



STATE ELECTION REFORMS IN 2021 and 2022

BACKGROUND

States are the laboratories of democracy,¹ established to address their citizens' specific and unique needs. State and local election officials are responsible for administering elections for over half a million federal, state, and local races, plus statewide and local ballot measures.² That extends to election law, ensuring that legal residents can register to vote, and that votes are correctly counted and secure. Election integrity is particularly important as the country emerges from the COVID-19 pandemic, during which many temporary and experimental voting processes were quickly put in place.

While states are passing commonsense election integrity reforms, Congressional Democrats in Washington continue to advocate for federalizing elections to unfairly stack the deck in their political favor. Such a federal power grab over election administration would subvert the duties of state legislatures established by Article I, Section 4, Clause 1 of the U.S. Constitution.³

States have always updated their election laws and procedures to address changing needs and utilize new security technology. For example, between the 2000 and 2020 elections, the State of Florida made more than 80 changes to its statutes and regulations governing elections.⁴

The following chart captures election integrity reforms that state passed in 2021⁵ and 2022.⁶ Many states continue to work on reforms and several more are expected to consider legislation in 2023 that addresses ongoing problems with staffing levels, machine reliability, and tabulation counting processes.

	Absentee/ Mail-In Voting Security	Early In- Person Voting Reforms	Voter ID and Other Integrity Measures	Limiting Outside Groups Funding Elections ⁷	Poll Place, Machine and Drop Box Security	Expand Poll Watcher Access and Increased Transparency	Improving Accuracy of Voter Rolls and Registration	Vote Tabulation and Post- Election Audits	Election Official Integrity
Alabama	*			*	*	*	*	*	
Arizona	*	*	*	*	*	*	* ⁸	*	*
Arkansas	*		*	*	*				*
Florida	*		*	*	*		*		*
Georgia	*		*	*	*	*		*	*
Idaho	*	*		*				*	*
Indiana	*		*	*					
Iowa	*			*	*				
Kansas ⁹	*			*	*				
Kentucky ^{10,11}	*	*	*	*	*			*	
Louisiana	*	*					*		
Maine	*							*	
Mississippi				*			*		

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Missouri	*		*	*					
Montana			*		*	*	*	*	
Nebraska				*			*		
New Hampshire						*	*	*	
North Dakota	*		*	*					
Ohio				*					
Oklahoma	*			*			*	*	*
Pennsylvania				*					
South Carolina	*			*			*	*	*
South Dakota	*			*				*	
Tennessee				*					
Texas	*	*		*	*	*	*	*	*
Utah	*			*			*		
Virginia				*					
West Virginia				*					
Wisconsin						*			
Wyoming			*						

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¹ *New State Ice Co v. Liebmann*, 286 U.S. 262 (1932)

² David Nir. Just how many elected officials are there in the United States? The answer is mind-blowing. Daily Kos. March 29, 2015. <https://www.dailykos.com/stories/2015/3/29/1372225/-Just-how-many-elected-officials-are-there-in-the-United-States-The-answer-is->

³ Jacob Schallus. The Constitution of the United States: A Transcription. National Archives. May 4, 2020. <https://www.archives.gov/founding-docs/constitution-transcript>

⁴ The James Madison Institute. (2021) *Restoring Trust and Security in Florida Elections From Bush v. Gore to Covid-19*

⁵ 2021 Election Enactments. National Conference of State Legislatures. January 6, 2022. <https://www.ncsl.org/research/elections-and-campaigns/2021-election-enactments.aspx>

⁶ Voting Laws Roundup: October 2022. Brennan Center for Justice. October 6, 2022. https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-october-2022#footnote3_xyybwt5

⁷ Sarah Lee and Hayden Ludwig. States Banning or Restricting “Zuck Bucks.” Capital Research Center. September 16, 2022. <https://capitalresearch.org/article/states-banning-zuck-bucks/>

⁸ Note that a federal court has blocked the implementation of HB 2243 and HB 2292 that creates a proof of citizenship requirement to vote.

⁹ Melissa Brunner and Isaac French. Lawmakers override Governor’s vetoes on pair of elections law bills. WIBW. May 3, 2021. <https://www.wibw.com/2021/05/03/lawmakers-override-governors-vetoes-on-pair-of-elections-law-bills/>

¹⁰ Hayden Dublois. Why no outrage for new Kentucky election laws? They’re no better than Texas or Georgia. Courier Journal. October 18, 2021. <https://www.courier-journal.com/story/opinion/2021/10/18/bipartisan-election-laws-kentucky-prove-red-state-gripes-biased/6103597001/>

¹¹ Adam Brewster and Caitlin Huey-Burns. How GOP-dominant Kentucky passed bipartisan election reforms. CBS News. March 31, 2021. <https://www.cbsnews.com/news/kentucky-election-reforms-bipartisan/>