

DEFENDING AMERICAN VOTERS HANDBOOK

**A Guide to Protecting Competitive
Elections for State Lawmakers**

**THE STATES
PROJECT**



An American flag with red and white stripes and a blue field with white stars, waving and partially obscured by a dark blue overlay.

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Introduction

America's elections belong to the people. For generations, Americans have fought — sometimes at great personal cost — to expand and protect the right to vote. That promise is now under attack.

The Supreme Court has further weakened the Voting Rights Act, leaving states as the last line of defense for fair and competitive elections. At the same time, rightwing federal actors have made moves to restrict voter registration, deploy law enforcement near polling places, and challenge the independence of state election administrators. Meanwhile, public trust in government is eroding, and Americans are increasingly concerned about threats to democracy.

This Handbook includes proven solutions from states across the country. It is a resource for state lawmakers who believe in competitive elections and know that democracy is strongest when every eligible citizen can cast a ballot and every eligible ballot is counted.

How to Use This Handbook

Part I provides an overview of the threat landscape.

Part II is organized around **five core promises to American voters**, including explanations of challenges, model solutions with state examples, and sample state policy references:

1. **Protecting the Right to Vote** — Ensuring all eligible Americans can register and vote
2. **Counting Every Vote** — Ensuring all valid ballots are accurately tallied
3. **Shielding Elections from Intimidation and Interference** — Protecting voters, officials, and the process
4. **Combating Disinformation** — Giving voters accurate, timely information
5. **Strengthening Election Certification and Accountability** — Ensuring results reflect the will of the people

Part I: The Threat Landscape

Before proposing solutions, it is important to understand the challenges fair and competitive elections are facing in the current environment.

1.1 THE WEAKENED VOTING RIGHTS ACT

The U.S. Supreme Court has progressively gutted the Voting Rights Act of 1965, eliminating many federal protections against discriminatory voting practices. With the federal backstop gone, states are now the primary line of defense for ensuring fair and equal rights to cast a ballot and have it counted.

1.2 FEDERAL INTERFERENCE IN STATE ELECTIONS

Statements from President Trump about "nationalizing" elections and ongoing federal investigations into state election results — including results certified years ago — represent unprecedented pressure on state election administrators. Congress has considered the SAVE Act, which could create unnecessary barriers for millions of eligible voters. State lawmakers can act to reduce unnecessary burdens proactively, and protect the independence and integrity of state election systems.

1.3 VOTER INTIMIDATION, POLLING PLACE THREATS, AND MISINFORMATION

Efforts to intimidate voters and election officials, and increased misinformation campaigns could have chilling effects on participation in elections. State lawmakers can address this directly, including by protecting election workers and limiting misinformation.

Part II: The Five Core Promises to American Voters



Promise 1: Protect Every Eligible American's Right to Vote

The Challenge: Without strong federal protection, states have the opportunity to affirmatively secure the right to vote for their citizens. Barriers — whether intentional or administrative — suppress participation and undermine the legitimacy of elections.

CONCEPT 1-A: STATE VOTING RIGHTS ACTS

What It Does: Creates a state-level statutory right to vote, with a private right of action allowing voters to sue when their rights are violated — without waiting for the federal government to act.

Why It Matters: A private right of action gives individual voters the power to enforce the law, rather than depending solely on government agencies that may be subject to political pressure.

State Models:

- [Minnesota](#): Enacted a private right of action for voting rights violations
- [Virginia](#): Enacted a state voting rights act including private enforcement
- [Colorado](#): Enacted a statutory right to vote

Core Provisions for Policies:

- Establish an affirmative right to vote under state law
- Create a private right of action for voters to enforce that right
- Define prohibited conduct broadly to cover threats and coercion, not just direct interference
- Provide for attorney's fees and injunctive relief

CONCEPT 1-B: FREE IDS FOR AMERICANS

What It Does: Requires the state to provide a free government-issued identification card for voting purposes to any resident who requests one.

Why It Matters: If the state requires ID to vote, it should bear the cost — not the voter.

