

Nos. 19-1257 & 19-1258

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**In the Supreme Court of the United States**

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MARK BRNOVICH, ATTORNEY GENERAL OF ARIZONA, ET  
AL., *PETITIONERS*,

*v.*

DEMOCRATIC NATIONAL COMMITTEE, ET AL.

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ARIZONA REPUBLICAN PARTY, ET AL., *PETITIONERS*,

*v.*

DEMOCRATIC NATIONAL COMMITTEE, ET AL.

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On Writs of Certiorari to the  
United States Court of Appeals for the Ninth Circuit

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**BRIEF OF *AMICUS CURIAE*  
GOVERNOR KRISTI NOEM  
SUPPORTING PETITIONERS**

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## **QUESTION PRESENTED**

This brief addresses the following question, which corresponds to Question 1 in both consolidated cases:

Whether Section 2 of the Voting Rights Act compels states to authorize any voting practice that would be used disproportionately by racial minorities, even if existing voting procedures are race-neutral and offer all voters an equal opportunity to vote.

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## INTRODUCTION AND INTERESTS OF AMICUS<sup>1</sup>

Section 2 of the Fifteenth Amendment gives Congress “full remedial powers to effectuate the constitutional prohibition against racial discrimination in voting”—but nothing further. *South Carolina v. Katzenbach*, 383 U.S. 301, 326 (1966). In the Equal Protection context, the same is true of §5 of the Fourteenth Amendment. *City of Boerne v. Flores*, 521 U.S. 507, 520 (1997); *Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 481-482 (1997) (*Bossier I*). Yet, as amended, §2 of the Voting Rights Act lacks a “proof of discriminatory intent” requirement, *Bossier I*, 520 U.S. at 482 (cleaned up), and a violation of §2 is therefore not “*a fortiori* a violation of the Constitution.” *Ibid.*

For this reason, §2 raises serious constitutional questions: Any valid exercise of Congress’s power under either the Fourteenth or Fifteenth Amendments requires proof of purposeful discrimination. But the Ninth Circuit’s holding that anything “more than a de minimis” statistical disparity is enough to implicate §2 pushes the statute well past constitutional limits. JA 619, 621. That holding means that state legislators violate §2, not just when they intentionally discriminate against their citizens because of race (or even substantially

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<sup>1</sup> All parties have consented to the filing of this brief. No counsel for a party authored it in whole or in part, nor did any person or entity, other than amicus or her counsel, make a monetary contribution to fund the brief’s preparation or submission.

burden their right to vote at all), but because of minor statistical differences in election turnout.

That interpretation imposes requirements on state legislatures that Congress lacked the authority to adopt under the Fourteenth and Fifteenth Amendments, and it should be reversed. In so doing, the Court should take this opportunity to clarify §2's proper scope, guided by a firm understanding of the "remedial, rather than substantive," nature of the Fourteenth and Fifteenth Amendment's Enforcement Clauses. *See City of Boerne*, 521 U.S. at 520. Specifically, the Court should hold that §2 prohibits only those election laws (a) that are motivated by *purposeful* discrimination *and* (b) that deny or abridge the right to vote by substantially burdening that right beyond the ordinary burdens of voting.

As governor of South Dakota, Governor Kristi Noem has a strong interest in the administration of functional, secure, and nondiscriminatory election systems. Like the roughly ten thousand state and local election officials from around the country, see Appendix A, she has a keen interest in ensuring both that §2 remains within constitutional bounds and that the Court issues clear guidance about its proper application in circumstances like these. Such guidance will not only help the people tasked with the administration of elections to know how to carry out their responsibilities, it will also reduce the likelihood that federal district courts will rely on ambiguity in this Court's caselaw to intrude improperly into States' efforts to run their elections as they see fit.

As with the Voting Rights Act provisions at issue in *Shelby County v. Holder*, an interpretation of §2

that effectively expands Congress's Fourteenth and Fifteenth Amendment enforcement authorities would lead to a "drastic departure from basic principles of federalism." 570 U.S. 529, 535 (2013). To avoid hampering the States' ability to enforce non-discriminatory regulations designed to protect the integrity of their elections, this Court should reverse the Ninth Circuit and interpret §2 consistently with constitutional limits.

### STATEMENT

Arizona citizens have many ways to exercise the right to vote. They can vote by mail or they can vote in person; they can vote on Election Day, or they can vote early. Pet.App. 406-407. Early voting, Arizona's "most popular method of voting," lasts 27 days. Pet.App.21.

Arizona has also passed laws meant to streamline and safeguard the integrity of its election processes. One such law requires individuals voting in person to do so in the precinct where they reside. Arizona Rev. Stat. (A.R.S.) §16-122. Unregistered voters may cast a provisional ballot, which is counted once their address in the precinct is verified. Pet. 6. Any provisional ballots cast on Election Day but not later verified are not counted. *Ibid.*

In 2016, Arizona passed H.B. 2023, another law meant to safeguard election integrity. It amended A.R.S. §16-1005 by limiting the list of people who could knowingly collect a person's "voted or unvoted" early ballot to mail workers, caregivers, family members, or elections officials. *Id.* §16-1005(H), (I).

In 2016, the Democratic National Committee (DNC) filed a lawsuit alleging that these election-

integrity regulations violate §2 of the Voting Rights Act. It alleged that Arizona's regulations disparately impact minority populations and inhibit their ability to vote. After a ten-day trial, the district court found no §2 violation, and a panel of the Ninth Circuit affirmed. Pet.9-11. But the en banc Ninth Circuit reversed, finding that the challenged laws violated Section 2 by disparately impacting more than a *de minimis* number of minority voters. Pet.11.

### SUMMARY OF ARGUMENT

The Ninth Circuit's holding erroneously threatens election-integrity laws any time there is a more-than-de-minimis statistical difference in voter participation among the races.

I. Under this Court's governing precedents, Congress only has the authority to enforce the rights enshrined in the Fourteenth and Fifteenth Amendments, not to expand them. But §2 of the Voting Rights Act, as interpreted by the Ninth Circuit, requires more of the States than either constitutional amendment, for it allows anything "more than a de minimis" statistical disparity to implicate §2, regardless whether racial minorities have an equal opportunity to vote. Thus, the Ninth Circuit's interpretation of §2 violates the Constitution.

The Ninth Circuit here interpreted §2 in a way that departs from the statutory text. But rather than interpreting the text to avoid constitutional problems, the Ninth Circuit's interpretation exacerbates them.

