

February 12, 2021

Dear Chairman Kasper and Members of the House Government and Veterans Affairs Committee:

The ACLU of North Dakota strongly opposes HB 1289, legislation that would significantly extend the amount of time a person must reside in the state and their precinct before becoming eligible to vote. This proposed change to the well-established voting procedures in North Dakota would result in confusion and disenfranchisement for countless people in this state who have a right to cast a ballot.

We urge a **do not pass** recommendation for HB 1289.

Under current North Dakota law, to meet the definition of a “qualified elector” an individual must be at least 18 years old, a citizen of the United States, and have resided in their precinct for 30 days prior to an election. This provision is sensible and ensures that voters reside in the districts in which they are voting without imposing substantial burdens on voters. Yet under the proposed legislation, qualified electors would be required to live in North Dakota for an entire year and their precincts for 90 full days before they become eligible to vote. Thus, HB 1289 would turn a sensible restriction into an insidious mechanism to suppress the voting rights of new North Dakotans as well as people who have moved fewer than 90 days pre-election.

North Dakota has long prided itself on its lack of voter registration, a fact that makes the state unique and eliminates unnecessary barriers to voting. Yet bills like HB 1289 undermine the state’s low-regulation approach to voting and do so without reason or need.

Further, a regulation such as that proposed in HB 1289 will have a disproportionate effect on already marginalized voting populations. Specifically, this bill will place additional hurdles in the way of young voters – particularly college students – and low-income voters. These populations move more frequently than other households. Low-income voters, in particular, are more likely to experience negative mobility in the form of evictions and homeless episodes. Additionally, low-income populations are disproportionately comprised of people of color – a disparity that has likely been exacerbated by the COVID-19 pandemic.

Simply put, North Dakotans deserve a say in their representation regardless of how much money they make or whether they’re students. In light of the particular burden HB 1289 would place on these populations, the ACLU of North Dakota does not believe there is justification for moving HB 1289 forward.

Voting is a fundamental right and it is incumbent upon elected officials to find solutions that make voting easier and more accessible for all North Dakotans.

We respectfully urge you to vote **do not pass** on HB 1289.

Sincerely,



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