



## La Fe Policy Research and Education Center



*Promoviendo Bienestar para Familias y Comunidad con Conocimiento, Confianza y Poder  
Promoting Family and Community Well-Being through Knowledge, Trust, and Empowerment*

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### **Senate Bill 1 (Cira 2021): The Republican Voting Disenfranchisement Agenda**

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Remember Texas' election law Senate Bill 1, which became active on December 2, 2021? SB1 demonstrated its negative impact on Latino and Black voters through restrictions on voting, voter assistance, and voter outreach<sup>1</sup>. Two federal courts found parts of the law arbitrary and discriminatory, blocking their implementation.<sup>2</sup>

Now, Republican ideologues who passed SB1 are at it again. The current 88th Legislative Session continues its voter suppression and civic disenfranchising agenda. Their 'Protect Our Election' priority states the following.

“Restore felony penalties and enact civil penalties for Election Code violations, which shall be enforceable by any Texas jurisdiction, including the Texas Attorney General. Require citizenship verification of each voter. Restrict the distribution of mail-in ballots to only disabled, military, and citizens that are out of the county. Reduce the time allowed for early voting and eliminate the three-day gap between early voting and election day. Establish closed primaries in Texas. As technology evolves, we encourage the passage of legislation that ensures the security of our elections.”<sup>3</sup>

Since January, over two hundred bills targeting elections or voting have been filed. The drafted bills from Republicans focused on election security, while Democrats filed bills focused on expanding voting access. Pundits may argue which, if any, election or voting bill will reach the Governor's desk. The governor's voter suppression history leaves little doubt about what he will sign. For people of color, it's a continuation to weaken their civil rights to vote and prevent them from gaining policy influence. It's an outrage that anti-democratic and veiled racial voting suppression continues. Mexican Americans have had to confront voting discrimination since statehood in 1845!<sup>4</sup>

Unbeknown to voters, election oversight officials, and supposedly even many legislators, SB 1 also “mandates the purchase of voting technology that doesn't currently exist”<sup>5</sup> Yet, SB 1 requires the purchase and implementation of new technology by September 1, 2026.

The reasoning and justification for the provision were to “prevent cheating,” which will cost taxpayers over \$100 million.<sup>6</sup> The law prohibits using technology to count votes and store cast-ballot data. According to election officials and experts, accuracy, security, and timeliness are now questioned, particularly given that this SB 1 mandate means current data storage devices, ballot scanners, and tabulating technology are now prohibited under SB 1.

It's not unreasonable to think it will have disproportionate effects on Black, Latino, and low-income voters. Disinformation and lies regarding fraud in elections are central to achieving voter suppression, and people of color's civic disempowerment. The *actual fraud* is their championed call for election security.

**What are the implications to the states' efficient and fair elections – needlessly spending taxpayer dollars buying new election technology each election cycle or a return to manual counting voting ballots?**

Locally, look at the Republican unrestrained voter suppression decisions of Tarrant County in Fort Worth. “The Tarrant County judge, sheriff, and district attorney are soliciting reports of voter fraud from the public with a new Election Integrity Task Force.”<sup>7</sup> This is occurring despite fraud being rare, and their election office praised by the state for its conduct of elections.

According to Southwest Voters Education and Registration Project, almost 2.9 million Texas midterms voters were Mexican American and Latino. This represented about 32% of the total voting population. However, it was only 27.8% of all eligible voting-age Latinos in Texas, meaning the vast majority (72.2%) of potentially eligible Latino voters in Texas stayed home on election day and during early voting. Why? Because of indifference, sense of powerlessness, or voter suppression effects from SB 1?

Even with the poor turn-out, significant results from the 2022 midterm election were:

- An unprecedented number of Latino midterm voters still turned out to vote compared to the 2018 election.
- There is ongoing and significant support for democratic party candidates amongst Latino voters, totaling about 65% of Latino voters statewide.
- An increased number of Latina women candidates and voters and Gen Z voters' emergence.

Let us not forget, that our state's current Republican leadership believes a fraudulent election stole Trump's presidency; they are vendors of free speech, religious and gun-rights fabrications, and replacement theory. In advocacy to defeat unnecessary and discriminatory voter and election bills, we need to expand voter access offensively.

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<sup>1</sup> <https://www.maldef.org/2022/03/hearing-on-voting-in-america-ensuring-free-and-fair-access-to-the-ballot-in-texas/>.

<sup>2</sup> <https://www.dallasnews.com/news/politics/2022/02/11/federal-judge-blocks-portion-of-texas-new-senate-bill-1-election-law-just-before-early-voting-opens/#>, and <https://www.houstonchronicle.com/politics/texas/article/Federal-judge-strikes-down-new-Texas-restrictions-17347314.php>

<sup>3</sup> <https://texasgop.org/legislativepriorities88/>

<sup>4</sup> Jose Roberto Juarez, Jr., “Mexican American Voting Rights in Texas.” In Robert Brischetto and J. Richard Avena (Eds.), Mexican American Civil Rights in Texas, Michigan State University Press, 2021.

<sup>5</sup> [https://www.texastribune.org/2023/02/10/texas-voting-equipment-legislation-senate-bill-1/?utm\\_source=Texas+Tribune+Newsletters&utm\\_campaign=29e36acaa1-trib-newsletters-thebrief&utm\\_medium=email&utm\\_term=0\\_-29e36acaa1-%5BLIST\\_EMAIL\\_ID%5D&mc\\_cid=29e36acaa1&mc\\_eid=e0d197fc20](https://www.texastribune.org/2023/02/10/texas-voting-equipment-legislation-senate-bill-1/?utm_source=Texas+Tribune+Newsletters&utm_campaign=29e36acaa1-trib-newsletters-thebrief&utm_medium=email&utm_term=0_-29e36acaa1-%5BLIST_EMAIL_ID%5D&mc_cid=29e36acaa1&mc_eid=e0d197fc20)

<sup>6</sup> <https://www.texastribune.org/2023/02/10/texas-voting-equipment-legislation-senate-bill-1/>

<sup>7</sup> <https://www.keranews.org/news/2023-02-08/tarrant-county-officials-announce-efforts-to-fight-voter-fraud-even-as-election-crimes-remain-rare>