This Court should apply standard principles of constitutional avoidance and interpret §2 in a way that eliminates the constitutional concerns raised by

the Ninth Circuit’s unjustified gloss. Specifically, the Court should hold that §2 protects only against purposeful discrimination. And it should recognize that, because minor burdens on the right to vote neither abridge nor deny the right itself, an election-integrity provision that entails only the ordinary burdens of voting does not implicate §2.

II. Such an interpretation would not only protect the proper balance between the national government and the States. It would also ensure that election officials across the country can administer their States’ election laws without worrying that circumstances beyond their control could lead to liability under the Act. This Court has long cautioned against “t[ying] the hands of States seeking to assure that elections are operated equitably and efficiently.” *Burdick v. Takushi*, 504 U.S. 428, 433 (1992). Here, anything less than a clear rule—one that reflects appropriate constitutional limitations on Congress’s power—would “tie the hands” of some ten thousand election officials across the country who are merely trying to enforce nondiscriminatory election regulations that protect their elections’ integrity. See Appendix A.

## ARGUMENT

### **I. This Court Should Interpret Section 2 Consistently With The Limitations Of The Fourteenth And Fifteenth Amendments' Enforcement Clauses.**

Article I, §4 of the Constitution authorizes the States to set the proper time, place, and manner of elections. Because of the undisputed importance of the States' authority over their elections, this Court should ensure that §2 of the Voting Rights Act (Act), which regulates the exercise of that power, is interpreted to fit within the limits of the Fourteenth and Fifteenth Amendments' enforcement clauses.

#### **A. Election laws violate the Fourteenth and Fifteenth Amendments only when they deny or abridge the right to vote as a result of purposeful discrimination.**

The Ninth Circuit's interpretation of §2 violates the Constitution by allowing courts to invalidate state election laws that neither (1) purposefully discriminate on the basis of race nor (2) substantially burden the Fourteenth Amendment right to vote.

1. Subject to congressional alteration, the Constitution authorizes state legislatures to set the "Times, Places and Manner of holding Elections." U.S. Const. art. I, §4. This Court has interpreted that clause to give state legislators the "right to enact and execute [election laws] on their own, subject of course to any injunction in a § 2 action." *Shelby Cnty. v. Holder*, 570 U.S. 529, 544 (2013).

But §2 constrains the States only to the extent Congress had the constitutional authority to enact it. And Congress's authority in that regard is limited by the dictates of the Fourteenth and Fifteenth Amendments.

As this Court has explained, Congress's power to enforce a constitutional right is remedial: it does not include the right to change or expand "what the right is." *City of Boerne v. Flores* 521 U.S. 507, 519 (2017). Furthermore, any law purporting to enforce the Fourteenth and Fifteenth Amendments must show "congruence and proportionality between the injury to be prevented or remedied and the means adopted to that end." *Id.* at 520. Prior cases and the history of the Fourteenth and Fifteenth Amendments leave no question that Section 2 of the Fifteenth Amendment is no less "remedial" than Section 5 of the Fourteenth Amendment, the provision at issue in *City of Boerne*. *South Carolina v. Katzenbach*, 383 U.S. 301, 326 (1966); see also Roger Clegg & Hans A. von Spakovsky, "Disparate Impact" and Section 2 of the Voting Rights Act 3 (2014).

2. The text of §1 of the Fifteenth Amendment thus sets the outer limits of the enforcement provision of §2, which follows it. The Amendment provides that the "right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of" race or color. This Court has interpreted this provision to prohibit only "purposeful discrimination." *City of Mobile v. Bolden*, 446 U.S. 55, 63 (1980). In the voting-rights context, the Equal Protection Clause of the Fourteenth Amendment likewise prohibits only purposeful discrimination; it

does not prohibit laws that only “result[] in a racially disproportionate impact.” *Id.* at 70 (quoting *Arlington Heights v. Metrop. Housing Dev. Corp.*, 429 U.S. 252, 264-265 (1977); see also *Bossier I*, 520 U.S. at 481-482 (same)).

Thus, “whether under the Fourteenth or Fifteenth Amendment,” litigants claiming that their right to vote has been denied or abridged are “required to establish that the State or political subdivision acted with a discriminatory purpose.” *Bossier I*, 520 U.S. at 481. Properly understood, then, §2 of the Fifteenth Amendment and §5 of the Fourteenth Amendment give Congress “full remedial powers to effectuate the constitutional prohibition against [purposeful] racial discrimination in voting,” but nothing further. *Katzenbach*, 383 U.S. at 326.

3. Of course, a court must also consider *how* that right is denied or abridged. After all, the concept of “abridgement” “necessarily entails a comparison” with an objective benchmark, because “[i]t makes no sense to suggest that a voting practice ‘abridges’ the right to vote without some baseline with which to compare the practice.” *Reno v. Bossier Parish Sch. Bd.*, 528 U.S. 320, 334 (2000). “The comparison must be made with \*\*\* what the right to vote *ought to be*.” *Id.* at 334.

In that regard, this Court’s voting-rights cases confirm that minor burdens on the right to vote are not “denials” or “abridgments” of the right. That is because the “States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised, absent of course the discrimination which the Constitution condemns.” *Lassiter v. Northampton Cnty. Bd. of Elections*, 360

U.S. 45, 50 (1959) (internal citations omitted). Consistent with this power, the Court has held that not every law “burden[ing] \*\*\* the right to vote must be subject to strict scrutiny.” *Burdick v. Takushi*, 504 U.S. 428, 432 (1992). Instead, “reasonable, nondiscriminatory” voting regulations can be justified by “the state’s important regulatory interests.” *Anderson v. Celebrezze*, 460 U.S. 780, 788 (1983).

The Court has accordingly recognized that state legislators may create “comprehensive and sometimes complex election codes” even though they “inevitably affect[]—at least in some degree—the individual’s right to vote and his right to associate with others for political ends.” *Ibid.* Guided by these understandings, this Court has historically upheld “generally-applicable and evenhanded restrictions that protect the integrity and reliability of the electoral process itself” even though they inherently impose some burdens on the right to vote. *Id.* at 788 n.9.

This means that state election laws can require “nominal effort” from voters without unconstitutionally denying or abridging their right to vote. *Clingman v. Beaver*, 544 U.S. 581, 591 (2005). Only “severe” burdens “beyond the merely inconvenient,” the “[o]rdinary,” and the “widespread” deny or abridge the right. *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 205 (2008) (Scalia, J., concurring).