State Models:

- [Wisconsin](#): Allows state residents to obtain a free ID for voting from the state
- [Idaho](#): Issues free IDs explicitly for voting purposes

Core Provisions for Policies:

- Require the state to issue a free ID upon request to any eligible voter
- Ensure IDs are available at convenient locations, including mobile units
- Provide for expedited processing before elections

CONCEPT 1-C: TRANSLATION AND INTERPRETATION

What It Does: Requires election materials and polling place assistance to be available in languages spoken by significant portions of the electorate.

Why It Matters: Language barriers should not determine whether an eligible voter can participate. Translation and interpretation services are a practical necessity for millions of American voters.

State Models:

- [Washington](#): Requires translation and interpretation services at polling places

Core Provisions for Policies:

- Establish threshold populations that trigger translation and interpretation requirements
- Require translated materials including ballots, instructions, and voter guides
- Provide in-person interpretation at polling places
- Extend translations to the voter registration process

CONCEPT 1-D: CAMPUS POLLING SITES

What It Does: Requires polling places to be established on college and university campuses.

Why It Matters: Young people are among the most mobile and hardest to reach voters. Campus polling sites remove a logistical barrier to student participation, and protect against the partisan gerrymandering of college communities across multiple precincts.

State Models:

- [New York](#): Requires polling places on campuses with 300 or more registered students, and prevents the splitting of college campuses across multiple voting districts

Core Provisions for Policies:

- Require one polling place per campus above a threshold enrollment
- Prevent campus communities from being split across multiple voting districts
- Allow the college to propose the specific site
- Require adequate staffing and hours



Promise 2: Count Every Vote

The Challenge: Administrative barriers — including tight receipt deadlines for mail ballots and signature-matching errors — can disenfranchise eligible voters.

CONCEPT 2-A: COUNT BALLOTS POSTMARKED BY ELECTION DAY

What It Does: Requires the counting of mail ballots postmarked on or before Election Day, even if they arrive at the election office a few days afterward.

Why It Matters: Postal delivery times are outside the voter's control. A voter who mails their ballot by or on Election Day has met their obligation. Rejecting that ballot due to postal delay punishes the voter for something they could not prevent.

State Models:

- [Texas](#): Counts ballots mailed before or on Election Day even if received a few days later
- [Oregon](#), [Nevada](#) and 19 other states: Count ballots postmarked by Election Day

Core Provisions for Policies:

- Count all ballots postmarked on or before Election Day
- Set a clear arrival deadline (typically 3–7 days post-election)
- Require election officials to check postmarks, not just arrival date
- Establish a process for tracking and notifying voters of ballot receipt

CONCEPT 2-B: SIGNATURE CURE PROCESS

What It Does: Gives voters notice and the opportunity to correct missing or discrepant signatures on mail ballots before final certification.

Why It Matters: Signature-matching is an imprecise science. Voters' signatures naturally change over time and vary depending on circumstances. Rejecting a ballot outright — without giving the voter a chance to confirm their identity — disenfranchises eligible voters over administrative technicalities.

State Models:

- [Washington](#): Provides 21 days after Election Day (until certification) for voters to correct missing or discrepant signatures; requires notice to affected voters

Core Provisions for Policies:

- Require election officials to notify voters of signature issues promptly
- Provide a minimum of 7 days to cure (more if possible)
- Allow cure by affirmation or in-person verification, not just a new signature
- Track cure rates and report publicly to identify disparities

CONCEPT 2-C: MAIL-FIRST VOTING OPTIONS

What It Does: Provides a full range of mail voting options — including automatic mail ballot distribution, secure drop boxes, and in-person options.

Why It Matters: Mail voting dramatically expands participation for shift workers, parents, rural voters, people with disabilities, and elderly voters. States with robust mail voting systems consistently see higher turnout without evidence of increased fraud.

