



STATE CONSTITUTIONS AND YOUTH VOTING RIGHTS

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INTRODUCTION

Young voters suffer the lowest turnout rates in American elections.¹ One study shows that younger voters face numerous barriers when attempting to cast a ballot, such as work responsibilities, not receiving an absentee ballot in time, inability to find or access their polling place, voter ID problems, or other issues.² Many state election laws are a labyrinth of rules and regulations that make it more difficult to vote, especially for younger people. As one report notes, “many young voters are new voters who need to register for the first time and who may be unfamiliar with the process. Young people also tend to move more frequently, which may mean they have to reregister and potentially learn

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1. Michael P. McDonald, *Voter Turnout Demographics*, U.S. ELECTIONS PROJECT, <http://www.electproject.org/home/voter-turnout/demographics> (last visited Aug. 30, 2022).

2. Amelia Thomson-DeVeaux, Jasmine Mithani & Laura Bronner, *Why Younger Americans Don't Vote More Often (*No, It's Not Apathy)*, FIVETHIRTYEIGHT (Oct. 30, 2020, 6:00 AM), <https://fivethirtyeight.com/features/why-younger-americans-dont-vote-more-often-no-its-not-apathy/>.

an entirely new set of deadlines and procedures.”³ These complex rules effectively limit the ability of young people to exercise their fundamental right to vote.

The Twenty-Sixth Amendment to the U.S. Constitution could have fixed this problem. The Amendment offered immense promise to America’s youth. A thirty-year struggle, which began during World War II, finally culminated in the 1971 amendment to lower the voting age from twenty-one to eighteen, enfranchising more than ten million new voters.⁴ These young people had been asked to fight in various wars, from World War II to the Vietnam War, and now they were finally allowed to participate in the most important aspect of American democracy.⁵

The language of the Twenty-Sixth Amendment does not merely say that eighteen-year-olds can vote; it provides that the right to vote “shall not be denied *or abridged* by the United States or by any state on account of age.”⁶ The word “abridge” suggests that courts should construe the Amendment as prohibiting laws that make it harder for young people to vote or that impose differential voting rules based on age, even if there is not an outright denial.⁷ Unfortunately, the federal courts have cabined the reach of the Twenty-Sixth Amendment, meaning that, in practice, it does not confer equal voting rights to all individuals regardless of age. Advocates, therefore, need another path to stop laws that make it harder for young people, such as college students, to vote. State constitutions offer a viable theory. A robust reading of state constitutional language can protect young voters against a continual assault on their right to vote.

As I have explained in prior scholarship, virtually every state constitution affirmatively grants the right to vote to the state’s citizens.⁸ This short essay, prepared for the *Rutgers University Law Review* Symposium on the Twenty-Sixth Amendment, expands upon that analysis, showing how state constitutions also protect young voters. Just as state courts should construe the general right-to-vote provisions

3. *Half of Youth Voted in 2020, an 11-Point Increase From 2016*, CIRCLE (Apr. 29, 2021), <https://circle.tufts.edu/latest-research/half-youth-voted-2020-11-point-increase-2016>.

4. Manisha Claire, *How Young Activists Got 18-Year-Olds the Right to Vote in Record Time*, SMITHSONIAN MAG. (Nov. 11, 2020), <https://www.smithsonianmag.com/history/how-young-activists-got-18-year-olds-right-vote-record-time-180976261/>.

5. *Id.*

6. U.S. CONST. amend. XXVI (emphasis added).

7. Nancy Turner, *The Young and the Restless: How the Twenty-Sixth Amendment Could Play a Role in the Current Debate Over Voting Laws*, 64 AM. U. L. REV. 1503, 1521–22 (2015).

8. See generally Joshua A. Douglas, *The Right to Vote Under State Constitutions*, 67 VAND. L. REV. 89 (2014).

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within state constitutions as conferring broader rights than what is available through federal court jurisprudence under the Fourteenth Amendment, so too should state courts recognize explicitly that state constitutions go beyond the federal counterpart on youth voting rights.

Part I recounts the recent litigation over the Twenty-Sixth Amendment, showing how federal courts have too narrowly construed that amendment. Part II highlights what state constitutions say about youth voting rights and offers a strategy for litigants to invoke these provisions when challenging laws that harm young people. Part III then presents a broader call to action for advocates to focus on state constitutional amendments that can strengthen these provisions—or face their potential weakening from those who want to restrict the right to vote.

Young people need protection within our democracy, especially as they have the lowest turnout rates and the most to lose given that they will suffer the consequences of policy decisions for years to come. They are also an easy group to disenfranchise, as they are not yet in the habit of voting and must wade through complex election rules in the process. And some politicians believe—incorrectly⁹—that young people have monolithic liberal views such that suppressing their vote will help these politicians win elections.¹⁰ That viewpoint, of course, is anti-democracy. Legal structures must therefore do more to protect these new voters.

We should not have to rely on state courts to safeguard political participation. The federal Constitution offers all the tools that federal courts need to protect the most fundamental right in our democracy.¹¹ But because the U.S. Supreme Court and federal appeals courts have tipped the scales to defer to state voting laws,¹² even when these laws harm voters, state courts should fill the void by invoking the broader protection for youth voters within state constitutions.

I. WRITING “ABRIDGE” OUT OF THE TWENTY-SIXTH AMENDMENT

There is surprisingly little case law construing the Twenty-Sixth Amendment, at least before the 2020 election cycle. As the Fifth Circuit

9. *Young People’s Ambivalent Relationship with Political Parties*, CIRCLE (Oct. 24, 2018), <https://circle.tufts.edu/latest-research/young-peoples-ambivalent-relationship-political-parties>.

10. Lauren Young, *Republican Voter Suppression Efforts Could Alienate Young Republican Voters*, TEEN VOGUE (Dec. 3, 2021), <https://www.teenvogue.com/story/republican-voter-suppression-young-people>.

11. See U.S. CONST. amend. XXVI.

12. See generally Joshua A. Douglas, *Undue Deference to States in the 2020 Election Litigation*, 30 WM. & MARY BILL RTS. J. 59 (2021).

put it in 2020, “[r]atified in 1971, the most recent of the voting-rights constitutional amendments has yet to be interpreted in any significant depth.”¹³

The U.S. Supreme Court has handled a case that explicitly invokes the Twenty-Sixth Amendment only once, in 1979, in which it summarily affirmed a three-judge district court’s decision to invalidate a residency questionnaire that was part of the voter registration process for college students.¹⁴ The district court had found that the local registrar had used the questionnaire to deny the right to vote to college students at Prairie View A&M University.¹⁵ Targeting students, the court found, violated the Twenty-Sixth Amendment by both denying them the right to vote and applying an unconstitutional presumption about their residency, which effectively “abridged” that right.¹⁶ The Supreme Court agreed without a written opinion.¹⁷

Lower federal courts and state courts in the 1970s also broadly construed the Twenty-Sixth Amendment against practices that disproportionately harmed students and other young people.¹⁸ As Yael Bromberg recounts, “[t]ime and time again, federal and state courts considering student voting rights claims in the 1970s applied strict scrutiny to invalidate denial or abridgment of students’ voting rights through the mechanisms such as special questions, forms, identifications or other unnecessary burdens and barriers to the ballot.”¹⁹ Bromberg concludes that “[t]he history of the Twenty-Sixth Amendment demonstrates a commitment to the principles of equal protection and due process which would trigger the application of strict scrutiny, consistent with the standard of review applied to Twenty-Sixth Amendment claims in the decade following ratification.”²⁰ In considering more recent litigation involving state voter ID laws, Jenny Diamond Cheng notes that some lower courts have coalesced around a theory of the Twenty-Sixth Amendment that focuses on intentional discrimination that seeks to

13. *Tex. Democratic Party v. Abbott*, 978 F.3d 168, 183 (5th Cir. 2020).

14. *Symm v. United States*, 439 U.S. 1105, 1105 (1979), *aff’g* *United States v. Texas*, 445 F. Supp. 1245, 1262 (S.D. Tex. 1978).

15. *Texas*, 445 F. Supp. at 1257.

16. *Id.*

17. *Symm*, 439 U.S. at 1105. The dissent, by Justice Rehnquist and joined by Chief Justice Burger, would have reversed the lower court based on a lack of federal jurisdiction. *Id.* at 1110.

18. *See, e.g.*, *Worden v. Mercer Cnty. Bd. of Elections*, 294 A.2d 233, 245 (N.J. 1972); *Walgren v. Bd. of Selectmen*, 519 F.2d 1364, 1367–68 (1st Cir. 1975).

19. Yael Bromberg, *Youth Voting Rights and the Unfulfilled Promise of the Twenty-Sixth Amendment*, 21 U. PA. J. CONST. L. 1105, 1135 (2019).

20. *Id.* at 1166.

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suppress youth turnout, though she acknowledges that no courts have found a violation under that theory.²¹

More recent cases have been even less generous toward the claims of young people under the Twenty-Sixth Amendment. In several cases surrounding the pandemic election of 2020, federal courts narrowly construed the Twenty-Sixth Amendment as providing few safeguards to young voters, refusing to apply strict scrutiny review.²² These courts essentially suggested that the Amendment simply enfranchised those eighteen years old and older, but otherwise does not offer substantive protection.²³

The 2020 cases involved challenges to states' absentee balloting rules when those rules allowed older individuals, but not younger people, to cast a mail-in ballot without an excuse.²⁴ Essentially, everyone in these states besides voters over a certain age (typically sixty-five) must satisfy one of the statutorily-listed excuses to vote absentee.²⁵ In 2020, seven states (Indiana, Kentucky, Louisiana, Mississippi, South Carolina, Tennessee, and Texas) had laws that discriminated against younger voters in this way.²⁶ The impact of these laws was particularly harsh during 2020 given that many voters—young and old—sought to vote by mail due to the pandemic.²⁷ Courts rejected challenges to laws in three states—Texas, Indiana, and Alaska—that eased voting access for older voters but not younger voters.²⁸

The Texas law is emblematic: “A qualified voter is eligible for early voting by mail if the voter is 65 years of age or older on election day.”²⁹ Voting rights plaintiffs challenged that law, as applied during a

21. Jenny Diamond Cheng, *Voting Rights for Millennials: Breathing New Life into the Twenty-Sixth Amendment*, 67 SYRACUSE L. REV. 653, 658–67 (2017).

22. See, e.g., *Tex. Democratic Party v. Abbott*, 961 F.3d 389, 412 (5th Cir. 2020); see also *New Ga. Project v. Raffensperger*, 484 F. Supp. 3d 1265, 1303–04 (N.D. Ga. 2020).

23. *Tex. Democratic Party*, 961 F.3d at 412; *New Ga. Project*, 484 F. Supp. 3d at 1303–04.

24. See JASON HARROW, YAEL BROMBERG, JOSHUA DOUGLAS, MICHAEL DONOFRIO & TYE RUSH, AGE DISCRIMINATION IN VOTING AT HOME 5–9 (2020), https://andrewgoodman.org/wp-content/uploads/2020/06/Age-Discrimination-In-Voting-At-Home-Report_Final.pdf.

25. See *id.*

26. See *id.*

27. Zachary Scherer, *What Methods Did People Use to Vote in the 2020 Election?: Majority of Voters Used Nontraditional Methods to Cast Ballots in 2020*, U.S. CENSUS BUREAU (Apr. 29, 2021), <https://www.census.gov/library/stories/2021/04/what-methods-did-people-use-to-vote-in-2020-election.html>.

