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**State Government & Tribal Affairs**  
**Committee**

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**HB 1193**

**Brief Description:** Creating a program to allow youth to preregister to vote.

**Sponsors:** Representatives Liias, Roberts, Ormsby, Simpson, Goodman and Van De Wege.

**Brief Summary of Bill**

- Directs the Secretary of State to create a program to allow youth at least 13 years of age to pre-register to vote.

**Hearing Date:** 2/6/09

**Staff:** Tracey O'Brien (786-7196)

**Background:**

At the time of the adoption of the Fourteenth Amendment to the United States Constitution in 1868, the existing 34 states had set their voting ages at 21. At the time, the Constitution did not contain a national mandatory minimum voting age. Subsequently, every new state entered the union with a voting age of 21, except Alaska (age 18) and Hawaii (age 20).

The amendment to the Voting Rights Act of 1965 extending the franchise to those 18 years of age and older was signed into law by President Nixon on June 22, 1970. In 1970 the United States Supreme Court (Court), responding to a number of state challenges, ruled in *Oregon v. Mitchell* that only Congress had the authority to lower the voting age for federal elections. The Court interpreted Article I, Section 2 of the U.S. Constitution to mean that states may set the voting age for state elections so long as it does not conflict with relevant federal provisions. Thus, states are not prohibited from setting the state voting age lower than the federal voting age.

**Summary of Bill:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Secretary of State is required to set up a program to accept voter registration applicants from youth who are at least 13 years of age and who meet all the requirements to vote, except age. The names of the youth shall not be entered into the voter registration database until 30 days prior to an election in which he or she will be eligible to vote.

Pre-registered youth shall receive all voter pamphlets and an advisory ballot for statewide and federal elections. The advisory ballot will be incapable of being counted.

The Secretary of State is authorized to adopt rules to implement this program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.