

VOTING RIGHTS LAB

American democracy has seen two significant catalysts for restrictive election legislation in the past decade: The 2013 *Shelby* decision and the 2020 presidential election. Each sparked years of legislative action making it harder for eligible Americans to vote. Each tell the story of politicians and special interests doing whatever they can to limit democracy, avoid accountability, and maintain political power. Each will unfortunately influence and inspire restrictive election legislation for years to come.

Using historical data and our [State Voting Rights Tracker](#), which tracks election legislation from 2021 to present, we found 25 laws restricting voter access or election administration were passed and enacted in preclearance states from 2011-2023, with 20 of those passed after the *Shelby* decision. (Like we experienced in recent years on abortion rights, in the run-up to the *Shelby* case, several states enacted laws in anticipation of Section 5 of the VRA being constrained, so those efforts are also captured in our analysis). An additional 19 laws with a mixed or unclear effect on voter access or election administration were passed in preclearance states from 2011-2023, with 17 passed post-*Shelby*. Restrictive and mixed/unclear laws that were approved by the Department of Justice or approved by a federal court from 2011 to 2013 pre-*Shelby* – while preclearance was still in effect – are not included in this analysis.

The most common types of restrictive elections laws we have seen since *Shelby* include photo ID, restrictions on mail and early voting, and voter list maintenance changes. Ultimately, many of the new restrictive voting laws we saw in the aftermath of the 2020 election, including in former preclearance states of Arizona, Georgia, Florida, and Texas, were able to take effect immediately because of the *Shelby* decision. This chart offers a summary of the types of legislation we saw in the run-up to and aftermath of the *Shelby* decision.

Issues	Restricts Voter Access / Election Administration			Mixed or Unclear		
	Total	Pre-Shelby	Post-Shelby	Total	Pre-Shelby	Post-Shelby
Early Voting	4	1	3	6	1	5
Mail Voting	17	1	16	6	2	4
Voter Registration	2	0	2	1	0	1
Voting Rights Restoration	2	0	2	1	0	1
Voter List Maintenance	2	0	2	10	2	8
Voter ID	8	4	4	0	0	0
Overall Impact	25	5	20	19	2	17

Restricts Voter Access / Election Administration - By State & Year															
	2011	2012	2013 Pre-Shelby	2013 Post-Shelby	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	All
AL	1									2					3
AZ							1			1		1	2		5
CA															0
FL	1											1	1		3
GA												1			1
LA													1		1
MI															0
MS		1												2	3
NC				1					2	1					4

NY															0
SC															0
SD										1					1
TX	1											1			2
VA			1								1				2
All	3	1	1	1	0	0	1	0	2	5	1	4	4	2	25

Mixed or Unclear - By State & Year															
	2011	2012	2013 Pre-Shelby	2013 Post-Shelby	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	All
AL					1	1		1				1			4
AZ												1			1
CA						2									2
FL			1							1					2
GA															0
LA					1							1			2
MI									1						1
MS															0
NC									1						1
NY												1			1
SC													1		1
SD															0
TX			1							2					3
VA													1		1
All	0	0	2	0	2	3	0	1	2	3	0	4	2	0	19