In *Crawford*, for example, the Court rejected a challenge to a state election law after finding that it failed to “represent a significant increase over the usual burdens of voting.” 553 U.S. at 198 (controlling opinion of Stevens, J.). Justice Stevens’ controlling

opinion recognized that mere “inconvenience” “does not qualify as a substantial burden on the right to vote”: “For most voters who need [voter identification], the inconvenience of making a trip to the BMV, gathering the required documents, and posing for a photograph” was only a minor burden. *Ibid.* Likewise, burdens “arising from life’s vagaries \*\*\* are neither so serious nor so frequent” as to raise any constitutional questions to a state election law. *Id.* at 197.

**B. The Ninth Circuit’s interpretation of Section 2, which allows courts to enjoin even race-neutral state election laws if they result in “more than a de minimis” statistical disparity, is unconstitutional.**

When the Ninth Circuit below interpreted §2, it ignored the constitutional limits on Congress’s power and usurped from the States their “broad powers to determine the conditions under which the right of suffrage may be exercised, absent \*\*\* the discrimination which the Constitution condemns.” *Lassiter v. Northampton Cnty. Bd. of Elections*, 360 U.S. 45, 50 (1959) (internal citations omitted). This Court should interpret §2 to avoid the patent constitutional problems in the Ninth Circuit’s reading of the law.

1. When Congress originally passed the Voting Rights Act of 1965, the statutory text paralleled the language of the Fifteenth Amendment and prohibited only purposeful discrimination. *City of Mobile v. Bolden*, 446 U.S. 55, 60-62 (1980) (plurality opinion). In 1982, however, Congress expanded subsection (a) of §2 to prohibit the States from imposing or applying voting practices “in a manner which *results in* a denial

or abridgment of the right \*\*\* to vote on account of race or color.” 52 U.S.C. §10301(a). Congress also added §10301(b) to clarify *how*, under §2, States can deny or abridge the right to vote: That provision requires courts to look at the “totality of circumstances” to determine whether the “political processes” are “not equally open to participation by [a racial group] in that its members have less opportunity than other members of the electorate to participate in the electoral process and to elect representatives of their choice.” 52 U.S.C. §10301(b).

The 1982 amendments stemmed from congressional compromise. The original changes proposed by the House would have prohibited “*all* discriminatory ‘effects’ of voting practices,” yet “[t]his version met stiff resistance in the Senate.” *Miss. Republican Exec. Comm. v. Brooks*, 469 U.S. 1002, 1010 (1984) (Rehnquist, J., dissenting) (citations omitted) (emphasis added). The Senate feared that such a law would “lead to requirements that minorities have proportional representation, or \*\*\* devolve into essentially standardless and ad hoc judgments.” *Ibid.* Senator Dole stepped in with a compromise, which Congress eventually enacted. See *Thornburg v. Gingles*, 478 U.S. 30, 84 (1986) (O’Connor, J., concurring in the judgment). The key to the compromise was that it prohibited states from providing unequal opportunity to voters, but it did not require equality of political outcomes.

2. This Court has recognized that by its terms §2 now imposes a “results test,” i.e., litigants can prove a violation of §2 by “showing discriminatory effect alone.” *Gingles*, 478 U.S. at 35; *Chisom v. Roemer*, 501

U.S. 380, 404 (1991) (same). Because of this, §2 now “goes beyond the direct prohibitions of the Constitution itself” to the point that “a violation of §2 is no longer *a fortiori* a violation of the Constitution.” *Bossier I*, 520 U.S. at 482 (internal citations omitted). For this reason, the plain text of §2 alone raises significant constitutional questions. But the Court has never “purport[ed] to assess [the] constitutional implications” of §2’s text or this Court’s interpretations of it. *Johnson v. De Grandy*, 512 U.S. 997, 1028-1029 (1994) (Kennedy, J., concurring); *Chisom*, 501 U.S. at 418 (Kennedy, J., dissenting).

The Ninth Circuit’s overly broad interpretation of §2 presents that question. In resolving the constitutional issue, this Court should recall that “it is the duty of federal courts to construe a statute in order to save it from constitutional infirmities.” *Morrison v. Olson*, 487 U.S. 654, 682 (1988). And the Court should hold that the substantial federalism costs of the Act require that it be construed in light of the limits of the Fourteenth and Fifteenth Amendments’ Enforcement Clauses. *Lopez v. Monterey Cnty.*, 525 U.S. 266, 282 (1999); see also *City of Rome v. United States*, 446 U.S. 156, 207 (1980) (Rehnquist, J., dissenting) (failing to properly construe the Voting Rights Act is a “total abdication” of the Court’s authority to “decid[e] challenges to the exercise of power” by Congress).

Moreover, because Congress passed the Act as an exercise of its enforcement power, this Court’s interpretation should ensure “congruence and proportionality between the injury to be prevented or remedied and the means adopted to that end.” *City of Boerne*, 521 U.S. at 520. Because the Fourteenth and

Fifteenth Amendments give Congress only remedial powers to prohibit purposeful discrimination in voting legislation, §2 should be interpreted to extend only far enough to respond proportionately to the evils of purposeful discrimination. See, *e.g.*, *NLRB v. Catholic Bishop of Chicago*, 440 U.S. 490, 500 (1979).

3. Rather than avoid the constitutional problems presented by §2, the Ninth Circuit's interpretation exacerbated them. Its reading of the law would allow courts to enjoin election procedures whenever a litigant could show that those procedures affect "more than a de minimis number of minority voters," JA 619-620, 661-662, even—in some cases—if the law did not cause a substantial disparate impact. See JA 659, 671 (asking whether a disparity is "caused by or linked to social or historical conditions") (internal punctuation omitted). The Ninth Circuit's reading would also do so regardless of (1) whether States enacted the challenged statutes because of purposeful discrimination, see Pet. Br. 45-49, or (2) whether they impose anything more than the ordinary burdens of voting. JA 722-723 (Bybee, J., dissenting) (stressing that the regulations challenged here were ordinary time, place, and manner restrictions necessary for election integrity). As addressed in Section I.A, Congress lacks the power to enact such a statute.

**C. This Court should interpret Section 2 so that it goes no further than the limits of the Fourteenth and Fifteenth Amendments by holding that it prohibits only those state election laws motivated by purposeful discrimination.**

Consistent with well-established principles of constitutional avoidance, this Court should interpret §2 in a way that matches the rights enshrined in the Fourteenth and Fifteenth Amendments. See, *e.g.*, *NLRB v. Catholic Bishop of Chicago*, 440 U.S. at 500.