28. See *Tex. Democratic Party v. Abbott*, 978 F.3d 168, 175 (5th Cir. 2020); *Tully v. Okeson*, 977 F.3d 608, 614 (7th Cir. 2020); *Disability L. Ctr. of Alaska v. Meyer*, 484 F. Supp. 3d 693, 706 (D. Alaska 2020).

29. TEX. ELEC. CODE ANN. § 82.003 (West 2021).

pandemic, as violating the Twenty-Sixth Amendment.³⁰ They argued that the law “abridges” the ability of a younger person to vote on account of their age.³¹ A federal district court issued an injunction against the law and required no-excuse absentee voting for all voters.³² But the Fifth Circuit reversed.³³ The court narrowly construed the Twenty-Sixth Amendment’s protection for individuals not to suffer an abridgement of the right to vote on account of age.³⁴ Looking at historical practices, the court found that at the time the states ratified the Twenty-Sixth Amendment in 1971, “the right to vote . . . did not include a right to vote by mail.”³⁵ The court then limited the meaning of “abridge” in the amendment: “an election law abridges a person’s right to vote for the purposes of the Twenty-Sixth Amendment only if it makes voting more difficult for that person than it was before the law was enacted or enforced.”³⁶ The court found no abridgement here because giving older people the ability to vote absentee without excuse does not impact how young people could cast their ballots.³⁷

The Seventh Circuit issued a similar ruling regarding Indiana’s law, noting that if the provision allowing older voters to cast an absentee ballot “disappeared tomorrow, all Hoosiers could vote in person this November, or during Indiana’s twenty-eight-day early voting window, just the same.”³⁸ Relying on the U.S. Supreme Court’s 1969 holding that there is no constitutional right to vote via absentee ballot, the Seventh Circuit held that Indiana’s law did not “abridge” young individuals’ right to vote by not giving them the same access to voting by mail as older voters.³⁹

The Alaska law was slightly different: because of the pandemic, the state mailed absentee ballot applications to all voters aged sixty-five and older but did not similarly send these applications to younger voters.⁴⁰ The district court found that this discriminatory mailing policy did not abridge anyone’s rights under the Twenty-Sixth Amendment: the state’s “act of sending paper ballot applications to older voters, while doing nothing that would impede the present ability of voters under age sixty-

30. See *Tex. Democratic Party*, 978 F.3d at 175.

31. *Id.* at 188–89.

32. *Id.* at 175.

33. *Id.* at 194.

34. *Id.* at 176.

35. *Id.* at 188.

36. *Id.* at 190–91 (alteration in original).

37. *Id.* at 193.

38. *Tully v. Okeson*, 977 F.3d 608, 614 (7th Cir. 2020).

39. *Id.* (citing *McDonald v. Bd. of Election Comm’rs of Chi.*, 394 U.S. 802, 810–11 (1969)).

40. *Disability L. Ctr. of Alaska v. Meyer*, 484 F. Supp. 3d 693, 707 (D. Alaska 2020).

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five to apply for a vote-by-mail ballot, cannot reasonably be construed as an abridgment.”⁴¹ The Ninth Circuit then dismissed the appeal as moot after the 2020 election.⁴²

In rejecting the challenges, these courts failed to recognize the true scope of the Twenty-Sixth Amendment: to enfranchise voters aged eighteen to twenty *and* to ensure equal voting access regardless of age. The courts saw no problem with the states conferring voting benefits to older voters but not younger voters. In practice, these rules treated younger voters differently—and worse—by maintaining a burden on them that older voters did not suffer. That disparate treatment goes against the spirit of the Twenty-Sixth Amendment, which was to make the ability to vote equal for all voters regardless of age. As the Senate Report accompanying the Twenty-Sixth Amendment explained:

[F]orcing young voters to undertake special burdens—obtaining absentee ballots, or traveling to one centralized location in each city, for example—in order to exercise their right to vote might well serve to dissuade them from participating in the election. This result, and the election procedures that create it, are at least inconsistent with the purpose of the Voting Rights Act, which sought to encourage greater political participation on the part of the young; such segregation might even amount to a denial of their 14th Amendment right to equal protection of the laws in the exercise of the franchise.⁴³

The amendment’s language, which includes “or abridge,” was therefore an attempt to “do more than just police states’ voting ages.”⁴⁴ Logically, an “abridgement” is a step beyond a denial and should encompass laws that disproportionately harm younger voters or confer easier voting access to some age cohorts but not others.⁴⁵ The federal courts’ narrow interpretation—which was in line with the Supreme Court and lower federal courts’ overall undue deference to state legislatures in voting rules⁴⁶—essentially removes the words “or abridge” from the amendment.

41. *Id.* at 706.

42. Disability L. Ctr. of Alaska v. Meyer, No. 20-35778, 2021 WL 3743870, at *1 (9th Cir. Aug. 24, 2021).

43. S. REP. NO. 92-26, at 14 (1971); see Bromberg, *supra* note 19, at 1133.

44. Eric S. Fish, *The Twenty-Sixth Amendment Enforcement Power*, 121 YALE L.J. 1168, 1173 (2012).

45. HARROW, BROMBERG, DOUGLAS, DONOFRIO & RUSH, *supra* note 24, at 4 n.16.

46. See generally Douglas, *supra* note 12.

II. USING STATE CONSTITUTIONS TO PROTECT YOUTH VOTING RIGHTS

Given that federal courts have shown hostility toward voting rights claims under the U.S. Constitution, advocates have turned their attention to state constitutions. There is a good reason for this approach: virtually all state constitutions explicitly confer the right to vote to qualified state residents.⁴⁷ Most of these clauses are written in affirmative language, such as the state constitution of Utah: “Every citizen of the United States, eighteen years of age or over, who makes proper proof of residence in this state for thirty days next preceding any election, or for such other period as required by law, shall be entitled to vote in the election.”⁴⁸ In recent years, a few states—Alabama, Colorado, Florida, Louisiana, North Dakota, and Ohio—have amended their state constitutions to say that “only citizens” may vote, pulling back their voting rights protection to ensure that localities cannot allow non-citizens to vote in local elections.⁴⁹ Thus, the Florida Constitution now provides: “Only a citizen of the United States who is at least eighteen

47. See *infra* Appendix.

48. UTAH CONST. art. IV, § 2. Arizona’s Constitution is the exception, as it couches its right-to-vote language in the negative. ARIZ. CONST. art. VII, § 2 (“No person shall be entitled to vote at any general election . . . unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the state for the period of time preceding such election as prescribed by law . . .”). An Arizona appeals court recognized that the state constitution still protects the right to vote through the constitution’s “free and equal” elections clause. See *Chavez v. Brewer*, 214 P.3d 397, 408 (Ariz. Ct. App. 2009) (“We conclude that Arizona’s constitutional right to a ‘free and equal’ election is implicated when votes are not properly counted.”).

49. For the Alabama amendment, see *Alabama Amendment 1, Citizenship Requirement for Voting Measure (2020)*, BALLOTPEDIA, [https://ballotpedia.org/Alabama_Amendment_1,_Citizenship_Requirement_for_Voting_Measure_\(2020\)](https://ballotpedia.org/Alabama_Amendment_1,_Citizenship_Requirement_for_Voting_Measure_(2020)) (last visited Aug. 18, 2022). For the Colorado amendment, see *Colorado Amendment 76, Citizenship Requirement for Voting Initiative (2020)*, BALLOTPEDIA, [https://ballotpedia.org/Colorado_Amendment_76,_Citizenship_Requirement_for_Voting_Initiative_\(2020\)](https://ballotpedia.org/Colorado_Amendment_76,_Citizenship_Requirement_for_Voting_Initiative_(2020)) (last visited Aug. 18, 2022). For the Florida amendment, see *Article VI, Florida Constitution*, BALLOTPEDIA, https://ballotpedia.org/Article_VI,_Florida_Constitution (last visited Aug. 18, 2022). For the Louisiana amendment, see *Louisiana Amendment 1, Citizen Requirement for Voting Measure, (December 2022)*, BALLOTPEDIA, [https://ballotpedia.org/Louisiana_Amendment_1,_Citizen_Requirement_for_Voting_Measure_\(December_2022\)](https://ballotpedia.org/Louisiana_Amendment_1,_Citizen_Requirement_for_Voting_Measure_(December_2022)) (last visited Dec. 11, 2022). For the North Dakota amendment, see *North Dakota Measure 2, Citizen Requirement for Voting Amendment Initiative (2018)*, BALLOTPEDIA, [https://ballotpedia.org/North_Dakota_Measure_2,_Citizen_Requirement_for_Voting_Amendment_Initiative_\(2018\)](https://ballotpedia.org/North_Dakota_Measure_2,_Citizen_Requirement_for_Voting_Amendment_Initiative_(2018)) (last visited Aug. 18, 2022). For the Ohio amendment, see *Ohio Issue 2, Citizenship Voting Requirement Amendment (2022)*, BALLOTPEDIA, [https://ballotpedia.org/Ohio_Issue_2,_Citizenship_Voting_Requirement_Amendment_\(2022\)](https://ballotpedia.org/Ohio_Issue_2,_Citizenship_Voting_Requirement_Amendment_(2022)) (last visited Nov. 15, 2022).

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years of age and who is a permanent resident of the state, if registered as provided by law, shall be an elector of the county where registered.”⁵⁰ That language, however, does not change the scope of protection for citizens once they turn eighteen years old: they still enjoy the right to vote under the state constitution.

Virtually every state constitution sets the voting age at eighteen; most changed their rules from twenty-one to eighteen after the adoption of the Twenty-Sixth Amendment.⁵¹ A few, including Georgia (1943) and Kentucky (1955), lowered the voting age for their state elections long before the Twenty-Sixth Amendment.⁵² Two states, Connecticut and Vermont, go a step further, providing in their state constitutions that individuals who will be eighteen by the general election may vote in the primary when they are seventeen (several other states provide for this possibility via statute).⁵³ The constitutions of five states—Delaware, Iowa, Michigan, Pennsylvania, and Wyoming—still list twenty-one as the requisite age for voting, failing to update the language that existed prior to the Twenty-Sixth Amendment.⁵⁴ Of course, the Twenty-Sixth Amendment overrides these provisions, as some courts have explicitly noted.⁵⁵ Several of these state constitutions acknowledge in notes or other commentary that the Twenty-Sixth Amendment changed these

50. FLA. CONST. art. VI, § 2.

51. See *infra* Appendix.

52. For the Georgia law, see *Georgia Age Requirements for Voting, Amendment 6 (1943)*, BALLOTPEdia, [https://ballotpedia.org/Georgia_Age_Requirements_for_Voting,_Amendment_6_\(1943\)](https://ballotpedia.org/Georgia_Age_Requirements_for_Voting,_Amendment_6_(1943)) (last visited Aug. 18, 2022). For the Kentucky law, see *Kentucky Voting Rights Referendum (1955)*, BALLOTPEdia, [https://ballotpedia.org/Kentucky_Voting_Rights_Referendum_\(1955\)](https://ballotpedia.org/Kentucky_Voting_Rights_Referendum_(1955)) (last visited Aug. 18, 2022).