State Models:

- [Utah](#): All counties required to conduct elections by mail
- [Nevada](#): Permanently requires mail ballots as an option for all active registered voters

Core Provisions for Policies:

- Allow all voters to vote by mail without requiring an excuse
- Provide secure ballot drop boxes at a range of locations
- Maintain in-person polling places for voters who prefer them
- Provide prepaid postage on return envelopes



Promise 3: Shield Elections from Intimidation and Interference

The Challenge: Voter intimidation — by private actors or government agents — is illegal but underenforced. The broad deployment of armed federal agents near polling places would be a new threat to free and fair elections.

CONCEPT 3-A: COORDINATE TRAINING WITH ELECTION OFFICIALS

What It Does: State lawmakers can collaborate with their state Attorney General, Secretary of State, and other officials to ensure training is offered for election officials and law enforcement. They can also ensure their state Attorney General is issuing election guidance bulletins.

Why It Matters: Enforcement of state laws to protect voters is only effective if election officials and law enforcement are appropriately trained on procedures.

State Models:

- **Georgia:** Incorporates election security into standard law enforcement training
- **Minnesota:** The Secretary of State hosts recurring security and election official trainings
- **California:** Security bulletins provide recurring guidance on relevant state law

Core Components of Training:

- Basic election administration requirements, trespassing enforcement at election facilities, theft of election materials, signage and credentialing, documentation and evidence, authority over federal agents at polling places, threats or violence at polling sites, and correcting disinformation

CONCEPT 3-B: ENSURE REGULATORY AND ADMINISTRATIVE ACTION

What It Does: Election officials can strengthen election security through regulations, directives, and operational standards. State lawmakers can ensure procedures are being implemented to reinforce security and accountability across the system.

Why It Matters: Administrative directives and operational standards are how state laws get implemented and can offer more flexibility to adapt to current events.

State Models:

- **Pennsylvania:** Requires election officials to notify the state election office immediately and prohibits unauthorized access to voting systems; they also issued a directive requiring accuracy testing across all voting technology.
- **North Carolina:** Requires enough paper ballots to cover 50 percent of registered voters — so voting can continue if machines go down

Core Components of Regulations:

- Restrict voting systems to authorized personnel only; require notification to the state whenever a third party requests access
- Test all voting technology before each election, using ballots that reflect every possible choice and every available marking method

- Require contingency plans — including emergency paper ballots — at all polling places to ensure voting continues during technical failures

CONCEPT 3-C: STRENGTHEN ANTI-INTIMIDATION LAWS

What It Does: Expands state anti-intimidation statutes to cover threats and coercion, not just direct interference — and provides both criminal and civil remedies.

Why It Matters: Existing anti-intimidation laws in many states are narrow and weakly enforced. Strengthening and modernizing these laws sends a clear message and gives voters and prosecutors better tools.

State Models:

- [Virginia](#): Strengthened anti-intimidation provisions to include threats and coercion
- [Connecticut](#): Included explicit intimidation and coercion language in its Voting Rights Act

Core Provisions for Policies:

- Define intimidation broadly to include threats, surveillance, and coercive questioning
- Create a private right of action for intimidated voters
- Establish clear penalties for violations, including felony charges for organized intimidation
- Protect election workers from harassment and threats

CONCEPT 3-D: RECOGNIZING POLLING PLACES AS SENSITIVE LOCATIONS

What It Does: Prohibits the presence of armed law enforcement agents — including federal agents — at or near polling places on Election Day, except in response to an active threat.

Why It Matters: The presence of armed agents near polling places could have chilling effects on voter participation.

State Models:

- [New Mexico](#): Prohibits armed federal agents at polling places
- [Pennsylvania](#) and [Virginia](#): Introduced similar protective policies

Core Provisions for Policies:

- Define a perimeter around polling places as a sensitive location
- Prohibit armed law enforcement presence except in response to a credible, specific threat
- Require that any police response be authorized by state or local election officials
- Provide a private right of action for voters whose participation was chilled

CONCEPT 3-E: RESTRICT BAD-FAITH VOTER CHALLENGES

What It Does: Limits who can challenge a voter's registration or eligibility, and adds procedural safeguards and penalties for frivolous or harassing challenges.

