vote-by-mail	Qualifying excuses	did not pass	Introduced	1	D