

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President Navarro, Council Vice President Rice, Councilmembers Andrews, Berliner, Elrich, Ervin, Floreen, Leventhal, and Riemer

SUBJECT: Affirming the Council's Commitment to Increasing Voter Participation, Improving Election Practices, and Supporting an Affirmative Right to Vote

Background

1. Voter turnout in Montgomery County was 66% of registered voters in the 2012 presidential election and 51% of registered voters in the 2010 gubernatorial election.
2. In the United States, less than 60% of eligible voters participated in the 2012 presidential election.
3. Of the 119 nations that elect their public officials using democratic elections, the United States is one of only 11 nations that does not have the right to vote in its constitution.
4. The 15th, 19th, and 26th Amendments to the U.S. Constitution provide that the right to vote shall not be denied or abridged based on race, sex, and age respectively, and the 24th Amendment prohibits poll taxes. However, these amendments do not guarantee Americans an explicit right to vote.
5. In the 2000 decision, *Bush v. Gore*, a majority of the Supreme Court wrote: "The individual citizen has no federal constitutional right to vote."
6. In 2013, the Supreme Court ruled in *Shelby County v. Holder* that the coverage formula in Section 4 of the Voting Rights Act (VRA) is unconstitutional, thereby invalidating the formula used to determine which states are covered by Section 5 of the VRA.
7. Section 4 of the VRA was an effective tool in curbing racial discrimination in elections in 1965; and continued to be a critical instrument for free, fair and accessible elections, helping block laws making it more difficult to vote for nearly a half century.
8. With Montgomery County's proud tradition of civic and community activism, the Council has a history of supporting a variety of efforts to increase participation in and access to the democratic process.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

1. The Council calls on Congress to propose an amendment to the U.S. Constitution that would grant an individual right to vote to every American citizen of voting age.
2. The Council calls on Congress to restore Section 4 of the Voting Rights Act of 1965 by creating a new coverage formula to determine which states and local jurisdictions should have voting changes reviewed for potential discriminatory impact.
3. The Council calls on Congress to give residents of Washington, DC full representation and voting rights in the House of Representatives and United States Senate.
4. The Council supports Maryland's recent expansion of early voting and the adoption of same-day voter registration. We support placing new early voting sites at locations that are easily accessible by public transportation.
5. The Council establishes a Right to Vote Task Force to:
 - a. Review all local laws and practices that may affect the right to vote;
 - b. Review and recommend changes at the local level to uphold voting rights and increase voter participation;
 - c. Develop plans and take action to promote early voting and same-day registration and make recommendations to the Council on any policies or actions needed to strengthen these efforts;
 - d. Develop plans for a voter registration program designed to register eligible high school students and support voter education programs to increase citizenship knowledge and participation in the democratic process;
 - e. Review Maryland election laws and regulations and recommend legislation that would strengthen the right to vote in Montgomery County, including whether the General Assembly should adopt automatic voter registration, allowing eligible voters to "opt-out" of the voter registration database instead of "opt-in"; and
 - f. Review with the Montgomery County Board of Elections the strengths and weaknesses of our election practices and regulations after the 2014 general election.
6. The Task Force consists of up to 15 members appointed by the Council. The members of the Task Force should include representatives of political parties and those not registered in any party. Not more than two-thirds of the members may be registered to vote in the same party. The Council must designate a Chair and Vice-Chair for the Task Force. The Chair and Vice-Chair must not be from the same party.

7. The Task Force must issue an interim report by February 28, 2014 and a final report with recommendations by May 31, 2014. The Task Force must submit a report by February 28, 2015 that evaluates the efficacy and implementation of its recommendations during the 2014 general election.

8. Copies of this resolution will be sent to the Governor, Montgomery County's State Legislative Delegation, and Maryland's Congressional Delegation.

Linda M. Lauer, Clerk of the Council