

Jurisdictional Barriers to Voting Litigation

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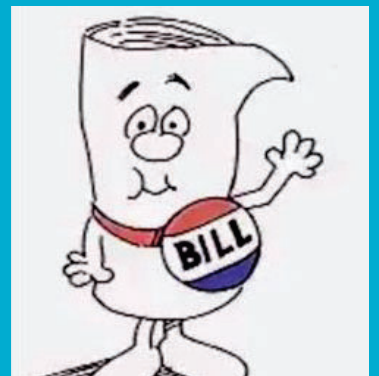
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Texas Senate Bill

¹
Houston Justice v. Abbott, 5:21-cv-848-XR

Florida Senate Bill 90

Florida NAACP v. Lee, 4:21-cv-187-MW-MAF



2

Texas SB 1



- Reduces early voting hours
- Eliminates 24-hour voting
- Eliminates drive-thru voting
- Prohibits mail-in ballot drop-boxes
- Grants new power to poll watchers
- Restricts distribution of mail-in ballots and applications

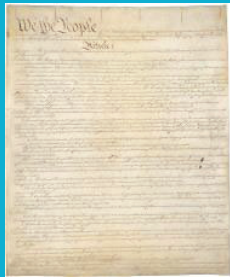
Challenges to SB1

- *Houston Justice v. Abbott*, 5:21-cv-848-XR
- *LULAC Texas v. Esparza*, 1:21-cv-786-XR
- *La Union del Pueblo Entero v. Abbott*, 5:21-cv-844-XR
- *OCA-Greater Houston v. Esparza*, 1:21-cv-780-XR
- *Mi Familia Vota v. Abbott*, 5:21-cv-920-XR
- *United States v. Texas*, 5:21-cv-1085-XR



Constitutional Claims

- Race discrimination: 14th and 15th Amendments
- Undue burden on right to vote: 14th and 1st Amendments (*Anderson-Burdick*)
- Vagueness of criminal provisions: 14th Amendment due process clause



Statutory Claims

- Section 2 of Voting Rights Act
- Section 208 of Voting Rights Act
- ADA Title II
- Rehabilitation Act section 504
- Materiality under section 101 of 1964 Civil Rights Act

Florida SB 90

- Limits hours and locations of absentee ballot dropboxes
- Requires voters to apply for absentee ballots every year
- Criminalized volunteers' provision of food, water, and other support to voters waiting in line
- Prohibits third-party organizations from returning voters' absentee ballots*

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