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Assembly Bill 280: Protecting Voting Rights **As Amended on 6/18/14**

Summary

This bill seeks to expand voting rights protections in California by requiring that specified changes to voting laws or procedures in certain political subdivision of California first be approved by California's Secretary of State before enactment.

Background

The Federal Voting Rights Act of 1965 (VRA) was a landmark piece of legislation that sought to prohibit and prevent discriminatory voting practices. However, after the Supreme Court of the United States ruled on the case of *Shelby County v. Holder*, two important sections of the VRA were affected.

Section 4(b)

Section 4(b) of the VRA provided the "coverage formula" that determined which states or political subdivisions would be subject to the requirements of Section 5.

Section 5

Section 5 of the VRA ensured that state and local election practices were just and fair by requiring covered jurisdictions to have changes to their voting laws and procedures approved by the United States Attorney General before enactment. Section 5 was the result of realizing that attempting to block voter disenfranchisement on a case-by-case basis proved to be unsuccessful. Section 5 sought to block voter disenfranchisement before it could occur.

In *Shelby County v. Holder*, the Supreme Court held that Section 4(b) of the VRA was unconstitutional due to the fact that the voter turnout statistics used to determine coverage were out dated. Prior to this ruling, three California counties were covered under Section 5 of the VRA: Kings, Monterey, and Yuba. Currently, there are no states or political subdivisions covered under Section 5.

Purpose

In an effort to remedy the abrupt ending of Section 5 coverage and ensure that the right to vote is not abridged or denied in California, this bill requires California's Secretary of State to approve any changes to at-large elections, jurisdiction boundaries, redistricting, voting locations, and/or multilingual voting materials in political subdivisions where two or more racial ethnic groups each represents 20 percent or more of the citizen voting-age population before enactment. In doing so, this bill will eliminate the inordinate amount of time and effort needed to pursue costly and repetitive litigation.