State	Year	Bill #	Issues	Overall Impact on Surveyed Topics	Description	Enacted Pre-Shelby	Notes	Early Voting	Mail Voting	oter Registratio	Rights Restor	List Mainten:	Voter ID
AL	2011	AL H 19	Voter ID, Mail Voting	Restricts Voter Access / Election Administration	Imposed a strict photo ID requirement for in-person and mail voters by eliminating all non-photo ID options.	X			Restricts Voter Access / Election Administratio				Restricts Voter Access / Election Administratio
AL	2014	AL S 235	Voter Registration	Mixed or Unclear	Established a statewide registration deadline of 14 days before an election. Previously, counties with populations over 600,000 could					Mixed or Unclear			
AL	2015	AL H 323	Voter List Maintenance	Mixed or Unclear	Established guidelines for investigating and acting on unofficial reports that a voter has died.							Mixed or Unclear	
AL	2017	AL H 282	Voting Rights Restoration	Mixed or Unclear	Established a list of felonies to be considered "crimes of moral turpitude" and therefore disenfranchising. Previously, this term was undefined,						Mixed or Unclear		
AL	2019	AL H 67	Voting Rights Restoration	Restricts Voter Access / Election Administration	Added aggravated theft by deception to the list of disenfranchising convictions.						Restricts Voter Access / Election Administratio		
AL	2019	AL S 301	Mail Voting	Restricts Voter Access / Election Administration	Required all mail voters to submit a copy of a qualifying photo ID with their mail ballot applications, and added incarceration and caregiving				Restricts Voter Access / Election Administratio				
AL	2021	AL H 538	Mail Voting	Mixed or Unclear	Moved the deadline for mail ballot applications two days earlier, and eliminated the requirement that mail ballots must be postmarked by the				Mixed or Unclear				
AZ	2016	AZ H 2023	Mail Voting	Restricts Voter Access / Election Administration	Criminalized ballot return by a third party other than a relative, household member, or caregiver of the voter. Challenged in court and upheld by the				Restricts Voter Access / Election Administratio				
AZ	2019	AZ S 1072	Early Voting, Voter ID	Restricts Voter Access / Election Administration	Required in-person early voters to provide the same ID documentation as Election Day voters.			Restricts Voter Access / Election Administratio					Restricts Voter Access / Election Administratio
AZ	2021	AZ S 1003	Mail Voting	Mixed or Unclear	Codified a cure process for mail ballots with inconsistent signatures (which had been subject to litigation), but provided an earlier deadline for				Mixed or Unclear				
AZ	2021	AZ S 1485	Mail Voting	Restricts Voter Access / Election Administration	Made it easier to remove voters from the state's permanent mail voting list, and changed the state's terminology for the list name from the "permanent"				Restricts Voter Access / Election Administratio				
AZ	2022	AZ H 2243	Voter List Maintenance	Restricts Voter Access / Election Administration	Required investigation of the voter registration lists for potential non-citizens in ways that risk cancelling citizens' registrations, changes list							Restricts Voter Access / Election Administratio	
AZ	2022	AZ SCR 1012	Mail Voting, Voter ID	Restricts Voter Access / Election Administration	Proposed a state constitutional amendment would have imposed ID number requirements for mail voters and required photo ID for in-person				Restricts Voter Access / Election Administratio				Restricts Voter Access / Election Administratio
CA	2015	CAA 1020	Voter List Maintenance	Mixed or Unclear	Allowed the secretary of state to remove voters from the rolls based on death records. Previously, only county officials could remove voters.							Mixed or Unclear	
CA	2015	CAA 1504	Early Voting, Mail Voting	Mixed or Unclear	Added Monterey County, which was a covered jurisdiction, to a vote by mail pilot program that did not apply to significant elections, and eliminated			Mixed or Unclear	Improves Voter Access / Election Administratio				
FL	2011	FL H 1355	Mail Voting, Early Voting, Voter List Maintenance	Restricts Voter Access / Election Administration	Cut days of in-person early voting, including the Sunday before Election Day. These provisions were not precleared and never went into effect	X		Restricts Voter Access / Election Administratio	Mixed or Unclear			Mixed or Unclear	

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FL	2013	FL H 7013	Mail Voting, Early Voting	Mixed or Unclear	Expanded early voting relative to the status quo in non-covered counties while restricting early voting in covered counties because provisions	X		Mixed or Unclear	Mixed or Unclear				
FL	2019	FL S 7066	Mail Voting, Voting Rights Restoration	Mixed or Unclear	Moved forward the mail ballot application deadline; restricted mail ballot pick-up by designees of a voter; established protections against				Improves Voter Access / Election Administration		Restricts Voter Access / Election Administration		
FL	2021	FL S 90	Mail Voting	Restricts Voter Access / Election Administration	Required an ID number on mail ballot applications; restricted ballot drop boxes; and restricted third-party ballot return.				Restricts Voter Access / Election Administration				
FL	2022	FL S 524	Mail Voting, Voting List Maintenance	Restricts Voter Access / Election Administration	Restricted mail ballot return options and modified list maintenance processes.				Restricts Voter Access / Election Administration			Mixed or Unclear	
GA	2021	GA S 202	Mail Voting, Early Voting	Restricts Voter Access / Election Administration	Required mail voters to provide an ID number on their mail ballot applications and return envelopes and eliminated signature matching to			Mixed or Unclear	Restricts Voter Access / Election Administration				
LA	2014	LA H 383	Early Voting	Mixed or Unclear	Changed the schedule under which the Secretary of State approved the dates and times for early voting at additional locations.			Mixed or Unclear					
LA	2021	LA H 167	Voter List Maintenance	Mixed or Unclear	Accelerated removal of deceased voters from the rolls.							Mixed or Unclear	
LA	2022	LA S 144	Mail Voting	Restricts Voter Access / Election Administration	Limited drop-off sites for mail ballots.				Restricts Voter Access / Election Administration				
MI	2018	MI H 5646	Voter List Maintenance	Mixed or Unclear	Required the secretary of state to work with the federal government to identify deceased registered voters.							Mixed or Unclear	
MS	2012	MS H 921	Voter ID	Restricts Voter Access / Election Administration	Established a strict photo ID requirement for in-person voters. Previously, there had been no ID requirement.	X							Restricts Voter Access / Election Administration
MS	2023	MS H 1310	Voter List Maintenance	Restricts Voter Access / Election Administration	Established a process whereby individuals who fail to vote over a roughly four year period would receive address confirmation mailings							Restricts Voter Access / Election Administration	
MS	2023	MS S 2358	Mail Voting	Restricts Voter Access / Election Administration	Restricted third-party ballot return to relatives, household members, and caregivers of a voter, and established a new misdemeanor for violations of				Restricts Voter Access / Election Administration				
NC	2013	NC H 589	Mail Voting, Early Voting, Voter List Maintenance, Voter ID	Restricts Voter Access / Election Administration	Required photo ID for in-person voters; required that mail ballot return envelopes be signed by two witnesses; required an ID number for			Restricts Voter Access / Election Administration	Restricts Voter Access / Election Administration	Restricts Voter Access / Election Administration		Mixed or Unclear	Restricts Voter Access / Election Administration
NC	2018	NC H 1029	Mail Voting	Restricts Voter Access / Election Administration	Required mail voters to have two witnesses or a notary sign their ballot return envelopes. Prior law had no witness requirement.				Restricts Voter Access / Election Administration				
NC	2018	H 335 / NC S	Early Voting	Mixed or Unclear	Moved the start of the early voting period forward by six days and the end forward by one day; standardized early voting hours across counties.			Mixed or Unclear					
NC	2018	NC S 824	Mail Voting, Voter ID	Restricts Voter Access / Election Administration	Required in-person voters to provide photo ID unless they have a reasonable impediment to obtaining photo ID; required mail voters to				Restricts Voter Access / Election Administration				Restricts Voter Access / Election Administration