53. See, e.g., CONN. CONST. art. XXXI (“Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector at such times and in such manner as may be prescribed by law, and, if qualified, shall become an elector on the day of his or her eighteenth birthday. Any citizen who has not yet attained the age of eighteen years but who will have attained the age of eighteen years on or before the day of a regular election, who is otherwise qualified to be an elector and who has applied for admission as an elector in such manner as may be prescribed by law, may vote in any primary election, in such manner as may be prescribed by law, held for such regular election.”); VT. CONST. ch. II, § 42 (“Every person who will attain the full age of eighteen years by the date of the general election who is a citizen of the United States, having resided in this State for the period established by the General Assembly and who is of a quiet and peaceable behavior, and will take the oath or affirmation set forth in this section, shall be entitled to vote in the primary election.”); see also *Voting in Primaries at 17 Years Old*, BALLOTPEdia, https://ballotpedia.org/Voting_in_primaries_at_17_years_old (last visited Aug. 18, 2022).

54. See *infra* Appendix.

55. See, e.g., *Twp. of Casco v. Sec’y of State*, 701 N.W.2d 102, 105 n.4 (Mich. 2005); *Delgiorno v. Huisman*, 498 P.2d 1246, 1247 (Wyo. 1972); see also *infra* Appendix.

provisions; for instance, the text of Iowa's Constitution still lists the voting age at twenty-one but then includes a note that says, simply, "Repealed and rewritten by Amendment 30 (1970) See United States Constitution, Amendments 19 and 26."⁵⁶ Most state legislatures have also set the voting age at eighteen through statute.⁵⁷ Interestingly, in 2018, the Delaware legislature considered a proposal to amend the state constitution to reflect the voting age of eighteen, but the measure failed in the House by a vote of twenty-six to fourteen (with one member absent)—exactly one vote short of the 2/3 needed for passage.⁵⁸ That is, fourteen members of the Delaware House voted against updating the state constitutional language to conform with the Twenty-Sixth Amendment. I asked the primary sponsor, Rep. Briggs King, if she had any insight as to why these members voted no and her response was poignant: "I will be direct: partisan politics."⁵⁹ One of the Republicans who voted no, Rep. Rich Collins, filled me in further. He said that the proposal also included a measure to "weaken constitutional protections in regards to absentee voting"⁶⁰ by giving greater authority to the (Democratic-controlled) legislature.⁶¹ Republicans tried to amend the bill to remove this portion and proceed only with the lowered voting age, but that amendment failed.⁶² Had the amendment to the bill passed, Collins said, then the whole thing would have passed unanimously.⁶³

Although the language of the right-to-vote provisions within state constitutions vary, they share a common theme: explicit conferral of the right to vote to individuals who possess the requisite qualifications. Most

56. IOWA CONST. art. II, § 1, <https://www.legis.iowa.gov/docs/publications/ICP/1023054.pdf>.

57. See, e.g., 25 PA. STAT. AND CONS. STAT. § 2811 (West 2022); WYO. STAT. ANN. § 22-1-102(a)(xxvi) (2022) ("Qualified elector" includes every citizen of the United States who is a bona fide resident of Wyoming, has registered to vote and will be at least eighteen (18) years of age on the day of the election at which he may offer to vote."); DEL. CODE ANN. tit. 15, § 1701 (2019).

58. H.R. 446, 149th Gen. Assemb. (Del. 2018); *House Bill 446*, DEL. GEN. ASSEMB., <https://legis.delaware.gov/BillDetail?LegislationId=26784> (last visited Nov. 20, 2022).

59. E-mail from Ruth Briggs King, Del. State Rep., to Joshua A. Douglas, Rsch. Professor of L., Univ. of Ky. J. David Rosenberg Coll. of L. (Apr. 6, 2022, 15:00 EST) (on file with author).

60. E-mail from Rich Collins, Del. State Rep., to Joshua A. Douglas, Rsch. Professor of L., Univ. of Ky. J. David Rosenberg Coll. of L. (May 10, 2022, 20:38 EST) (on file with author).

61. H.R. 446, 149th Gen. Assemb. (Del. 2018) ("The General Assembly shall enact general laws providing the circumstances, rules, and procedures by which registered voters may vote by absentee ballot.").

62. H. Amend. 1 to H.R. 446, 149th Gen. Assemb. (Del. 2018).

63. E-mail from Ruth Briggs King to Joshua A. Douglas, *supra* note 59.

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state constitutions list age eighteen as one of those qualifications.⁶⁴ Thus, an individual who is eighteen or older “shall be qualified to be an elector,” as the Connecticut constitution puts it,⁶⁵ or “shall have the right to vote at such election,” as the Illinois constitution says.⁶⁶

The theory for litigants, then, is quite simple: a law that disproportionately makes it harder for young voters to participate—or fails to confer the same ease of casting a ballot as provided to other voters—violates the explicit grant of voting rights within state constitutions. The text itself demonstrates that state constitutions go beyond the federal constitution in conferring voting rights to all individuals, with a specific age trigger that makes people eligible at age eighteen. The Twenty-Sixth Amendment speaks in the negative: the rights of voters “shall not be denied or abridged” on account of age.⁶⁷ Most state constitutions, by contrast, couch their language in the affirmative: a person who has reached the requisite age (and satisfies the other qualification requirements, such as residency) “shall be a voter.”⁶⁸ A state law that explicitly or implicitly denies the right to vote or makes it harder for some people to cast a ballot because of their age violates this command. If it is harder to vote, then the person is no longer a “voter” in the most practical sense of the word.

By setting an age after which all otherwise-eligible individuals may vote, state constitutions include what is essentially a disparate treatment ideal: the state cannot treat anyone who has attained that age differently from anyone else who is also age-eligible, because doing so makes them less of a “voter.” The state must confer the same voting benefits to everyone aged eighteen and older. A law that falls disproportionately on younger voters violates this state constitutional command that everyone who is eligible is a “voter” or “elector.” As Jessica Bulman-Pozen and Miriam Seifter explain, state constitutions contain a “democracy principle”: they exhibit a distinct commitment to “popular sovereignty, majority rule, and political equality,”⁶⁹ and can thereby thwart anti-majoritarian rules.⁷⁰ Laws that make it harder for younger people to participate in elections violate this democracy principle within state constitutions.

64. *See Voting Age*, BALLOTPEDIA, https://ballotpedia.org/Voting_age (last visited Aug. 18, 2022).

65. CONN. CONST. art. IX, § 1.

66. ILL. CONST. art. III, § 1.

67. U.S. CONST. amend. XXVI.

68. *See, e.g.*, KY. CONST. § 145.

69. Jessica Bulman-Pozen & Miriam Seifter, *The Democracy Principle in State Constitutions*, 119 MICH. L. REV. 859, 864, 879 (2021).

70. For an explanation of anti-majoritarian rules, see *id.* at 862–63.

Consider the cases where federal courts rejected challenges to a state's absentee balloting rules, requiring younger voters—but not older voters—to provide a valid excuse to vote by mail.⁷¹ A younger voter, who may not satisfy one of the excuses listed in a given statute but desires to cast an absentee ballot—perhaps due to a global pandemic—no longer has the right to vote in the same manner as an older voter. An older voter can cast an absentee ballot without question. A younger voter cannot. Although the state is not explicitly barring the younger person from voting, the effect is often the same: the younger person might not cast a ballot because of the relative difficulty in doing so, especially when the state makes it easier for older voters. A broad reading of state constitutional language would invalidate these provisions because they effectively deny the right to vote on account of age by treating classes of over-eighteen voters differently.

Of course, the proof is in the pudding, so a plaintiff would have to demonstrate that a state's rule actually makes it harder for a younger (though age-eligible) voter to cast a ballot as compared to an older voter. Consider an example: a proposed New Hampshire bill in 2021 would have forbidden college students from using their dorm addresses as their domicile for registering to vote.⁷² The bill died in committee,⁷³ but imagine if it had passed. The New Hampshire Constitution provides, "All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election."⁷⁴ A law that effectively bans college students from voting where they are currently living deprives them of "an equal right to vote" given that older voters can use their current address for voting. These college students are "inhabitants" of the state because they are living there while attending school. But the law would have effectively taken away their right to vote.

Or consider state laws that impose onerous voter identification rules and exclude state university-issued student IDs.⁷⁵ Tennessee's voter ID law, for instance, explicitly prohibits voters from using university-issued

71. See *supra* Part I (discussing examples of cases where federal courts rejected challenges to a state's absentee balloting rules).

72. John DiStaso, *Republican Voting Bills Draw Opposition From College Students During Committee Hearings*, WMUR9 (Mar. 8, 2021, 9:26 PM), <https://www.wmur.com/article/republican-voting-bills-draw-opposition-from-college-students-during-committee-hearings/35769345#>.

73. See H.R. 362, 2021 Leg., Reg. Sess. (N.H. 2021).

74. N.H. CONST. pt. I, art. 11.

75. See Michael Wines, *The Student Vote Is Surging. So Are Efforts to Suppress It.*, N.Y. TIMES (Oct. 24, 2019), <https://www.nytimes.com/2019/10/24/us/voting-college-suppression.html>.

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photo IDs and also does not count out-of-state driver's licenses as valid IDs for voting.⁷⁶ Many students originally from other states but who now attend school in Tennessee will be out of luck when they try to vote in the state where they currently reside for school. Those voters—who satisfy the age and other qualification rules under the state constitution—cannot “vote in all federal, state, and local elections held in the county or district in which such person resides.”⁷⁷ A court should strike down the law as violating the Tennessee Constitution.

This disparate treatment theory could, of course, apply to other classes of voters where the state confers certain voting benefits on some people but not others or makes it harder for certain voters to participate. Any rule that has the practical effect of making someone who is otherwise eligible no longer a “voter” violates the explicit grant of voting rights within state constitutions. The textual hook for young voters is perhaps stronger given that state constitutions explicitly mention the age at which an individual becomes eligible.

Of course, there are various doctrinal considerations inherent in construing state constitutions robustly to protect younger voters. Those contours must await further explication given the abbreviated nature of this symposium essay, but a few brief thoughts are warranted. Some may suggest that this reading of state constitutional language is a stretch given that the text designates age eighteen as a voter qualification but does not explicitly contemplate rules that impose a disproportionate impact on certain voters, as opposed to an outright denial on their right to vote. Others might suggest that state courts should construe their state constitutions in lockstep with the U.S. Constitution, especially as both mention the voting age.⁷⁸ The Twenty-Sixth Amendment, after all, forbids the denial *or abridgement* of the right to vote on account of age,⁷⁹ but most state constitutions do not have that same “abridgement” language as it relates to the voting age.⁸⁰ The answer to these concerns goes back to the democracy principle embedded within state constitutions, as Professors Bulman-Pozen and Seifter discuss.⁸¹ Federal courts are failing to construe the U.S. Constitution properly, leaving state courts to fill the void.⁸² Democratic participation is too important to allow infringements on the right to vote. The protections within state

76. TENN. CODE ANN. § 2-7-112(c)(2)(B) (2018).

77. TENN. CONST. art. IV, § 1.

78. See Douglas, *supra* note 8, at 106–10 (describing the lockstep approach).

79. U.S. CONST. amend. XXVI.

80. See *infra* Appendix.

81. See Bulman-Pozen & Seifter, *supra* note 69, at 863–65.

82. See, e.g., *Rucho v. Common Cause*, 139 S. Ct. 2484, 2491, 2508 (2019); see also Douglas, *supra* note 8.

constitutions must mean *something*—and that something should go beyond federal constitutional protection given that state constitutions are textually and doctrinally more robust. Advocates have seen success with this approach for claims of partisan gerrymandering: the U.S. Supreme Court closed the federal courthouse door to these arguments,⁸³ so state courts are taking up the mantle, striking down egregious partisan gerrymanders under state constitutions.⁸⁴ That same approach is viable when states curtail youth voting rights.