Moreover, the Court should hold, as it has recognized in prior voting-rights cases, that minor inconveniences such as the ordinary burdens of voting, which are inevitable in any election regime, do not abridge or deny the right to vote. *Crawford*, 553 U.S. at 198 (controlling opinion of Stevens, J.); *Clingman*, 544 U.S. at 591; *Burdick*, 504 U.S. at 432; *Anderson*, 460 U.S. at 788. Because a threshold inquiry in §2 cases is whether a state election law has denied or abridged the right to vote, 52 U.S.C. §10301(a), election-integrity statutes that impose only the ordinary burdens of voting should never implicate §2.

Finally, the Court's interpretation should recognize that Congress lacked the constitutional authority to enact a Voting Rights Act that would invalidate state election laws that are not tainted by purposeful discrimination. See, *e.g.*, *Bossier I*, 520 U.S. at 481-482; *City of Mobile*, 446 U.S. at 63, 70.

Put simply, for §2 to survive constitutional scrutiny, this Court should interpret it to prohibit only those state election statutes that are (1) tainted by

purposeful discrimination and (2) that deny or abridge the right to vote by imposing more than the ordinary burdens of voting. Only by constraining §2 to the constitutional limits of Congress's enforcement power will the States be able to exercise their own "broad powers to determine the conditions under which the right of suffrage may be exercised, absent \*\*\* the discrimination which the Constitution condemns." *Lassiter v. Northampton Cnty. Bd. of Elections*, 360 U.S. 45, 50 (1959) (internal citations omitted).

## **II. State Officials Need A Clear Rule To Avoid Confusion And Ensure The Efficient Administration Of Elections.**

To state legislators and the officials they task with overseeing elections, it is impossible to overstate the importance of a bright-line rule interpreting §2 of the Act within constitutional limits.

1. Article I, §4 of the Constitution reflects the understanding that the "fair and honest" administration of elections requires their "substantial regulation." *Storer v. Brown*, 415 U.S. 724, 730 (1974). This Court has therefore interpreted the Constitution to allow state "government[s] [to] play an active role in structuring elections." *Burdick*, 504 U.S. at 433. Consistent with that understanding, this Court's previous interpretations of §2 have emphasized that "the State's interest in maintaining an electoral system \*\*\* is a legitimate factor to be considered by courts among the 'totality of circumstances' in determining whether a § 2 violation has occurred." *Houston Lawyers' Ass'n v. Attorney Gen. of Texas*, 501 U.S. 419, 426 (1991). To maintain such a system, state election codes may, as this Court has recognized, be

“comprehensive and sometimes complex.” *Anderson*, 460 U.S. at 788 (cleaned up).

And the Court has recognized that a State’s election laws may serve many purposes. For example, states can properly use their election laws “to prevent the clogging of [their] election machinery, avoid voter confusion, and assure that the winner is the choice of a majority, or at least a strong plurality, of those voting.” *Bullock v. Carter*, 405 U.S. 134, 145 (1972). And they can introduce schemes that “govern[] the registration and qualifications of voters, the selection and eligibility of candidates, or the voting process itself.” *Anderson*, 460 U.S. at 788. They can also impose “safeguards” to prevent “fraud and corrupt practices.” *Smiley v. Holm*, 285 U.S. 355, 366 (1932). “[E]xperience shows” that such regulations are “necessary.” *Ibid.*

By contrast, the Ninth Circuit’s reading of §2 would threaten virtually *any* voting regulation, no matter how beneficial to democratic self-government, that indirectly increases the burdens of voting slightly more for one race than another. JA 659, 671. That ruling would place any number of these election-integrity schemes at risk at any time. *Shelby Cnty.*, 570 U.S. at 537 (“Section 2 is permanent, applies nationwide,” and “[b]oth the Federal government and individuals have sued to enforce” it.).

2. The many officials charged with creating and implementing state election regulations cannot be expected to operate under that uncertainty. As Appendix A shows, there are roughly ten thousand state and local officials nationwide who have undertaken those responsibilities within their

respective states, not to mention the 7,383 legislators who ultimately must decide which regulations to adopt. See Appendix A.

For these legislators and election officials, the ever-present threat of a §2 lawsuit—regardless whether an election provision is discriminatory—will hinder their ability to adopt and apply legitimate local election laws. States and state officials thus need this Court’s guidance so that they may continue to regulate their own elections appropriately. Were this Court to affirm the Ninth Circuit—or reverse it without providing clear instruction on the scope of §2—it would “tie the hands of States” and state officials “seeking to assure that elections are operated equitably and efficiently,” by creating confusion about which race-neutral election laws are at risk of being enjoined. *Burdick*, 504 U.S. at 433.

Further, failing to properly address the scope of §2 in this case would leave district courts around the country unsure of how to apply §2 when those cases inevitably come before them. Without clear guidance about what §2 prohibits, many district courts will feel empowered to second-guess state election regulations, a sphere that, as mentioned, the Constitution largely leaves to the States.

To prevent these untoward results, and to ensure that state election officials can keep regulating state elections “absent \*\*\* the discrimination which the Constitution condemns,” *Lassiter v. Northampton Cnty. Bd. of Elections*, 360 U.S. 45, 50 (1959), this Court should clarify what §2 prohibits by interpreting that provision consistently with the clear limitations of the Fourteenth and Fifteenth Amendments.

## CONCLUSION

Election officials across the country are tasked with ensuring open, safe, and secure elections. The Ninth Circuit's interpretation of §2 departs from the text of the statute. Rather than saving the statute—which would be the only permissible reason to depart from the text—the Ninth Circuit increased the problems with it, at the expense of election officials who want nothing more than to safely and efficiently implement their state's race-neutral election laws. Only by interpreting §2 with an understanding of the limits of Congress's authority will this Court be able to provide the clarity needed to guide state election officials as they secure and oversee their state elections.