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NC	2019	NC S 683	Mail Voting, Early Voting	Restricts Voter Access / Election Administration	Required mail voters who state that they have a reasonable impediment to attaching a photo ID with their application or ballot to include an ID			Improves Voter Access / Election Administration	Restricts Voter Access / Election Administration				
NY	2021	NY S 264	Mail Voting	Mixed or Unclear	Moved the mail ballot application deadline from a postmark seven days before Election Day to receipt 15 days before; repealed the prohibition on				Mixed or Unclear				
SC	2022	SC S 108	Early Voting, Mail Voting, Voter List Maintenance	Mixed or Unclear	Created a two-week early voting period; required mail voters to provide their SSN4s on mail ballot applications; established new			Improves Voter Access / Election Administration	Restricts Voter Access / Election Administration			Mixed or Unclear	
SD	2019	SD H 1025	Voter Registration	Restricts Voter Access / Election Administration	Repealed a provision allowing registration applications postmarked at least 30 days before an election to be counted even if received after the					Restricts Voter Access / Election Administration			
TX	2011	TX S 14	Voter ID	Restricts Voter Access / Election Administration	Established a strict photo ID requirement for in-person voters. Previously, various forms of non-photo ID were accepted, and voters	X							Restricts Voter Access / Election Administration
TX	2013	TX H 3593	Voter List Maintenance	Mixed or Unclear	Established criteria for "strong" and "weak" matches when matching death records with voter records.	X						Mixed or Unclear	
TX	2019	TX H 1888	Early Voting	Mixed or Unclear	Standardized the hours at which early voting is offered at early voting locations.			Mixed or Unclear					
TX	2019	TX H 273	Mail Voting	Mixed or Unclear	Created a slight delay in delivery of mail balloting materials to certain voters, but still required delivery 30 days before Election Day.				Mixed or Unclear				
TX	2021	TX S 1 (2nd Special Session)	Mail Voting, Early Voting	Restricts Voter Access / Election Administration	Prohibited drive-through voting; prohibited 24-hour early voting; prohibited distribution of mail ballot applications; increased informational			Restricts Voter Access / Election Administration	Restricts Voter Access / Election Administration				
VA	2013	VA S 1256	Voter ID	Restricts Voter Access / Election Administration	Eliminated all non-photo forms of ID for in-person voting (Social Security card, utility bill, bank statement, government check, or paycheck with	X							Restricts Voter Access / Election Administration
VA	2020	VA H 239	Mail Voting	Restricts Voter Access / Election Administration	Moved the mail ballot application deadline earlier, from the 7th day before an election to the 11th day before.				Restricts Voter Access / Election Administration				
VA	2022	VA H 55 / S 211	Voter List Maintenance	Mixed or Unclear	Changed the frequency of death records reports from the department of vital statistics to the department of elections from monthly to weekly.							Mixed or Unclear	