Voting is habit-forming,⁸⁵ so we should be doing everything we can to increase participation as soon as someone turns eighteen. This fact adds a prudential reason for a broad construction of state constitutional language as it applies to young voters. Democracy is stronger with higher turnout; state constitutions contemplate individuals as qualified voters when they turn eighteen; therefore, state constitutions must protect those young voters from infringements on their ability to cast a ballot. If states create a system where young people cannot participate as easily as everyone else, then these individuals cease to be “voters,” in the fullest sense, as the state constitution demands.

III. IMPROVING LEGAL PROTECTION FOR YOUTH VOTING

In addition to using state constitutions to challenge laws that impact young voters, advocates should also consider ways to strengthen the voting rights of these young people. Most state constitutions mention the voting age but do not explicitly say that the state cannot target students or other young voters. Attacks on students are not letting up, especially in the current political environment,⁸⁶ so the voting rights community needs even more robust tools to push back against these attempts to curtail the right to vote. Advocates should seek to strengthen state constitutional protection of youth voting rights, promote the adoption of meaningful reforms that will ease voter access, and pressure Congress to act.

There is a moral imperative to expand youth voting rights. Young people will, of course, live with the consequences of our elected officials’

83. *Rucho*, 139 S. Ct. at 2491, 2508.

84. See Nick Corasaniti & Reid J. Epstein, *As Both Parties Gerrymander Furiously, State Courts Block the Way*, N.Y. TIMES (Apr. 4, 2022), <https://www.nytimes.com/2022/04/02/us/politics/congressional-maps-gerrymandering-midterms.html>.

85. See generally Alan S. Gerber, Donald P. Green & Ron Shachar, *Voting May Be Habit-Forming: Evidence from a Randomized Field Experiment*, 47 AM. J. POL. SCI. 540 (2003).

86. See Wines, *supra* note 75.

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policy choices for much longer than older generations will. In addition, young people are still asked to fight in wars and die for their country. Young people under the age of thirty have incurred a huge percentage of America's military casualties (killed and wounded combined) since 2001.⁸⁷ Yet they do not have equal voting rights, at least in the practical sense, given the various barriers that make it harder from them to vote and which result in lower turnout.⁸⁸ Young people are also fighting a war of sorts at home given the prevalence of gun violence in schools.⁸⁹ The slogan "old enough to fight, old enough to vote" was a key rallying cry in the fight for the adoption of the Twenty-Sixth Amendment to lower the voting age to eighteen.⁹⁰ The mantra is just as relevant now when applied to unreasonable burdens on access to the ballot—especially those that fall disproportionately on young voters.⁹¹ Young people's continuing military service and sacrifice during the half century since the adoption of the Twenty-Sixth Amendment demands further efforts to protect youth voting rights against attempts to curtail them, whether through litigation under state constitutions or state and federal legislation.⁹²

State constitutions are already powerful, but states can make them even more robust. Nevada offers an intriguing recent example of an improvement to state constitutional protection of the right to vote. In 2020, Nevada voters passed, by a wide margin, an amendment to add a voter's bill of rights to the state constitution.⁹³ The state's election statutes already included these provisions but placing them in the state constitution gives them further heft.⁹⁴ The voters' bill of rights confers on

87. DAVID A. BLUM & NESE F. DEBRUYNE, CONG. RSCH. SERV., RL32492, AMERICAN WAR AND MILITARY OPERATIONS CASUALTIES: LISTS AND STATISTICS 11–30 (2020).

88. See Thomson-DeVeaux, Mithani & Bronner, *supra* note 2.

89. See NAT'L CTR. FOR EDUC. STAT., VIOLENT DEATHS AT SCHOOL AND AWAY FROM SCHOOL AND SCHOOL SHOOTINGS 3 (2022), https://nces.ed.gov/programs/coe/pdf/2022/a01_508.pdf.

90. See Cheng, *supra* note 21, at 668–69; Melanie Jean Springer, *Why Georgia? A Curious and Unappreciated Pioneer on the Road to Early Youth Enfranchisement in the United States*, 32 J. POL'Y HIST. 273, 286–87 (2020).

91. JENNIFER FROST, "LET US VOTE!": YOUTH VOTING RIGHTS AND THE 26TH AMENDMENT 306–08 (2021) (noting that the arguments in favor of the adoption of the Twenty-Sixth Amendment are still relevant today for promoting youth voting rights).

92. Thanks to Tony Gaughan for some of the ideas that culminated in this paragraph.

93. *Nevada Question 4, State Constitutional Rights of Voters Amendment (2020)*, BALLOTPEDIA, [https://ballotpedia.org/Nevada_Question_4,_State_Constitutional_Rights_of_Voters_Amendment_\(2020\)](https://ballotpedia.org/Nevada_Question_4,_State_Constitutional_Rights_of_Voters_Amendment_(2020)) (last visited July 30, 2022).

94. NEV. REV. STAT. § 293.2546 (2020) ("Each voter has the right to have nondiscriminatory equal access to the elections system, including, without limitation, a voter who is elderly, disabled, a member of a minority group, employed by the military, or a citizen who is overseas.").

every Nevada voter the right to receive and cast a ballot that is easy to read, a mechanism that accurately records the individual's choices, and the ability to vote without being intimidated or threatened, among other provisions.⁹⁵ Nevada's constitution also now provides that voters have the right "[t]o equal access to the elections system without discrimination, including, without limitation, discrimination on the basis of race, age, disability, military service, employment or overseas residence."⁹⁶ That is, the state constitution now includes a right for every voter to have equal access to the ballot and prohibits discrimination on the basis of age. This language is similar to the protection of the New Hampshire Constitution, which requires "an equal right to vote in any election."⁹⁷ In 2022, Michigan voters adopted a state constitutional amendment to enshrine the "fundamental right to vote" in the state constitution.⁹⁸ Other state constitutions have clauses requiring elections in the state to be "free and equal."⁹⁹ But the Nevada constitutional amendment goes further by explicitly calling out age as an impermissible basis of voter discrimination.¹⁰⁰ Other states should follow suit.

Those who seek to curtail voting rights are already changing state constitutions: in the past few years, six states adopted state constitutional amendments to ensure that non-citizens cannot vote in any elections.¹⁰¹ Voting rights advocates should meet the challenge with their own democracy-enhancing amendments to state constitutions.

There is also a role for voting enhancements within state law. Advocates should partner with organizations doing important work on the ground to promote youth voting rights. Campus Vote Project, for example, employs a multipronged strategy to improve access to the ballot and increase voter turnout among young people.¹⁰² The organization focuses on policies that can help young voters, such as preregistration of sixteen- and seventeen-year-olds, the implementation of on-campus voter registration opportunities and polling places, and the allowance of student identifications as voter IDs.¹⁰³ These are all worthy policy goals.

95. NEV. CONST. art. 2, § 1A.

96. *Id.* § 1A(9).

97. N.H. CONST. pt. 1, art. XI.

98. *Michigan Proposal 2, Voting Policies in Constitution Amendment (2022)*, [BALLOTPEDIA](https://ballotpedia.org/Michigan_Proposal_2,_Voting_Policies_in_Constitution_Amendment_(2022)), [https://ballotpedia.org/Michigan_Proposal_2,_Voting_Policies_in_Constitution_Amendment_\(2022\)](https://ballotpedia.org/Michigan_Proposal_2,_Voting_Policies_in_Constitution_Amendment_(2022)) (last visited Nov. 18, 2022).

99. *See* Douglas, *supra* note 8, at 101–05.

100. *See* NEV. CONST. art. 2, § 1A(9).

101. *See supra* note 49 and accompanying text.

102. *See Youth Voting Rights*, [CAMPUS VOTE PROJECT](https://www.campusvoteproject.org/youth-voting-rights), <https://www.campusvoteproject.org/youth-voting-rights> (last visited July 30, 2022).

103. *Id.*

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Other groups, too, are important partners and are doing great work. The Civics Center, for example, engages in a voter registration drive targeted to high school students before they turn eighteen.¹⁰⁴ Importantly, these reforms work best when they are bipartisan. Each side should give a little. For instance, perhaps advocates should accept voter ID laws while fighting to keep the list of acceptable IDs broad, including student IDs without onerous expiration date requirements—as occurred in Kentucky in 2021.¹⁰⁵ Young people themselves are the best advocates for these reforms, especially if the coalition is broad and includes Democrats, Republicans, and independents. The Twenty-Sixth Amendment, after all, was a bipartisan effort;¹⁰⁶ there is no reason why improved youth voting rights cannot be the same today. All political parties should want to engage the next generation of voters. But success on this front requires young Republicans joining young Democrats to fight for their own voting rights.

Congress can also strengthen youth voting rights. In 2021, several House Democrats introduced the Protect the Youth Vote Act of 2021, which would prohibit states from enacting any rule that “results in a denial or abridgement of the right of any citizen of the United States to vote on account of age”¹⁰⁷ The proposal models the language of the Voting Rights Act of 1965 in prohibiting state rules that give younger voters “less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice”¹⁰⁸ The goal of the law is to realize the ideals of the Twenty-Sixth Amendment, giving “[t]he more than 25 million United States citizens ages 18–24 . . . equal opportunity to participate in the electoral process”¹⁰⁹ Of course, the bill went nowhere given today’s political environment, but the idea is one to keep pressing.¹¹⁰ In 2022, Democratic members of Congress introduced the Youth Voting Rights Act, which would add federal legislation to enforce the Twenty-Sixth Amendment

104. *Making Every Graduate a Voter.*, THE CIVICS CTR., <https://thecivicscenter.org/about> (last visited July 30, 2022).

105. See Joshua A. Douglas, “*How the Sausage Gets Made*”: *Voter ID and Deliberative Democracy*, 100 NEB. L. REV. 376, 382–99 (2021).

106. See Claire, *supra* note 4.

107. Protect the Youth Vote Act, H.R. 1366, 117th Cong. § 3(a) (2021).

108. *Id.* § 3(b)(1); see also Voting Rights Act of 1965, Pub. L. No. 89-110, § 2, 79 Stat. 437, 437 (1965) (codified at 52 U.S.C. §§ 10301–10314) (providing that states shall not “deny or abridge the right of any citizen of the United States to vote on account of race or color”).

109. H.R. 1366 § 2(11).

110. *All Actions H.R.1366 — 117th Congress (2021-2022)*, CONGRESS.GOV, <https://www.congress.gov/bill/117th-congress/house-bill/1366/all-actions?overview=closed#tabs> (last visited July 30, 2022).

and expand access to voting for young people.¹¹¹ Federal proposals like these keep the issue in the forefront and generate momentum for the movement, even if they have no real chance at passage unless the political winds change.

Thus, securing stronger protection for youth voting rights requires a multifaceted approach. Although the federal courts should effectuate the true goals of the Twenty-Sixth Amendment by properly construing its terms, they are failing to do so, instead following the Supreme Court's trend of simply deferring to state voting rules. State constitutions can pick up the void. Although the language of state constitutions already is sufficient for state courts to strike down laws that harm young voters, the language could be even stronger. Meanwhile, pro-democracy politicians of both sides should support legislation to confer robust voting rights for all.