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December 7, 2020

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**APPENDIX A  
STATE ELECTION OFFICIALS AND LEGISLATORS**

<b>State</b>	<b>Legislators<sup>1</sup></b>	<b>State Officials<sup>2</sup></b>	<b>County/Local Officials<sup>3</sup></b>	<b>Total</b>
Alabama	140	16 <sup>4</sup>	N/A	~156
Alaska	60	~100 <sup>5</sup>	30	~190
Arizona	90	15 <sup>6</sup>	30 <sup>7</sup>	135
Arkansas	135	26 <sup>8</sup>	300 <sup>9</sup>	461
California	120	~48 <sup>10</sup>	58	~226
Colorado	100	~3 <sup>11</sup>	64	~167
Connecticut	187	N/A	517 <sup>12</sup>	~704
Delaware	62	11 <sup>13</sup>	6 <sup>14</sup>	79
Florida	160	53 <sup>15</sup>	67	280
Georgia	236	165 <sup>16</sup>	~318 <sup>17</sup>	~719
Hawaii	76	22 <sup>18</sup>	4	102
Idaho	105	N/A	44	~149
Illinois	177	10 <sup>19</sup>	102	289
Indiana	150	15 <sup>20</sup>	~368 <sup>21</sup>	~533
Iowa	150	11 <sup>22</sup>	99	260

State	Legislators <sup>1</sup>	State Officials <sup>2</sup>	County/Local Officials <sup>3</sup>	Total
Kansas	165	N/A	105	~270
Kentucky	138	9 <sup>23</sup>	480 <sup>24</sup>	627
Louisiana	144	7 <sup>25</sup>	320 <sup>26</sup>	471
Maine	186	6 <sup>27</sup>	~16 <sup>28</sup>	~208
Maryland	188	20 <sup>29</sup>	123 <sup>30</sup>	331
Massachusetts	200	1 <sup>31</sup>	N/A	~201
Michigan	148	6 <sup>32</sup>	1,603 <sup>33</sup>	1,757
Minnesota	201	N/A	87	~288
Mississippi	174	7 <sup>34</sup>	410 <sup>35</sup>	591
Missouri	197	7 <sup>36</sup>	114	318
Montana	150	10 <sup>37</sup>	56	216
Nebraska	49	6 <sup>38</sup>	93	148
Nevada	63	11 <sup>39</sup>	35 <sup>40</sup>	109
New Hampshire	424	15 <sup>41</sup>	324 <sup>42</sup>	763
New Jersey	120	9 <sup>43</sup>	21 <sup>44</sup>	150
New Mexico	112	~4 <sup>45</sup>	132 <sup>46</sup>	~248
New York	213	6 <sup>47</sup>	248 <sup>48</sup>	467

State	Legislators <sup>1</sup>	State Officials <sup>2</sup>	County/Local Officials <sup>3</sup>	Total
North Carolina	170	6 <sup>49</sup>	500 <sup>50</sup>	676
North Dakota	141	5 <sup>51</sup>	53	199
Ohio	132	21 <sup>52</sup>	352 <sup>53</sup>	505
Oklahoma	149	6 <sup>54</sup>	~231 <sup>55</sup>	~386
Oregon	90	17 <sup>56</sup>	36	143
Pennsylvania	253	9 <sup>57</sup>	67 <sup>58</sup>	329
Rhode Island	113	15 <sup>59</sup>	39 <sup>60</sup>	167
South Carolina	170	10 <sup>61</sup>	~368 <sup>62</sup>	~548
South Dakota	105	7 <sup>63</sup>	66	178
Tennessee	132	8 <sup>64</sup>	475 <sup>65</sup>	615
Texas	181	6 <sup>66</sup>	254 <sup>67</sup>	441
Utah	104	4 <sup>68</sup>	29	137
Vermont	180	6 <sup>69</sup>	14	200
Virginia	140	5 <sup>70</sup>	399 <sup>71</sup>	544
Washington	147	N/A	39	~186
West Virginia	134	7 <sup>72</sup>	55	196
Wisconsin	132	6 <sup>73</sup>	72	210

<b>State</b>	<b>Legislators<sup>1</sup></b>	<b>State Officials<sup>2</sup></b>	<b>County/Local Officials<sup>3</sup></b>	<b>Total</b>
Wyoming	90	174	23	114
Totals	7,383	~758	~9,246	~17,387

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<sup>1</sup> *Number of Legislators and Length of Terms in Years*, Nat'l Conference of State Legislatures (Aug. 9, 2019), <https://www.ncsl.org/research/about-state-legislatures/number-of-legislators-and-length-of-terms.aspx>.

<sup>2</sup> In some instances, the lack of readily available data has made necessary either an estimate, marked with a “~,” or, where data was truly unavailable, an “N/A.”

<sup>3</sup> Unless otherwise noted, county/local data comes from *Election Admin. at State and Local Levels*, Nat'l Conference of State Legislators (Feb. 3, 2020), <https://www.ncsl.org/research/elections-and-campaigns/election-administration-at-state-and-local-levels.aspx#table2> (calculated using Local Election Administration Structure Map and Table 2: States with Multiple Election Officials and multiplying by the number of counties with the number of local administrators indicated in the source).

<sup>4</sup> See *Office Salary Information*, Ala. Sec'y of State, <https://www.sos.alabama.gov/sos-office/office-salary-information> (last visited Dec. 5, 2020) (calculated by adding the positions under the Elections Division with relevant positions in the Executive Division).

<sup>5</sup> See *Employee Directory*, State of Alaska, <https://www.alaska.gov/whitepages/> (last visited Dec. 5, 2020) (calculated by searching “Election” in Job Title section and selecting “Office of Governor” for agency).

<sup>6</sup> See *Sec'y of State*, AZ Direct, <https://azdirect.az.gov/secretary-state> (last visited Dec. 5, 2020) (4 pertinent team members); *Our Team*, Citizens Clean Elections Commission, <https://www.azcleelections.gov/our-team> (last visited Dec. 5, 2020) (11 team members).

<sup>7</sup> See *County Election Officials Contact Information*, Ariz. Sec'y of State, <https://azsos.gov/county-election-info> (last visited Dec. 5, 2020) (2 officials each in 15 counties).

<sup>8</sup> See *About Us*, Ark. State Bd. of Election Comm'rs., <https://www.arkansas.gov/sbec/about-us/> (last visited Dec. 5,

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2020) (14 commissioners/staff); *Elections Division: People*, Arkansas.gov, <https://portal.arkansas.gov/agency/secretary-of-state/elections-division/employees/> (last visited Dec. 5, 2020) (12 employees).

<sup>9</sup> See *Election Commissioners*, Ark. State Bd. of Election Comm'rs., <https://www.arkansas.gov/sbec/election-commissioner> (last visited Dec. 5, 2020) (each of Arkansas' 75 counties has an election board (x3) and a county clerk).