Why It Matters: The SAVE Act would open the door to mass voter challenges by any private individual. Without guardrails, this could overwhelm election offices, tie up courts, and be weaponized to target specific communities. States can enact safeguards to mitigate these harms.

State Models:

- [Nevada](#): Restricts who may bring voter challenges
- [Arizona](#): Adds procedural requirements for challenges
- [Texas](#): Adds restrictions on grounds for challenges; [EL Ch. 276](#) penalizes frivolous challenges
- [Wisconsin](#): Adds restrictions on the grounds for challenges

Core Provisions for Policies:

- Limit standing to challenge registrations to election officials, or individuals with direct, documented evidence
- Require challengers to submit sworn affidavits with specific factual bases
- Impose sanctions for challenges found to be frivolous or brought in bad faith
- Require notification to challenged voters with adequate time to respond

**Promise 4: Combat Election Disinformation**

The Challenge: False information about voting — including wrong dates, locations, eligibility requirements, or claims about the security of voting methods — can suppress participation among eligible voters. State lawmakers can give election officials better tools to respond and minimize disinformation.

CONCEPT 4-A: ACCURATE VOTER INFORMATION REQUIREMENTS

What It Does: Requires that all official communications about elections be accurate regarding voting dates, locations, procedures, and eligibility; establishes penalties for deliberate disinformation.

Why It Matters: Voters who receive false information about when, where, or how to vote may miss their opportunity to participate. Deliberate disinformation to suppress turnout is a form of election interference.

State Models:

- [Missouri](#): Classifies knowingly providing false information about election procedures as a felony
- [Minnesota](#): Makes it a gross misdemeanor to knowingly deceive a voter about the time, place, or manner of an election; requires officials to issue corrections and notify media
- [Tennessee](#): Makes it a felony to knowingly publish or provide false information about voter qualifications, registration requirements, deadlines, or polling dates, times, and locations

Core Provisions for Policies:

- Establish clear prohibitions on materially false statements about voting dates, locations, or eligibility, made with intent to suppress participation
- Give election officials authority to issue rapid public corrections
- Allow private rights of action for voters misled by disinformation
- Coordinate with media to flag and correct false election information



Promise 5: Strengthen Election Certification and Accountability

The Challenge: Efforts to prevent, delay, or corrupt certification — whether by local officials acting in bad faith or by federal interference — can be addressed by state lawmakers.

CONCEPT 5-A: MANDATORY CERTIFICATION WITH STATE OVERSIGHT

What It Does: Requires county election officials to certify results on the statutory deadline, grants state officials authority to intervene and complete certification if a county refuses, and creates accountability for officials who obstruct the process.

Why It Matters: Refusing to certify an election result is an antidemocratic act that can override the will of voters. State lawmakers can make clear that certification is not a discretionary political act.

State Models:

- [Michigan](#): State constitutional amendment tightening certification and authorizing state intervention if counties refuse to certify
- [Colorado](#): Grants state officials explicit authority to complete certification if counties fail
- [New Mexico](#): Enacted a private right of action for voters to bring certification cases

Core Provisions for Policies:

- Establish certification as a non-discretionary, ministerial duty with deadlines
- Grant the Secretary of State authority to certify if a county refuses without legal basis
- Create criminal and civil penalties for election officials who obstruct certification

CONCEPT 5-B: NATIONAL POPULAR VOTE INTERSTATE COMPACT

What It Does: Commits the state's electoral votes to the winner of the national popular vote for President, once states totaling 270 electoral votes have joined.

Why It Matters: The National Popular Vote ensures that every American's vote for President has equal impact, regardless of where they live.

State Models:

- [Minnesota](#), [New Mexico](#), and [Virginia](#) are among 18 states that have enacted these policies

Core Provisions for Policies:

- Join the National Popular Vote Interstate Compact (the Compact takes effect upon ratification by states controlling 270 or more electoral votes)
- Require the state's electors to cast votes for the national popular vote winner



THE STATES PROJECT

The policy work of The States Project is conducted by Future Now Action, a section 501(c)(4) issue advocacy organization.