CONCLUSION

State constitutions have become vital tools in the fight for democracy. Their text is couched in the affirmative, granting voting rights, and their language goes beyond the U.S. Constitution. Although the U.S. Supreme Court once upheld the right to vote as fundamental and employed the highest level of scrutiny to state laws that curtailed the franchise, today's federal courts unduly defer to state legislatures. Advocates are already using state constitutions to challenge various voter suppression tactics. Invoking them in lawsuits against rules that disproportionately harm younger voters is the next logical step. Robust protection for youth voting rights, combined with advocacy for legislative reform, will help to finally secure the ideals of the Twenty-Sixth Amendment: truly and meaningfully enfranchising millions of young voters.

111. Press Release, Elizabeth Warren, U.S. Senator, Senator Warren, Rep. Williams to Introduce Bill to Expand Youth Access to Voting (July 11, 2022), <https://www.warren.senate.gov/newsroom/press-releases/senator-warren-rep-williams-to-introduce-bill-to-expand-youth-access-to-voting>.

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APPENDIX

STATE CONSTITUTIONS AND YOUTH VOTING: A 50-STATE CHART

State	State Constitutional Language Conferring Right to Vote	Last Amended (particularly on voting age) (data current as of December 2022)
Alabama	“Only a citizen of the United States who has attained the age of eighteen years and has resided in this state and in a county thereof for the time provided by law, if registered as provided by law, shall have the right to vote in the county of his or her residence.” ¹¹²	Nov. 2020 (changed “every citizen” to “only a citizen”); ¹¹³ 1996 (repealed 1901 version and added new version, which included eligibility at age eighteen). ¹¹⁴
Alaska	“Every citizen of the United States who is at least eighteen years of age, who meets registration residency requirements which may be prescribed by law, and who is qualified to vote under this article, may vote in any state or local election.” ¹¹⁵	Aug. 1972 (inserted word “residency” in first sentence); ¹¹⁶ Aug. 1970 (lowered voting age to eighteen). ¹¹⁷

112. ALA. CONST. art. VIII, § 177(a).

113. *Alabama Amendment 1, Citizenship Requirement for Voting Measure (2020)*, *supra* note 49.

114. Act No. 95-443, 1996 Ala. Laws 938–39, https://archive.org/details/alabama-acts-1995_v2/page/n121/mode/2up; *Alabama Suffrage Amendment (June 1996)*, BALLOTPEDIA, [https://ballotpedia.org/Alabama_Suffrage_Amendment_\(June_1996\)](https://ballotpedia.org/Alabama_Suffrage_Amendment_(June_1996)) (last visited Aug. 1, 2022).

115. ALASKA CONST. art. V, § 1.

116. *Alaska Residency Requirement for Voting, Amendment 1 (August 1972)*, BALLOTPEDIA, [https://ballotpedia.org/Alaska_Residency_Requirement_for_Voting,_Amendment_1_\(August_1972\)](https://ballotpedia.org/Alaska_Residency_Requirement_for_Voting,_Amendment_1_(August_1972)) (last visited Aug. 1, 2022).

117. *Alaska Voting Age, Amendment 1 (August 1970)*, BALLOTPEDIA, [https://ballotpedia.org/Alaska_Voting_Age,_Amendment_1_\(August_1970\)](https://ballotpedia.org/Alaska_Voting_Age,_Amendment_1_(August_1970)) (last visited Aug. 1, 2022).

Arizona	“No person shall be entitled to vote at any general election, or for any office that now is, or hereafter may be, elective by the people, or upon any question which may be submitted to a vote of the people, unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the state for the period of time preceding such election as prescribed by law, provided that qualifications for voters at a general election for the purpose of electing presidential electors shall be as prescribed by law.” ¹¹⁸	Nov. 2000 (changed the minimum voting age to eighteen). ¹¹⁹
Arkansas	“(a) Except as otherwise provided by this Constitution, any person may vote in an election in this state who is: (1) A citizen of the United States; (2) A resident of the State of Arkansas; (3) At least eighteen (18) years of age; and (4) Lawfully registered to	Nov. 2018 (amended to add a photo ID requirement); ¹²¹ Nov. 2008 (lowered voting age to eighteen). ¹²²

118. ARIZ. CONST. art. VII, § 2.

119. *Arizona Constitutional Textual Terminology, Proposition 101 (2000)*, BALLOTPEDIA, [https://ballotpedia.org/Arizona_Constitutional_Textual_Terminology,_Proposition_101_\(2000\)](https://ballotpedia.org/Arizona_Constitutional_Textual_Terminology,_Proposition_101_(2000)) (last visited Aug. 1, 2022).

121. *Arkansas Issue 2, Voter ID Amendment (2018)*, BALLOTPEDIA, [https://ballotpedia.org/Arkansas_Issue_2,_Voter_ID_Amendment_\(2018\)](https://ballotpedia.org/Arkansas_Issue_2,_Voter_ID_Amendment_(2018)) (last visited Aug. 1, 2022).

122. *Arkansas Voting and Elections, Proposed Amendment 1 (2008)*, BALLOTPEDIA, [https://ballotpedia.org/Arkansas_Voting_and_Elections,_Proposed_Amendment_1_\(2008\)](https://ballotpedia.org/Arkansas_Voting_and_Elections,_Proposed_Amendment_1_(2008)) (last visited Nov. 30, 2022).

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	vote in the election.” ¹²⁰	
California	“A United States citizen 18 years of age and resident in this state may vote.” ¹²³	Nov. 2020 (allowed those convicted of a felony and on parole to vote); ¹²⁴ Nov. 1972 (lowered voting age to eighteen). ¹²⁵
Colorado	“Only a citizen of the United States who has attained the age of eighteen years, has resided in this state for such time as may be prescribed by law, and has been duly registered as a voter if required by law shall be qualified to vote at all elections.” ¹²⁶	Nov. 2020 (changed “every citizen” to “only a citizen”); ¹²⁷ Nov. 1988 (changed voting age to comply with the Twenty-Sixth Amendment); ¹²⁸ Nov. 1970 (attempted to amend the constitution to lower voting age to nineteen, but the ballot initiative failed). ¹²⁹

120. ARK. CONST. art III, § 1.

123. CAL. CONST. art II, § 2.

124. *California Proposition 17, Voting Rights Restoration for Persons on Parole Amendment* (2020), BALLOTPEDIA, [https://ballotpedia.org/California_Proposition_17_Voting_Rights_Restoration_for_Persons_on_Parole_Amendment_\(2020\)](https://ballotpedia.org/California_Proposition_17_Voting_Rights_Restoration_for_Persons_on_Parole_Amendment_(2020)) (last visited Aug. 1, 2022).

125. *California Proposition 7, Changes to Elections Amendment (1972)*, BALLOTPEDIA, [https://ballotpedia.org/California_Proposition_7_Changes_to_Elections_Amendment_\(1972\)](https://ballotpedia.org/California_Proposition_7_Changes_to_Elections_Amendment_(1972)) (last visited Nov. 30, 2022).

126. COLO. CONST. art. VII, § 1.

127. *Colorado 2020 Ballot Measures*, BALLOTPEDIA, https://ballotpedia.org/Colorado_2020_ballot_measures (last visited Aug. 1, 2022).

128. *Colorado Maximum Workday Amendment, Referendum 4 (1988)*, BALLOTPEDIA, [https://ballotpedia.org/Colorado_Maximum_Workday_Amendment,_Referendum_4_\(1988\)](https://ballotpedia.org/Colorado_Maximum_Workday_Amendment,_Referendum_4_(1988)) (last visited Nov. 30, 2022); LEG. COUNCIL OF THE CO. GEN. ASSEMBLY, AN ANALYSIS OF 1988 BALLOT PROPOSALS 9 (1988), <https://www.sos.state.co.us/pubs/elections/Results/BlueBooks/1988BlueBook.pdf>.

129. *Colorado Voting Age and Residency Requirements Reduction, Measure 4 (1970)*, BALLOTPEDIA, [https://ballotpedia.org/Colorado_Voting_Age_and_Residency_Requirements_Reduction,_Measure_4_\(1970\)](https://ballotpedia.org/Colorado_Voting_Age_and_Residency_Requirements_Reduction,_Measure_4_(1970)) (last visited Nov. 30, 2022).

Connecticut	“Every citizen of the United States who has attained the age of eighteen years, who is a bona fide resident of the town in which he seeks to be admitted as an elector and who takes such oath, if any, as may be prescribed by law, shall be qualified to be an elector.” ¹³⁰	Nov. 1976 (changed minimum voting age from twenty-one to eighteen). ¹³¹
Delaware	“Every citizen of this State of the age of twenty-one years who shall have been a resident thereof one year next preceding an election, and for the last three months a resident of the county, and for the last thirty days a resident of the hundred or election district in which he or she may offer to vote, and in which he or she shall have been duly registered as hereinafter provided for, shall be entitled to vote at such election in the hundred or election district of which he or she shall at the time be a resident, and in which he or she shall be registered, for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the	June 2018 (attempted to amend the constitution to update the age requirement, but bill failed). ¹³³

130. CONN. CONST. art. IX, § 1.

131. *Connecticut Qualification of Electors, Question 1 (1976)*, BALLOTPEDIA, [https://ballotpedia.org/Connecticut_Qualification_of_Electors,_Question_1_\(1976\)](https://ballotpedia.org/Connecticut_Qualification_of_Electors,_Question_1_(1976)) (last visited Aug. 1, 2022).

133. H.R. 446, 149th Gen. Assemb. (Del. 2018).

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	people” ¹³²	
Florida	“Only a citizen of the United States who is at least eighteen years of age and who is a permanent resident of the state, if registered as provided by law, shall be an elector of the county where registered.” ¹³⁴	Nov. 2020 (changed “every citizen” to “only a citizen”); ¹³⁵ Nov. 1998 (“correct[ed] voting age”). ¹³⁶
Georgia	“Every person who is a citizen of the United States and a resident of Georgia as defined by law, who is at least 18 years of age and not disenfranchised by this article, and who meets minimum residency requirements as provided by law shall be entitled to vote at any election by the people. The General Assembly shall provide by law for the registration of electors.” ¹³⁷	Aug. 1943 (lowered the voting age to eighteen). ¹³⁸
Hawaii	“Every citizen of the United States who shall have attained the age of eighteen years, have been a resident of this State not less than one year next preceding the election and be a voter	Nov. 1972 (amended to lower the voting age). ¹⁴⁰

132. DEL. CONST. art. V, § 2.

134. FLA. CONST. art. VI, § 2.

135. *Article VI, Florida Constitution*, *supra* note 49.

136. *Florida Ballot Access, Public Campaign Financing and Election Process Revisions, Amendment 11* (1998), BALLOTPEDIA, [https://ballotpedia.org/Florida_Ballot_Access_Public_Campaign_Financing_and_Election_Process_Revisions_Amendment_11_\(1998\)](https://ballotpedia.org/Florida_Ballot_Access_Public_Campaign_Financing_and_Election_Process_Revisions_Amendment_11_(1998)) (last visited Nov. 30, 2022).

137. GA. CONST. art. II, § 1, para. II.

138. *Georgia Age Requirements for Voting, Amendment 6 (1943)*, *supra* note 52.

