

HB 1256 -- VOTING RIGHTS

SPONSOR: Aune

This bill establishes voting rights for minorities as specified in the bill. Local election authorities cannot implement any local law or policy that results in the denial of the right to vote for any member of a protected class. A protected class is defined in the bill to be eligible voters who are members of a race, ethnicity, or language-minority group. Any method of voting used in this state cannot impair the ability of protected class members to elect a candidate or influence the outcome of an election. The bill specifies remedies for any impairment to vote and specifies criteria relevant to establishing a violation.

The bill requires the Secretary of State to establish and maintain a statewide database to assist the state and all political subdivisions with evaluating and investigating whether and to what extent existing election laws and practices infringe upon the right to vote. The database must be for at least the previous 12 years in an electronic format and available to the public on the Secretary of State's website. The bill specifies the election data and records required to be included in the database. The Secretary of State must use the database to determine which local election authorities are required to provide assistance to language minority groups and which languages beginning January 1, 2022, and every three years thereafter.

Local election authorities are required to provide language assistance based on metrics specified in the bill.

The bill requires preclearance by the Office of the Attorney General for certain political subdivisions' new or modified voting qualifications or laws. Violations of preclearance procedures may result in voter or Attorney General lawsuits for both injunctive relief and civil penalties as specified in the bill.

This bill is similar to HB 2421 (2020).