

California Voting Rights Act of 2026

SUMMARY

Our democracy and voting rights are under attack - the federal government is mounting repeated attacks on fair and accessible elections, and voters of color face the biggest assault on voting rights since Jim Crow. SB 1164 is part of the California Voting Rights Act of 2026 bill package that will enshrine powerful and critical voting rights protections into state law and strengthen California's democracy by giving voters of color an equal opportunity to fully participate in the electoral process.

California must act now to protect voters of color and build a more fair and inclusive democracy.

BACKGROUND

Nearly 25 years ago, California enacted the California Voting Rights Act of 2001, the nation's first state-level voting rights act. Its impact was dramatic: over 600 local governments abandoned at-large elections, many in response to claims they were diluting the voting power of communities of color.

But the CVRA of 2001 is narrowly focused: it only prohibits discriminatory at-large election systems. Unlike the federal Voting Rights Act, the CVRA of 2001 does not protect voters from other persistent barriers to voting and political power, like unfair district maps, lack of access to voting materials for limited English proficient voters, and other voting practices that discriminate against voters of color.

To make matters worse, since the original CVRA was enacted, the U.S. Supreme Court has chipped away at federal Voting Rights Act protections and continues to consider cases that could further undermine Californians' ability to fight voting discrimination.

THE PROBLEM

Voting rights are under active attack at the federal level: in court; in Congress; by Executive Orders; and through the weaponization of the U.S. Department of Justice, which has historically been a bulwark against discrimination but is now a direct threat to voters of color.

California voters could be left without a means to protect their right to vote free from discrimination unless robust protections are enacted into state law.

Despite its progressive reputation, conditions that foster voting discrimination persist in California:

- unfair district maps that weaken the voting power of communities of color
- higher numbers of mail ballots rejections for voters of color
- attempts by election deniers in control of local governments to make the voting process harder
- lack of access to voting materials in county jails



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THE SOLUTION

SB 1164 contains important provisions to protect voters from voting discrimination:

- **Prohibit Voter Suppression:** Confront threats to voter participation and access to voting opportunities that occur through discriminatory barriers to the ballot.
- **Prohibit Vote Dilution:** Protect against district maps or election systems that weaken or silence the voting power of communities of color.
- **Stop Voting Discrimination Before It Occurs:** Require jurisdictions with a recent history of discrimination to obtain approval before making certain changes to voting practices.
- **Ensure Voters Can Directly Protect Their Rights:** As voters' ability to use the federal VRA comes under attack, ensure Californians can go to state court to enforce voting rights.
- **Require Courts to Interpret Laws in Favor of Voters:** Direct courts to interpret laws and exercise discretion in favor of broad access and equal participation in the democratic process.

PAST BILLS

SB 1365 (Padilla, 2014) and **AB 182 (Alejo, 2015)** would have expanded the CVRA of 2001 to prohibit vote dilution in district elections. Both were vetoed by Governor Brown because, at the time, he felt the federal VRA provided "sufficient safeguards."

AB 1301 (Jones-Sawyer, 2015) would have established a state-level preclearance program to prevent voting discrimination, but was vetoed by Governor Brown, who viewed a Congressional response to the Supreme Court's gutting of the VRA's preclearance infrastructure as the better approach, although unfortunately that has not happened.

SUPPORTERS OF SB 1164

The California Democracy Partnership (sponsor):

- AAPIs for Civic Empowerment (AAPI ForCE)
- ACLU California Action
- Asian Law Caucus
- California Black Power Network
- California Common Cause
- California Environmental Voters
- Catalyst California
- Coalition for Humane Immigrant Rights (CHIRLA)
- Inland Empire United Education Fund
- League of Women Voters of California
- MALDEF - Mexican American Legal Defense and Educational Fund
- NAACP Legal Defense & Educational Fund, Inc.
- Partnership for the Advancement of New Americans
- Power California
- SEIU California
- UCLA Voting Rights Project



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