140. *Hawaii Voting Age, Amendment 3 (1972)*, BALLOTPEDIA, [https://ballotpedia.org/Hawaii_Voting_Age_Amendment_3_\(1972\)](https://ballotpedia.org/Hawaii_Voting_Age_Amendment_3_(1972)) (last visited Aug. 1, 2022).

	registered as provided by law, shall be qualified to vote in any state or local election.” ¹³⁹	
Idaho	“Every male or female citizen of the United States, eighteen years old, who has resided in this state, and in the county where he or she offers to vote for the period of time provided by law, if registered as provided by law, is a qualified elector.” ¹⁴¹	Nov. 1982 (changed voting age to comply with the Twenty-Sixth Amendment); ¹⁴² Nov. 1960 (attempted to lower the voting age from twenty-one to nineteen, but ballot initiative failed). ¹⁴³
Illinois	“Every United States citizen who has attained the age of 18 or any other voting age required by the United States for voting in State elections and who has been a permanent resident of this State for at least 30 days next preceding any election shall have the right to vote at such election.” ¹⁴⁴	Nov. 1988 (amended to lower the voting age to eighteen and to shorten the residency requirement to thirty days). ¹⁴⁵
Indiana	“A citizen of the United States who is at least eighteen (18) years of age and who has been a resident of a precinct thirty (30) days	Nov. 1998 (amended state constitution to protect an individual’s right to

139. HAW. CONST. art. II, § 1.

141. IDAHO CONST. art. VI, § 2.

142. *Idaho Remove Voting Age and Residency Requirements, HJR 14 (1982)*, BALLOTPEdia,

[https://ballotpedia.org/Idaho_Remove_Voting_Age_and_Residency_Requirements,_HJR_14_\(1982\)](https://ballotpedia.org/Idaho_Remove_Voting_Age_and_Residency_Requirements,_HJR_14_(1982)) (last visited Aug. 1, 2022).

143. *Idaho Lower Voting Age, SJR 3 (1960)*, BALLOTPEdia, [https://ballotpedia.org/Idaho_Lower_Voting_Age,_SJR_3_\(1960\)](https://ballotpedia.org/Idaho_Lower_Voting_Age,_SJR_3_(1960)) (last visited Aug. 4, 2022).

144. ILL. CONST. art. III, § 1.

145. *Illinois Voting Requirement Amendment (1988)*, BALLOTPEdia, [https://ballotpedia.org/Illinois_Voting_Requirement_Amendment_\(1988\)](https://ballotpedia.org/Illinois_Voting_Requirement_Amendment_(1988)) (last visited Aug. 4, 2022).

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	immediately preceding an election may vote in that precinct at the election.” ¹⁴⁶	vote if they move within the state within thirty days of an election); ¹⁴⁷ Nov. 1976 (lowered voting age to eighteen). ¹⁴⁸
Iowa	“Every citizen of the United States of the age of twenty-one years, who shall have been a resident of this state for such period of time as shall be provided by law and of the county in which he claims his vote for such period of time as shall be provided by law, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.” ¹⁴⁹	1970 (providing note after Article II, § 1 stating “Repealed and rewritten by Amendment 30 (1970) See United States Constitution, Amendments 19 and 26”). ¹⁵⁰
Kansas	“Every citizen of the United States who has attained the age of eighteen years and who resides in the voting area in which he or she seeks to vote shall be deemed a qualified elector.” ¹⁵¹	1971 (lowered voting age to eighteen). ¹⁵²
Kentucky	“Every citizen of the United States of the age of eighteen	Nov. 1955 (lowered voting age from

146. IND. CONST. art. II, § 2(a).

147. *Indiana Protect Right to Vote Act, Public Question 1 (1998)*, BALLOTPEDIA, [https://ballotpedia.org/Indiana_Protect_Right_to_Vote_Act,_Public_Question_1_\(1998\)](https://ballotpedia.org/Indiana_Protect_Right_to_Vote_Act,_Public_Question_1_(1998)) (last visited Aug. 4, 2022).

148. *Indiana Residency Requirements for Voting, Amendment 1 (1976)*, BALLOTPEDIA, [https://ballotpedia.org/Indiana_Residency_Requirements_for_Voting,_Amendment_1_\(1976\)](https://ballotpedia.org/Indiana_Residency_Requirements_for_Voting,_Amendment_1_(1976)) (last visited Nov. 30, 2022).

149. IOWA CONST. art. II, § 1, <https://www.legis.iowa.gov/docs/publications/ICP/1023054.pdf> (last visited Dec. 11, 2022).

150. *Id.*

151. KAN. CONST. art. V, § 1.

152. *Kansas Votes for 18's*, N.Y. TIMES (Apr. 7, 1971), <https://www.nytimes.com/1971/04/07/archives/kansas-votes-for-18s.html>.

	years who has resided in the state one year, and in the county six months, and the precinct in which he offers to vote sixty days next preceding the election, shall be a voter in said precinct and not elsewhere but the following persons are excepted and shall not have the right to vote” ¹⁵³	twenty-one to eighteen). ¹⁵⁴
Louisiana	“Every person who is both a citizen of the state and of the United States, upon reaching eighteen years of age, shall have the right to register and vote, except that this right may be suspended for a person who is interdicted and judicially declared mentally incompetent or who is under an order of imprisonment for conviction of a felony. . . . No person who is not a citizen of the United States shall be allowed to register and vote in this state.” ¹⁵⁵	Dec. 2022 (amended state constitution to require voters to be citizens of the United States). ¹⁵⁶
Maine	“Every citizen of the United States of the age of 18 years and upwards, excepting persons under guardianship for reasons of mental illness, having his or her residence	Nov. 1988 (amended to remove gender-biased language from entire constitution); ¹⁵⁸

153. KY. CONST. § 145.

154. *Kentucky Voting Rights Referendum (1955)*, *supra* note 52.

155. LA. CONST. art. I, § 10; *Louisiana Amendment 1, Citizen Requirement for Voting Measure, (December 2022)*, *supra* note 49.

156. *Louisiana Amendment 1, Citizen Requirement for Voting Measure, (December 2022)*, *supra* note 49.

158. *Maine Removal of Gender Biased Constitutional Language, Question 7 (1988)*, BALLOTPEdia,

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	established in this State, shall be an elector for Governor, Senators and Representatives, in the city, town or plantation where his or her residence has been established, if he or she continues to reside in this State; and the elections shall be by written ballot.” ¹⁵⁷	Nov. 1971 (lowered voting age to eighteen); ¹⁵⁹ Nov. 1970 (lowered voting age to twenty); ¹⁶⁰ Sept. 1954 (amended to give Native Americans the right to vote). ¹⁶¹
Maryland	“All elections shall be by ballot. Except as provided in Section 2A or Section 3 of this article, every citizen of the United States, of the age of 18 years or upwards, who is a resident of the State as of the time for the closing of registration next preceding the election, shall be entitled to vote in the ward or election district in which the citizen resides at all	Nov. 2018 (authorized the legislature to allow for same-day voter registration); ¹⁶³ Nov. 1978 (changed voting age to eighteen); ¹⁶⁴ Nov. 2008 (authorized the legislature to create laws that allow early voting and voting at

[https://ballotpedia.org/Maine_Removal_of_Gender_Biased_Constitutional_Language,_Question_7_\(1988\)](https://ballotpedia.org/Maine_Removal_of_Gender_Biased_Constitutional_Language,_Question_7_(1988)) (last visited Aug. 5, 2022).

157. ME. CONST. art. II, § 1.

159. *Maine Voting Age Requirement of 18, Proposed Constitutional Amendment No. 1 (1971)*,
BALLOTPEDIA,
[https://ballotpedia.org/Maine_Voting_Age_Requirement_of_18,_Proposed_Constitutional_Amendment_No._1_\(1971\)](https://ballotpedia.org/Maine_Voting_Age_Requirement_of_18,_Proposed_Constitutional_Amendment_No._1_(1971)) (last visited Nov. 30, 2022).

160. *Maine Voting Age Requirement of 20, Proposed Constitutional Amendment No. 1 (1970)*,
BALLOTPEDIA,
[https://ballotpedia.org/Maine_Voting_Age_Requirement_of_20,_Proposed_Constitutional_Amendment_No._1_\(1970\)](https://ballotpedia.org/Maine_Voting_Age_Requirement_of_20,_Proposed_Constitutional_Amendment_No._1_(1970)) (last visited Nov. 30, 2022).

161. *Maine Suffrage for Native Americans, Proposed Constitutional Amendment No. 2 (1954)*,
BALLOTPEDIA,
[https://ballotpedia.org/Maine_Suffrage_for_Native_Americans,_Proposed_Constitutional_Amendment_No._2_\(1954\)](https://ballotpedia.org/Maine_Suffrage_for_Native_Americans,_Proposed_Constitutional_Amendment_No._2_(1954)) (last visited Aug. 5, 2022).

163. *Maryland Question 2, Election-Day Voter Registration Amendment (2018)*,
BALLOTPEDIA,
[https://ballotpedia.org/Maryland_Question_2,_Election-Day_Voter_Registration_Amendment_\(2018\)](https://ballotpedia.org/Maryland_Question_2,_Election-Day_Voter_Registration_Amendment_(2018)) (last visited Nov. 30, 2022).

164. *Maryland Technical Revisions of the Constitution, Question 3 (1978)*, BALLOTPEDIA,
[https://ballotpedia.org/Maryland_Technical_Revisions_of_the_Constitution,_Question_3_\(1978\)](https://ballotpedia.org/Maryland_Technical_Revisions_of_the_Constitution,_Question_3_(1978)) (last visited Nov. 30, 2022).

	elections to be held in this State.” ¹⁶²	polling places inside or outside of their election districts). ¹⁶⁵
Massachusetts	“Every citizen of eighteen years of age and upwards, excepting persons who are incarcerated in a correctional facility due to a felony conviction, and, excepting persons under guardianship and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections who shall have resided within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant governor, senators or representatives, shall have a right to vote in such election of governor, lieutenant governor, senators and representatives; and no other person shall be entitled to vote in such election.” ¹⁶⁶	Nov. 1972 (changed voting age to eighteen). ¹⁶⁷
Michigan	“Every citizen of the United States who has attained the age of 21 years, who has resided in this state six	Nov. 2022 (enshrining “fundamental right to vote” in state

162. MD. CONST. art. I, § 1.

165. *Maryland Early Voting, Question 1 (2008)*, BALLOTPEDIA, [https://ballotpedia.org/Maryland_Early_Voting_Question_1_\(2008\)](https://ballotpedia.org/Maryland_Early_Voting_Question_1_(2008)) (last visited Aug. 5, 2022).

166. MASS. CONST. amend. art. III.

167. *Massachusetts Voting Age of 18, Question 2 (1972)*, BALLOTPEDIA, [https://ballotpedia.org/Massachusetts_Voting_Age_of_18_Question_2_\(1972\)](https://ballotpedia.org/Massachusetts_Voting_Age_of_18_Question_2_(1972)) (last visited Aug. 5, 2022).

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	months, and who meets the requirements of local residence provided by law, shall be an elector and qualified to vote in any election except as otherwise provided in this constitution. The legislature shall define residence for voting purposes.” ¹⁶⁸	constitution); ¹⁶⁹ 1970 (proposed amendment to lower the voting age to eighteen failed); ¹⁷⁰ 1966 (proposed amendment to lower the voting age to eighteen failed). ¹⁷¹ The “Compiler’s note” after Art. II, § 1 restates the language of the Twenty-Sixth Amendment. ¹⁷²
Minnesota	“Every person 18 years of age or more who has been a citizen of the United States for three months and who has resided in the precinct for 30 days next preceding an election shall be entitled to vote in that precinct.” ¹⁷³	Mar. 1971 (lowered voting age from nineteen to eighteen); ¹⁷⁴ Nov. 1970 (lowered voting age from twenty-one to

168. MICH. CONST. art. II, § 1, [http://www.legislature.mi.gov/\(S\(db2g04hjbwqi1qejh51i502d\)\)/documents/mcl/pdf/mcl-chap1.pdf](http://www.legislature.mi.gov/(S(db2g04hjbwqi1qejh51i502d))/documents/mcl/pdf/mcl-chap1.pdf) (last visited Dec. 11, 2022).

