

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 1360, part of the California Voting Rights Act of 2026 bill package, will enshrine powerful and critical voting rights protections into state law and strengthen California's democracy by giving language minorities an equal opportunity to fully participate in the electoral process.

California must act now to protect limited-English proficient voters and build a more fair and inclusive democracy.

BACKGROUND

California has the nation's highest proportion of households (43.3%) that speak a language other than English at home. According to the latest American Community Survey, approximately 3.20 million eligible California voters, or 12.3% of our electorate, self-identify as limited-English speakers. Depending on whether these individuals belong to language communities that meet specific definitions in either federal or state code, they have access to differing levels of support for interacting with our electoral systems. Many have no language support whatsoever.

Section 203 of the federal Voting Rights Act (VRA) applies when limited English voters of a language community comprise at least 5%, or exceed 10,000, of the adult citizen population of a county. However, this excludes anyone who does not speak Spanish, an Asian language, or a native language.

When Section 203 is triggered, all election related materials must be translated (including voter registration forms, voter guides, notices to voters, and ballots), and counties are required to recruit bilingual poll workers at targeted poll sites.

But the federal VRA protections that guarantee in-language votable ballots for millions of California limited English proficient voters are not codified into state law. And Cal. Elec. Code § 14201, the state's unique language access statute, provides only limited language assistance to communities that meet a lower threshold than the federal VRA.

Evidence has shown that language assistance increases voter participation. A 2015 study found that coverage under Section 203 significantly increased Latino voter registration rates and Asian American turnout. In San Diego County, voter registration rose by more than 20% for Filipino Americans and by almost 40% for Vietnamese Americans when the county started providing translated voting materials and recruiting bilingual poll workers for those communities.

¹Bernard L. Fraga, Julie Lee Merseth, Examining the Causal Impact of the Voting Rights Act Language Minority Provisions (July 11, 2015). <https://www.cambridge.org/core/journals/journal-of-race-ethnicity-and-politics/article/abs/examining-the-causal-impact-of-the-voting-rights-act-language-minority-provisions/5710388D382A230F83AAA762010E90F8>

²Alberto R. Gonzales, U.S. Attorney General, Prepared Remarks at the Anniversary of the Voting Rights Act, Lyndon B. Johnson Presidential Library, Austin, Texas, August 2, 2005



CALIFORNIA
DEMOCRACY
PARTNERSHIP

www.cademocracypartnership.org

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, including over 2.2 million California voters eligible for in-language voting materials under Section 203 of the federal VRA.

Given the lack of Department of Justice enforcement of the federal VRA's language access protections and attempts by Congress and the current Administration to punish jurisdictions that provide non-English ballots, California voters could be left without a means to protect the right of millions of Californians to vote in their native language.

THE SOLUTION

SB 1360 contains important provisions to ensure limited-English voters can fully and meaningfully participate in California's elections. The bill will:

- **Guarantee the federal VRA's language assistance requirements under state law:** Codify Section 203 of the VRA's requirement to provide in-language votable ballots and all other election materials to groups that meet a certain threshold in a county.
- **Expand upon current Section 203 language coverage:** Lower Section 203's numerical threshold for assistance from 10K to 5K of voting age residents in a county, and expand upon Section 203's language minority categories to include all language groups.
- **Streamline and clarify the steps for language groups to receive assistance in voting:** Gives groups not adequately captured in the Census the opportunity to show, through other sources, that they should qualify for language assistance.

PAST BILLS

AB 884 (Low 2024) included provisions to (1) codify federal language access but include all language groups and (2) require translated ballots instead of reference ballots for the small language groups covered under existing CA law and apply it to all language groups. Governor Newsom vetoed the bill due to cost concerns.

SB 266 (Cervantes 2025) focused on modifying existing CA law to require votable ballots instead of reference ballots to all groups that reach a 3% threshold. Did not advance out of Senate Appropriations due to cost concerns.

SUPPORTERS OF SB 1360

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 & Educational Fund
- NAACP Legal Defense & Educational Fund, Inc.
- Partnership for the Advancement of New Americans
- Power California
- SEIU California
- UCLA Voting Rights Project



CALIFORNIA
DEMOCRACY
PARTNERSHIP

www.cademocracypartnership.org