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Assembly Bill 280: Extending Voting Rights

Summary

This bill seeks to maintain voter equality in the counties of Kings, Monterey, and Yuba by requiring that any changes to voting laws or procedures first be approved by California's Attorney General 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

Section 4(b) and Section 5 have contributed immensely to protecting and expanding the right to vote for all Californians by preventing voter disenfranchisement before it could occur. In an effort to remedy the abrupt ending of Section 5 coverage in the counties of Kings, Monterey, and Yuba, this bill establishes a state preclearance system that shall remain in effect until 2019.