169. *Michigan Proposal 2, Voting Policies in Constitution Amendment (2022)*, BALLOTPEDIA, [https://ballotpedia.org/Michigan_Proposal_2,_Voting_Policies_in_Constitution_Amendment_\(2022\)](https://ballotpedia.org/Michigan_Proposal_2,_Voting_Policies_in_Constitution_Amendment_(2022)) (last visited Nov. 18, 2022).

170. *Michigan Voting Age Amendment, Proposal B (1970)*, BALLOTPEDIA, [https://ballotpedia.org/Michigan_Voting_Age_Amendment,_Proposal_B_\(1970\)](https://ballotpedia.org/Michigan_Voting_Age_Amendment,_Proposal_B_(1970)) (last visited Aug. 5, 2022).

171. *Michigan Minimum Voting Age Amendment, Proposal 1 (1966)*, BALLOTPEDIA, [https://ballotpedia.org/Michigan_Minimum_Voting_Age_Amendment,_Proposal_1_\(1966\)](https://ballotpedia.org/Michigan_Minimum_Voting_Age_Amendment,_Proposal_1_(1966)) (last visited Aug. 5, 2022).

172. MICH. CONST. art. II, § 1, [http://www.legislature.mi.gov/\(S\(db2g04hjbwqi1qejh51i502d\)\)/documents/mcl/pdf/mcl-chap1.pdf](http://www.legislature.mi.gov/(S(db2g04hjbwqi1qejh51i502d))/documents/mcl/pdf/mcl-chap1.pdf) (last visited Dec. 11, 2022).

173. MINN. CONST. art. VII, § 1.

174. *LeadMN Celebrates 50th Anniversary of Minnesota’s Ratification of the 26th Amendment*, LEADMN, <https://www.leadmn.org/leadmn-celebrates-50th-anniversary-minnesotas-ratification-26th-amendment> (last visited Sept. 9, 2022).

		nineteen). ¹⁷⁵
Mississippi	“Every inhabitant of this state, except idiots and insane persons, who is a citizen of the United States of America, eighteen (18) years old and upward, who has been a resident of this state for one (1) year, and for one (1) year in the county in which he offers to vote, and for six (6) months in the election precinct or in the incorporated city or town in which he offers to vote, and who is duly registered as provided in this article, and who has never been convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement or bigamy, is declared to be a qualified elector, except that he shall be qualified to vote for President and Vice President of the United States if he meets the requirements established by Congress therefor and is otherwise a qualified	Nov. 1972 (changed voting age to eighteen); ¹⁷⁷ June 1968 (amended to add residency requirements). ¹⁷⁸

175. *Minnesota Age Requirements for Voting and Holding Office, Amendment 1 (1970)*, BALLOTPEDIA,

[https://ballotpedia.org/Minnesota_Age_Requirements_for_Voting_and_Holding_Office_Amendment_1_\(1970\)](https://ballotpedia.org/Minnesota_Age_Requirements_for_Voting_and_Holding_Office_Amendment_1_(1970)) (last visited Aug. 5, 2022).

177. *Mississippi Voting Age, Amendment 2 (1972)*, BALLOTPEDIA, [https://ballotpedia.org/Mississippi_Voting_Age_Amendment_2_\(1972\)](https://ballotpedia.org/Mississippi_Voting_Age_Amendment_2_(1972)) (last visited Aug. 5, 2022).

178. *Mississippi Voter Residency, Amendment 1 (1968)*, BALLOTPEDIA, [https://ballotpedia.org/Mississippi_Voter_Residency_Amendment_1_\(1968\)](https://ballotpedia.org/Mississippi_Voter_Residency_Amendment_1_(1968)) (last visited Aug. 5, 2022).

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	elector.” ¹⁷⁶	
Missouri	“All citizens of the United States, including occupants of soldiers’ and sailors’ homes, over the age of eighteen who are residents of this state and of the political subdivision in which they offer to vote are entitled to vote at all elections by the people, if the election is one for which registration is required if they are registered within the time prescribed by law, or if the election is one for which registration is not required, if they have been residents of the political subdivision in which they offer to vote for thirty days next preceding the election for which they offer to vote” ¹⁷⁹	Nov. 1974 (lowered voting age to eighteen). ¹⁸⁰
Montana	“Any citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law is a qualified elector unless he is serving a sentence for a felony in a	Nov. 1972 (changed voting age from nineteen to eighteen); ¹⁸² Nov. 1970 (changed voting age from twenty-one to nineteen). ¹⁸³

176. MISS. CONST. art. XII, § 241.

179. MO. CONST. art. VIII, § 2.

180. *Missouri Voting Age, Amendment 1 (1974)*, BALLOTPEDIA, [https://ballotpedia.org/Missouri_Voting_Age,_Amendment_1_\(1974\)](https://ballotpedia.org/Missouri_Voting_Age,_Amendment_1_(1974)) (last visited Aug. 5, 2022).

182. *Montana Voting Age, Amendment 1 (1972)*, BALLOTPEDIA, [https://ballotpedia.org/Montana_Voting_Age,_Amendment_1_\(1972\)](https://ballotpedia.org/Montana_Voting_Age,_Amendment_1_(1972)) (last visited Aug. 6, 2022).

183. *Montana Change Voting Age, Amendment 3 (1970)*, BALLOTPEDIA, [https://ballotpedia.org/Montana_Change_Voting_Age,_Amendment_3_\(1970\)](https://ballotpedia.org/Montana_Change_Voting_Age,_Amendment_3_(1970)) (last visited Aug. 6, 2022).

	penal institution or is of unsound mind, as determined by a court.” ¹⁸¹	
Nebraska	“Every citizen of the United States who has attained the age of eighteen years on or before the first Tuesday after the first Monday in November and has resided within the state and the county and voting precinct for the terms provided by law shall, except as provided in section 2 of this article, be an elector for the calendar year in which such citizen has attained the age of eighteen years and for all succeeding calendar years.” ¹⁸⁴	Nov. 1988 (amended voting age to eighteen); ¹⁸⁵ Nov. 1970 (changed voting age to twenty); ¹⁸⁶ Nov. 1968 (proposed to lower voting age to nineteen, but amendment failed). ¹⁸⁷
Nevada	“All citizens of the United States (not laboring under the disabilities named in this constitution) of the age of eighteen years and upwards, who shall have actually, and not constructively, resided in the state six months, and in	Nov. 2020 (added voters’ bill of rights to state constitution); ¹⁸⁹ June 1971 (amended voting age from twenty-

181. MONT. CONST. art. IV, § 2.

184. NEB. CONST. art. VI, § 1.

185. *Nebraska Voter Age Requirements, Amendment 3b (1988)*, BALLOTPEDIA, [https://ballotpedia.org/Nebraska_Voter_Age_Requirements,_Amendment_3b_\(1988\)](https://ballotpedia.org/Nebraska_Voter_Age_Requirements,_Amendment_3b_(1988)) (last visited Sept. 8, 2022).

186. *Nebraska Voting Age, Amendment 1 (1970)*, BALLOTPEDIA, [https://ballotpedia.org/Nebraska_Voting_Age,_Amendment_1_\(1970\)](https://ballotpedia.org/Nebraska_Voting_Age,_Amendment_1_(1970)) (last visited Aug. 6, 2022).

187. *Nebraska Voting Age, Amendment 1 (1968)*, BALLOTPEDIA, [https://ballotpedia.org/Nebraska_Voting_Age,_Amendment_1_\(1968\)](https://ballotpedia.org/Nebraska_Voting_Age,_Amendment_1_(1968)) (last visited Aug. 6, 2022).

189. *Nevada Question 4, State Constitutional Rights of Voters Amendment (2020)*, BALLOTPEDIA, [https://ballotpedia.org/Nevada_Question_4,_State_Constitutional_Rights_of_Voters_Amendment_\(2020\)](https://ballotpedia.org/Nevada_Question_4,_State_Constitutional_Rights_of_Voters_Amendment_(2020)) (last visited July 30, 2022).

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	the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election” ¹⁸⁸	one to eighteen). ¹⁹⁰
New Hampshire	“All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election.” ¹⁹¹	1976 (lowered voting age to eighteen). ¹⁹²
New Jersey	“Every citizen of the United States, of the age of 18 years, who shall have been a resident of this State and of the county in which he claims his vote 30 days, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people, and upon all questions which may be submitted to a vote of the	July 1971 (lowered voting age to eighteen); ¹⁹⁴ Nov. 1969 (proposed to lower voting age from twenty-one to eighteen, but amendment failed). ¹⁹⁵

188. NEV. CONST. art. II, § 1.

190. *Nevada Question 1, Reduce Voting Age to 18 Amendment (June 1971)*, BALLOTPEDIA, [https://ballotpedia.org/Nevada_Reduction_of_the_Voting_Age,_Question_1_\(1971\)](https://ballotpedia.org/Nevada_Reduction_of_the_Voting_Age,_Question_1_(1971)) (last visited Aug. 6, 2022).

191. N.H. CONST. part I, art. XI.

192. *Part First, New Hampshire Constitution*, BALLOTPEDIA, https://ballotpedia.org/Part_First,_New_Hampshire_Constitution (last visited Aug. 6, 2022).

194. *50th Anniversary of the 26th Amendment*, STATE OF N.J., <https://nj.gov/state/elections/jersey-civic-engage-26th-amendment.shtml> (last visited Sept. 8, 2022).

195. *New Jersey Public Question No. 2 (1969)*, BALLOTPEDIA, [https://ballotpedia.org/New_Jersey_Public_Question_No._2_\(1969\)](https://ballotpedia.org/New_Jersey_Public_Question_No._2_(1969)) (last visited Aug. 6, 2022).

	people” ¹⁹³	
New Mexico	“Every person who is a qualified elector pursuant to the constitution and laws of the United States and a citizen thereof shall be qualified to vote in all elections in New Mexico, subject to residency and registration requirements provided by law, except as restricted by statute either by reason of criminal conviction for a felony or by reason of mental incapacity, being limited only to those persons who are unable to mark their ballot and who are concurrently also unable to communicate their voting preference.” ¹⁹⁶	Nov. 2010 (updated constitution to reflect federal age requirement, define mental incapacity for voting purposes, and restrict felons from voting unless right was restored). ¹⁹⁷
New York	“Every citizen shall be entitled to vote at every election for all officers elected by the people and upon all questions submitted to the vote of the people provided that such citizen is eighteen years of age or over and shall have been a resident of this state, and of the county, city, or village for thirty days next	1995 (“conform[ed] language to existing Federal requirements that the voting age is eighteen [and] that the residency requirement is 30 days”). ¹⁹⁹

193. N.J. CONST. art. II, § 1, ¶ 3.

196. N.M. CONST. art. VII, § 1(A).

197. *New Mexico Modern Election Language Amendment, Amendment 3 (2010)*, BALLOTPEDIA, [https://ballotpedia.org/New_Mexico_Modern_Election_Language_Amendment,_Amendment_3_\(2010\)](https://ballotpedia.org/New_Mexico_Modern_Election_Language_Amendment,_Amendment_3_(2010)) (last visited Aug. 6, 2022).