<sup>10</sup> See *Organization & Responsibilities*, Cal. Fair Political Practices Comm., <https://www.fppc.ca.gov/about-fppc/organization-and-responsibilities.html> (last visited Dec. 5, 2020) (9 members/staff); *Language Accessibility Advisory Committee*, Cal. Sec'y of State, <https://www.sos.ca.gov/elections/laac/members> (last visited Dec. 5, 2020) (18 members); *State Entities*, Cal. Online Directory, <https://cold.govops.ca.gov/StateEntity> (last visited Dec. 5, 2020) (look under Secretary of State Administrative Division (4 relevant employees) and Elections Division (3 relevant contacts)); *Voting Accessibility Advisory Committee*, Cal. Sec'y of State, <https://www.sos.ca.gov/elections/vaac> (last visited Dec. 5, 2020) (9 members); *Voting Modernization Bd.*, Cal. Sec'y of State, <https://www.sos.ca.gov/elections/laac/members> (last visited Dec. 5, 2020) (5 members).

<sup>11</sup> See Colo. Legislative Council Staff, *Directory of State Government* 25 (2020), [https://leg.colorado.gov/sites/default/files/directory\\_of\\_state\\_government\\_final.pdf](https://leg.colorado.gov/sites/default/files/directory_of_state_government_final.pdf) (Secretary of State, Deputy Secretary of State, Elections Director).

<sup>12</sup> See *Find Your Town Clerk, Registrar of Voters and Elected officials*, Off. of Sec'y of State, <https://portal.ct.gov/SOTS/Election-Services/Find-Your-Town-Clerk-Registrar-and-Elected-Officials/Find-Your-Town-Clerk-Registrar-of-Voters-and-Elected-Officials> (last visited Dec. 5, 2020) (339-member Registrar of Voters and 178 Town Clerks).

<sup>13</sup> *About Agency*, Off. of the State Election Comm'r, <https://elections.delaware.gov/aboutagency.shtml#board> (last visited Dec. 5, 2020).

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<sup>14</sup> *Ibid.*

<sup>15</sup> See *2020–2021 State Positions Detail*, Transparency Fla., [http://transparencyflorida.gov/Positions/Positions\\_Detail.aspx?FY=21&BE=45100200&SC=F&Print=Y](http://transparencyflorida.gov/Positions/Positions_Detail.aspx?FY=21&BE=45100200&SC=F&Print=Y) (last visited Dec. 5, 2020) (52 positions plus the Secretary of State).

<sup>16</sup> *County Election Liaisons*, Ga. Sec’y of State, <https://sos.ga.gov/Elections/CountyContacts/CountyLiaisonDisplay.aspx> (last visited Dec. 5, 2020) (1 liaison each for 159 counties); *State Election Board*, Ga. Sec’y of State, [https://sos.ga.gov/index.php/elections/state\\_election\\_board](https://sos.ga.gov/index.php/elections/state_election_board) (last visited Dec. 5, 2020) (5 members); *State of Georgia Online Directory*, Team Ga. Directory, <http://directory.doas.ga.gov/Home/Index> (last visited Dec. 5, 2020) (1 elections director).

<sup>17</sup> See Linda Ford, *Local Bd. Structure and Elections Admin.* 10 (2011), [http://www.accg.org/library/2011\\_llc\\_elections\\_management.pdf](http://www.accg.org/library/2011_llc_elections_management.pdf) (estimate calculated by assuming at least 2 officials in each of Georgia’s 159 counties).

<sup>18</sup> Pete Gayatinea, *Directory of State, County and Federal Officials* 23 (2019), [https://lrh.hawaii.gov/wp-content/uploads/dir\\_2019-12.pdf](https://lrh.hawaii.gov/wp-content/uploads/dir_2019-12.pdf) (Chief Election Officer, 9-member Elections Commission, and 12-member Board of Registration).

<sup>19</sup> *Board Members*, Ill. State Bd. of Elections, <https://www.elections.il.gov/AboutTheBoard/BoardMembers.aspx?MID=tM0nmb%2bWN6o%3d&T=637422039202130824> (last visited Dec. 5, 2020) (8-member Board of Elections); *Off. of Exec. Dir.*, Ill. State Bd. of Elections, <https://www.elections.il.gov/AboutTheBoard/DivExecutiveDirector.aspx?MID=vNkncI7qfKU%3d&T=637427727980631973> (last visited Dec. 5, 2020) (Executive Director and Assistant Executive Director).

<sup>20</sup> *Election Commission*, Ind. Sec’y of State, <https://www.in.gov/sos/elections/2404.htm> (last visited Dec. 5, 2020) (4 members); *IED Staff*, Ind. Sec’y of State,

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<https://www.in.gov/sos/elections/2366.htm> (last visited Dec. 5, 2020) (11 employees).

<sup>21</sup> Ass'n. of Ind. Cntys., *There When You Need It: County Government* 3, 5, [https://www.indianacounties.org/egov/documents/1251296396\\_485260.pdf](https://www.indianacounties.org/egov/documents/1251296396_485260.pdf) (last visited Dec. 5, 2020) (“Counties have 3 commissioners,” and a clerk of circuit court who serves “as an ex-officio member” of the “county election board.”).

<sup>22</sup> *Governing Board Members*, Iowa Ethics & Campaign Disclosure Bd., <https://ethics.iowa.gov/about/governing-board-members> (last visited Dec. 5, 2020) (6 members); *Voter Registration Comm.*, Iowa Sec’y of State, <https://sos.iowa.gov/elections/VRC/VRC.html> (last visited Dec. 5, 2020) (4 members plus Secretary of State).

<sup>23</sup> *About Us: State Board of Elections*, Ky. State Bd. of Elections, <https://elect.ky.gov/About-Us/Pages/State-Board-of-Elections.aspx> (last visited Dec. 5, 2020) (“The State Board of Elections consists of the Secretary of State ... and eight members appointed by the governor.”).

<sup>24</sup> *County Boards of Election*, Ky. State Bd. of Elections, <https://elect.ky.gov/About-Us/Pages/County-Boards-of-Elections.aspx> (last visited Dec. 5, 2020) (click link to “list of county board members” showing that there are 4-member boards in each of 120 counties).

<sup>25</sup> *Election Officials Duties*, La. Sec’y of State, <https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ElectionOfficialsDuties.pdf> (last visited Dec. 5, 2020) (7-member State Board of Election Supervisors).

<sup>26</sup> *Ibid.* (5 election officials in each of 64 parishes).

<sup>27</sup> *About Us*, Me. Comm. On Governmental Ethics & Election Practices, <https://www.maine.gov/ethics/about> (last visited Dec. 5, 2020) (5-member “Commission on Governmental and Election Practices” plus Secretary of State).

