



PROTECTING THE VOTE FOR ALL AMERICANS

Fair Elections Center Testimony Regarding HB 2028 and 2209
House Privileges and Elections Committee
Tuesday, January 19, 2021

Fair Elections Center opposes HB 2028 and HB 2209 because these bills would make absentee voting less accessible and as a result make it harder for voters to cast a ballot that counts.

Fair Elections Center is a national, nonpartisan voting rights and election reform organization which works to remove barriers to registration and voting for traditionally underrepresented constituencies. Formed in 2017 to continue the work of the Fair Elections Legal Network, the Center works to improve election administration through legislative, legal and administrative reform, to protect access to the ballot through litigation, and to provide election law expertise, voter information and technical assistance to voter mobilization organizations. In 2020, among other work, Fair Elections Center brought litigation in a number of states to protect the right to vote by mail in light of the Covid-19 pandemic.

HB 2028. HB 2028 would require that a witness to an absentee ballot include their printed name and address in addition to the signature already required under the current Code. These added requirements make it more likely ballots will be rejected due to mistakes and administrative errors that do not relate to whether the voter is qualified to cast a ballot. The witness requirement itself is a barrier to voting and is unnecessary because absentee voting is secured in multiple other ways. For example, Virginians supply personal identification information when registering to vote and when identifying themselves to vote absentee. This bill would move absentee voting requirements in the wrong direction.

HB 2209. HB 2209 adds a signature match requirement to absentee voting. Signature match requirements are often an unreliable means to secure absentee ballots. For example, election officials are untrained in reviewing and making judgments regarding such signatures, leading to unfair and inconsistent rejections. In addition, voters' signatures often change over time, and signatures captured electronically as a part of the driver's license process may be difficult to match, both leading to the rejection of qualified voters' ballots. Studies have also shown that young voters and voters of color disproportionately have their ballots rejected due to signature matching requirements. As indicated above, Virginians already supply personal identification information when registering to vote and when identifying themselves to vote absentee, making a signature match requirement redundant.

Fair Elections Center requests that these bills not move forward from this committee. If you have any questions or need further information, please contact Michelle Kanter Cohen, Senior Counsel, Fair Elections Center, (202) 331-0114, mkantercohen@fairelectionscenter.org.