<sup>28</sup> Each of Maine’s 16 counties has at least one official. See *supra* n.2.

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<sup>29</sup> *About SBE*, Md. State Bd. of Elections, <https://elections.maryland.gov/about/index.html> (last visited Dec. 5, 2020) (5-member State Board of Elections); *State Bd. of Elections Directory*, Md. State of Elections, <https://elections.maryland.gov/about/staff.html> (last visited Dec. 5, 2020) (15 relevant employees).

<sup>30</sup> *Local Boards of Election*, Md. Manual On-Line, <https://msa.maryland.gov/msa/mdmanual/41electp/html/local.html> (last visited Dec. 5, 2020) (5 members each in 23 county boards of election, with 8-member board of election in Prince George's County).

<sup>31</sup> *Contact Information*, Sec'y of Commonwealth of Mass., <https://www.sec.state.ma.us/seccon.htm> (last visited Dec. 5, 2020) (Secretary of the Commonwealth).

<sup>32</sup> See Mich. Bureau of Elections, *Structure of Michigan's Election System* 4 (2019), [https://www.michigan.gov/documents/sos/I\\_Structure\\_of\\_MI\\_Elections\\_System\\_265982\\_7.pdf](https://www.michigan.gov/documents/sos/I_Structure_of_MI_Elections_System_265982_7.pdf) (Secretary of State, 4-member Board of Canvassers, and State Elections Director).

<sup>33</sup> See *id.* at 1 (“Michigan’s election system is administered by 1603 county and local election officials.”).

<sup>34</sup> *Staff Directory*, Miss. Sec'y of State, <https://www.sos.ms.gov/About/Pages/Staff-Directory.aspx> (last visited Dec. 5, 2020) (Secretary of State and 6-member Elections Division).

<sup>35</sup> See *County Election*, Miss. Sec'y of State, <https://www.sos.ms.gov/Elections-Voting/Pages/County-Election-Info.aspx> (last visited Dec. 5, 2020) (5-member boards in each of 82 counties).

<sup>36</sup> See *Missouri Personnel: Office of Secretary of State*, Mo. Official Manual 918, [https://www.sos.mo.gov/cmsimages/bluebook/2019-2020/10\\_Personnel.pdf#page=2](https://www.sos.mo.gov/cmsimages/bluebook/2019-2020/10_Personnel.pdf#page=2) (last visited Dec. 5, 2020) (calculated by adding employees with “elections” in their titles).

<sup>37</sup> See *Office of the Secretary of State*, Mont. Agency Directory, <https://directory.mt.govt/state-dir/agency/secstate> (last

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visited Dec. 5, 2020) (calculated by adding the Secretary of State, Deputy Secretary of State, Elections Director plus seven employees in the “Elections and Government Services” section).

<sup>38</sup> *Elections Division*, Neb. Sec’y of State, <https://sos.nebraska.gov/elections/elections-division> (last visited Dec. 5, 2020) (Secretary of State and a 5-member “Elections Team”).

<sup>39</sup> *Advisory Committee on Participatory Democracy*, Nev. Sec’y of State, <https://www.nvsos.gov/sos/elections/voters/advisory-committee-on-participatory-democracy> (last visited Dec. 5, 2020) (9 members); *Executive Staff*, Nev. Sec’y of State, <https://www.nvsos.gov/sos/sos-information/office-facts/executive-staff> (last visited Dec. 5, 2020) (Deputy Secretary of State for Elections and Deputy for Elections).

<sup>40</sup> *County Clerk Contact Information*, Nev. Sec’y of State, <https://www.nvsos.gov/sos/elections/voters/county-clerk-contact-information> (last visited Dec. 5, 2020) (one county clerk in each of 16 counties, plus an additional clerk for Carson City); *City Clerk Contact Information*, Nev. Sec’y of State, <https://www.nvsos.gov/sos/elections/voters/city-clerk-contact-information> (last visited Dec. 5, 2020) (18 city clerks).

<sup>41</sup> See *Ballot Law Commission*, N.H. Dep’t of State, <https://sos.nh.gov/elections/elections/ballot-law-commission/> (last visited Dec. 5, 2020) (10-member commission plus Secretary of State).

<sup>42</sup> See *New Hampshire Political Districts (Voting Wards)*, NH Geodata Portal, [https://www.nhgeodata.unh.edu/datasets/67b478be56d147888122de1a41fa81a0\\_5/data?page=33](https://www.nhgeodata.unh.edu/datasets/67b478be56d147888122de1a41fa81a0_5/data?page=33) (estimate calculated by assuming 1 official in each of 324 wards).

<sup>43</sup> See *About ELEC*, N.J. Election Law Enft Comm., <https://www.elec.nj.gov/aboutelec.htm> (last visited Dec. 5, 2020) (9 relevant employees).

<sup>44</sup> See *County Election Officials*, N.J. Dep’t of State, <https://www.state.nj.us/state/elections/vote-county-election->

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officials.shtml#collapse1 (last visited Dec. 5, 2020) (estimate calculated by assuming at least 1 official in each of 21 counties).

<sup>45</sup> See *Contact Us*, N.M. Sec’y of State, <https://www.sos.state.nm.us/contact-us/> (last visited Dec. 5, 2020) (Secretary of State, Deputy Secretary of State, Elections Director, and Deputy Elections Director).

<sup>46</sup> See *Election Handbook Art. 2 § 1-2-12*, N.M. Sec’y of State (2019), <https://www.sos.state.nm.us/voting-and-elections/voter-information-portal/election-resources/#> (open Election Handbook PDF) (There are 33 county election boards, and each “election board shall consist of (1) a presiding judge; (2) two election judges; and (3) election clerks who are appointed to assist.”).

<sup>47</sup> See *About the New York State Board of Elections*, N.Y. Bd. of Elections, <https://www.elections.ny.gov/AboutSBOE.html> (last visited Dec. 5, 2020) (4 commissioners and two executive directors of New York State Board of Elections).

<sup>48</sup> See *County Boards of Elections*, N.Y. State Bd. of Elections (Oct. 5, 2020), <https://www.elections.ny.gov/NYSBOE/Counties/CountyBoardRoster10052020.pdf> (estimate calculated based on 4 officials in each of 62 counties, not counting for vacancies or deviations from the 4-official standard).

<sup>49</sup> *About*, N.C. State Bd. of Elections, <https://www.ncsbe.gov/about> (last visited Dec. 5, 2020).

<sup>50</sup> *County Boards of Election*, N.C. State Bd. of Elections, <https://www.ncsbe.gov/about-elections/county-boards-elections> (last visited Dec. 5, 2020) (“Each of North Carolina’s 100 counties has a county board of elections with five members.”).

<sup>51</sup> See *Staff Organizational Chart*, N.D. Sec’y of State (2020), [http://sos.nd.gov/files/uploaded\\_documents/organizational-chart-20201102.pdf](http://sos.nd.gov/files/uploaded_documents/organizational-chart-20201102.pdf) (estimate calculated by adding the Secretary of State, the Deputy Secretary of State, the Director; and two members in the Elections Unit).

<sup>52</sup> See *State of Ohio Phone Search*, Ohio.gov, <https://dasapps.ohio.gov/phonedir/> (search Secretary of State as agency and look for election under the department) (last visited

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Dec. 5, 2020) (estimate calculated by typing the word “elections” in the Department section, resulting in 20 election employees, and then adding the Secretary of State).

<sup>53</sup> See *County Boards of Elections Directory*, Ohio Sec’y of State, <https://www.sos.state.oh.us/elections/elections-officials/county-boards-of-elections-directory/> (last visited Dec. 5, 2020) (“Each of Ohio’s 88 counties has ... [a] four-person board.”).

<sup>54</sup> See *State Election Board Secretary and Members*, Okla. State Election Bd., [https://www.ok.gov/elections/About\\_Us/Secretary\\_and\\_Board/index.html](https://www.ok.gov/elections/About_Us/Secretary_and_Board/index.html) (last visited Dec. 5, 2020) (Secretary of State Election Board, 3 board members, 2 alternates).

<sup>55</sup> See *County Election Board Information*, State of Okla., [https://www.ok.gov/elections/documents/CEB\\_Physical%20Addresses\\_10142020.pdf](https://www.ok.gov/elections/documents/CEB_Physical%20Addresses_10142020.pdf) (last visited Dec. 5, 2020) (estimate calculated by assuming 3 members in each of 77 county boards of election).

<sup>56</sup> *Secretary of State Employees Dedication*, Or. Blue Book, <https://sos.oregon.gov/blue-book/Pages/about-dedication.aspx> (Secretary of State and 16 Elections Division staff).

<sup>57</sup> See *Directory*, Pa. Dep’t of State, <https://www.dgs.pa.gov/About/Documents/Commonwealth%20Directory%20Files/Department%20of%20State.doc> (last visited Dec. 5, 2020) (Secretary of State and 8 elections employees).

<sup>58</sup> See *Contact Your Election Officials*, Votes PA, <https://www.votespa.com/Resources/Pages/Contact-Your-Election-Officials.aspx> (last visited Dec. 5, 2020) (estimate calculated by assuming at least one election official in each of Pennsylvania’s 67 counties).

<sup>59</sup> See *About Us*, R.I. Bd. of Elections, <https://elections.ri.gov/about/index.php#staff-directory> (last visited Dec. 5, 2020) (9-member Board of Elections and 5 election staff members); *Elections in Rhode Island*, R.I. Dep’t of State, <https://www.sos.ri.gov/about-divisions> (last visited Dec. 5, 2020) (Secretary of State).

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<sup>60</sup> See *Local Boards of Canvassers*, R.I. Dep't of State, <https://vote.sos.ri.gov/Elections/LocalBoards> (last visited Dec. 5, 2020) (estimate calculated based on 39 Local Boards of Canvassers with an assumption that each had at least 1 member).

<sup>61</sup> *About the SEC*, S.C. Election Comm., <https://www.scvotes.gov/about-sec> (last visited Dec. 5, 2020) (5 members of the election commission and a staff of 5).

<sup>62</sup> See S.C. Code Ann. § 7-5-10(a)(1), (6) (1976) (requiring between 5 and 9 members in each of 46 counties; estimation calculated by averaging 7 in each county, plus 1 hired director per board).

<sup>63</sup> *State Board of Elections*, S.D. Sec'y of State, <https://sdsos.gov/about-the-office/board-of-elections/default.aspx> (last visited Dec. 5, 2020).

<sup>64</sup> See *State Election Commission*, Tenn. Sec'y of State, <https://sos.tn.gov/products/elections/state-election-commission> (last visited Dec. 5, 2020) (Secretary of State and seven-member commission).

<sup>65</sup> *Ibid.* (5-member boards in each of Tennessee's 95 counties).

<sup>66</sup> *Secretary of State*, Tex. State Directory, <https://www.txdirectory.com/online/office/?id=6> (last visited Dec. 5, 2020) (Secretary of State, Deputy Secretary of State, and 4 employees).

<sup>67</sup> See *Election Duties*, Tex. Sec'y of State, <https://www.sos.state.tx.us/elections/voter/county.shtml> (last visited Dec. 5, 2020) (one election clerk each in 254 counties).

<sup>68</sup> See *Staff*, Utah Lieutenant Governor, <https://ltgovernor.utah.gov/staff-list/> (last visited Dec. 5, 2020) (Lieutenant Governor and 3 election employees).

<sup>69</sup> See *About Elections Division*, Vt. Sec'y of State, <https://sos.vermont.gov/elections/about/> (last visited Dec. 5, 2020) (Secretary of State and 4 employees).

<sup>70</sup> *About Us*, Va. Dep't of Elections, <https://www.elections.virginia.gov/contact-us/about.html> (last

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visited Dec. 5, 2020) (3-member Board of Elections, plus Commissioner and Deputy Commissioner).

<sup>71</sup> *Local Voter Registration Office*, Va. Dep't of Elections, <https://vote.elections.virginia.gov/VoterInformation/PublicContactLookup> (last visited Dec. 5, 2020) (3 members in each of 133 county/city election boards).

<sup>72</sup> *Office Directory*, W. Va. Sec'y of State, <https://sos.wv.gov/about/Pages/Office-Directory.aspx> (last visited Dec. 5, 2020) (Secretary of State and 6 Elections Division employees).

<sup>73</sup> *About Us: Commission Members*, Wis. Elections Comm., <https://elections.wi.gov/about/members> (last visited Dec. 5, 2020) (6-member Elections Commission).

<sup>74</sup> *Meet the Executive Team*, Wyo. Sec'y of State, <https://sos.wyo.gov/AboutUs/AboutExecutiveTeam.aspx> (last visited Dec. 5, 2020) (Secretary of State and at least one employee).