199. *New York Requirements for Voter Registration, Proposal 2 (1995)*, BALLOTPEDIA, [https://ballotpedia.org/New_York_Requirements_for_Voter_Registration,_Proposal_2_\(1995\)](https://ballotpedia.org/New_York_Requirements_for_Voter_Registration,_Proposal_2_(1995)) (last visited Nov. 30, 2022).

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	preceding an election.” ¹⁹⁸	
North Carolina	“Every person born in the United States and every person who has been naturalized, 18 years of age, and possessing the qualifications set out in this Article, shall be entitled to vote at any election by the people of the State, except as herein otherwise provided.” ²⁰⁰	Nov. 1972 (lowered voting age from twenty-one to eighteen). ²⁰¹
North Dakota	“Only a citizen of the United States, who has attained the age of eighteen years and who is a North Dakota resident, shall be a qualified elector. When an elector moves within the state, he shall be entitled to vote in the precinct from which he moves until he establishes voting residence in another precinct.” ²⁰²	Nov. 2018 (changed “every citizen” to “only a citizen”); ²⁰³ Mar. 1971 (lowered voting age from twenty-one to eighteen through concurrent resolution); ²⁰⁴ Sept. 1968 (proposed to lower voting age from twenty-one to nineteen, but amendment failed). ²⁰⁵
Ohio	“Only a citizen of the United	Nov. 2022 (changed

198. N.Y. CONST. art. II, § 1.

200. N.C. CONST. art. VI, § 1.

201. *North Carolina Age Requirements for Voting and Elective Office, Amendment 1 (1972)*, BALLOTPEDIA, [https://ballotpedia.org/North_Carolina_Age_Requirements_for_Voting_and_Elective_Office_Amendment_1_\(1972\)](https://ballotpedia.org/North_Carolina_Age_Requirements_for_Voting_and_Elective_Office_Amendment_1_(1972)) (last visited Aug. 6, 2022).

202. N.D. CONST. art. II, § 1.

203. *North Dakota Measure 2, Citizen Requirement for Voting Amendment Initiative (2018)*, *supra* note 49.

204. H.R. Con. Res. 3020, ch. 622, 1971 N.D. Const. Amends., Proposed 1340, <https://www.ndlegis.gov/assembly/sessionlaws/1971/pdf/CAP.pdf>; H.R. Con. Res. 3020, ch. 528, 1973 Const. Amends. Not Placed on Ballot 1388 <https://ndlegis.gov/assembly/sessionlaws/1973/pdf/CONAMEN.pdf>.

205. *North Dakota Lowering Voting Age Referendum, Number 4 (1968)*, BALLOTPEDIA, [https://ballotpedia.org/North_Dakota_Lowering_Voting_Age_Referendum,_Number_4_\(1968\)](https://ballotpedia.org/North_Dakota_Lowering_Voting_Age_Referendum,_Number_4_(1968)) (last visited Aug. 6, 2022).

	States, of the age of eighteen years, who has been a resident of the state, county, township, or ward, such time as may be provided by law, and has been registered to vote for thirty days, has the qualifications of an elector, and is entitled to vote at all elections.” ²⁰⁶	“every citizen” to “only a citizen”); ²⁰⁷ 1976 (lowered the voting age to eighteen); ²⁰⁸ Nov. 1969 (proposed to lower voting age from twenty-one to nineteen, but amendment failed). ²⁰⁹
Oklahoma	“Subject to such exceptions as the Legislature may prescribe, all citizens of the United States, over the age of eighteen (18) years, who are bona fide residents of this state, are qualified electors of this state.” ²¹⁰	Dec. 1971 (lowered voting age to eighteen). ²¹¹
Oregon	“(1) Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen: (a) Is 18 years of age or older;	Nov. 1974 (lowered voting age from twenty-one to eighteen). ²¹³

206. OHIO CONST. art. V, § 1.

207. *Ohio Issue 2, Citizenship Voting Requirement Amendment (2022)*, *supra* note 49.

208. *Don't Forget to Vote!*, OHIO HIST. CONNECTION, <https://www.ohiohistory.org/dont-forget-to-vote/> (last visited Sept. 9, 2022); S.J. Res. 16, 1976 Gen. Assemb. (Ohio 1976); *Ohio Constitution - Law and History: Table of Proposed Amendments*, CLEVELAND-MARSHALL COLL. OF L. LIBR., <https://guides.law.csuohio.edu/c.php?g=190570&p=1258419#x1976> (last visited Nov. 16, 2022).

209. *Ohio Voting Age, Amendment 1 (1969)*, BALLOTPEDIA, [https://ballotpedia.org/Ohio_Voting_Age,_Amendment_1_\(1969\)](https://ballotpedia.org/Ohio_Voting_Age,_Amendment_1_(1969)) (last visited Aug. 6, 2022).

210. OKLA. CONST. art. III, § 1.

211. *Oklahoma Voting Age, State Question 484*, BALLOTPEDIA, https://ballotpedia.org/Oklahoma_Voting_Age,_State_Question_484 (last visited Aug. 6, 2022).

213. *Oregon State Voter Qualifications Conform with Federal Qualifications, Measure 10 (1974)*, BALLOTPEDIA, [https://ballotpedia.org/Oregon_State_Voter_Qualifications_Conform_with_Federal_Qualifications,_Measure_10_\(1974\)](https://ballotpedia.org/Oregon_State_Voter_Qualifications_Conform_with_Federal_Qualifications,_Measure_10_(1974)) (last visited Nov. 27, 2022).

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	(b) Has resided in this state during the six months immediately preceding the election, except that provision may be made by law to permit a person who has resided in this state less than 30 days immediately preceding the election, but who is otherwise qualified under this subsection, to vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States; and (c) Is registered not less than 20 calendar days immediately preceding any election in the manner provided by law.” ²¹²	
Pennsylvania	“Every citizen twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact.” ²¹⁴	The language after Art. 7, § 1 of the Pennsylvania Constitution references the Twenty-Sixth Amendment as well as a 1937 statute that lowered the voting age to eighteen. ²¹⁵

212. OR. CONST. art. II, § 2(1).

214. PA. CONST. art. VII, § 1, <https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/00/00.007..HTM> (last visited Dec. 11, 2022).

215. *Id.* (“Age of Electors. The age at which a citizen is entitled to vote was changed from 21 to 18 years of age. See Amendment XXVI to the Constitution of the United States and section 701 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.”); *see also* Act of June 3, 1937, No. 320, § 701, 1937 Pa. Pub. L. 1333,

Rhode Island	<p>“Every citizen of the United States of the age of eighteen years or over who has had residence and home in this state for thirty days next preceding the time of voting, who has resided thirty days in the town or city from which such citizen desires to vote, and whose name shall be registered at least thirty days next preceding the time of voting as provided by law, shall have the right to vote for all offices to be elected and on all questions submitted to the electors, except that no person who has been lawfully adjudicated to be non compos mentis shall be permitted to vote. No person who is incarcerated in a correctional facility upon a felony conviction shall be permitted to vote until such person is discharged from the facility. Upon discharge, such person’s right to vote shall be restored. The general assembly may provide by law for shorter state and local residence requirements to vote for electors for president and</p>	<p>Nov. 2006 (restored right to vote to individuals with a felony conviction after their discharge from a correctional facility);²¹⁷ Nov. 1973 (changed the voting age to eighteen.²¹⁸</p>
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<https://www.legis.state.pa.us/cfdocs/legis/LI/uconsCheck.cfm?txtType=HTM&yr=1937&sessInd=0&smthLwInd=0&act=320&chpt=7>.

217. *Rhode Island Question 2, Restoration of Voting Rights Act (2006)*, BALLOTPEdia, [https://ballotpedia.org/Rhode_Island_Question_2,_Restoration_of_Voting_Rights_Act_\(2006\)](https://ballotpedia.org/Rhode_Island_Question_2,_Restoration_of_Voting_Rights_Act_(2006)) (last visited Nov. 16, 2022).

218. R.I. CONST. amend. XXXVIII, § 1; *Rhode Island Suffrage, Proposal 1 (1973)*, BALLOTPEdia, [https://ballotpedia.org/Rhode_Island_Suffrage,_Proposal_1_\(1973\)](https://ballotpedia.org/Rhode_Island_Suffrage,_Proposal_1_(1973)) (last visited Nov. 16, 2022).

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	vice president of the United States.” ²¹⁶	
South Carolina	“Every citizen of the United States and of this State of the age of eighteen and upwards who is properly registered is entitled to vote as provided by law.” ²¹⁹	Nov. 1974 (lowered voting age from twenty-one to eighteen). ²²⁰
South Dakota	“Every United States citizen eighteen years of age or older who has met all residency and registration requirements shall be entitled to vote in all elections and upon all questions submitted to the voters of the state unless disqualified by law for mental incompetence or the conviction of a felony.” ²²¹	Nov. 1972 (adopted amendment “related to” the voting age). ²²²
Tennessee	“Every person, being eighteen years of age, being a citizen of the United States, being a resident of the State for a period of time as prescribed by the General	1977 (lowered voting age to eighteen); ²²⁴ Nov. 1968 (proposed to lower the voting age to eighteen, but

216. R.I. CONST. art. II, § 1.

219. S.C. CONST. art. II, § 4.

220. *South Carolina Age of Suffrage, Amendment 1 (1974)*, BALLOTPEDIA, [https://ballotpedia.org/South_Carolina_Age_of_Suffrage,_Amendment_1_\(1974\)](https://ballotpedia.org/South_Carolina_Age_of_Suffrage,_Amendment_1_(1974)) (last visited Nov. 30, 2022).

221. S.D. CONST. art. VII, § 2.

222. *South Dakota Voting Age, Amendment A (1972)*, BALLOTPEDIA, [https://ballotpedia.org/South_Dakota_Voting_Age,_Amendment_A_\(1972\)](https://ballotpedia.org/South_Dakota_Voting_Age,_Amendment_A_(1972)) (last visited Aug. 3, 2022); INTER-UNIV. CONSORTIUM FOR POL. & SOC. RSCH., REFERENDA AND PRIMARY ELECTION MATERIALS, PART 22: REFERENDA ELECTIONS FOR SOUTH DAKOTA (2006), https://cdn.ballotpedia.org/images/4/45/Referenda_Elections_for_South_Dakota_1968-1990.pdf.

224. Cody Brandon, *A Short History of the Right to Vote in Tennessee's Constitutions & Court: Part 2*, TENN. BAR ASS'N (July 1, 2020), <https://www.tba.org/?pg=Articles&blAction=showEntry&blogEntry=55560>; CLYDE W. McCULLOUGH, ELSIE CHASTAIN SMITH & DAISY HAMLIN, AMENDMENTS TO THE CONSTITUTION PROPOSED BY THE LIMITED CONSTITUTIONAL CONVENTION OF 1977 6–7 (1978), https://trace.tennessee.edu/cgi/viewcontent.cgi?article=1012&context=utk_mtaspubs.

	Assembly, and being duly registered in the county of residence for a period of time prior to the day of any election as prescribed by the General Assembly, shall be entitled to vote in all federal, state, and local elections held in the county or district in which such person resides.” ²²³	amendment failed). ²²⁵
Texas	“The following classes of persons shall not be allowed to vote in this State: (1) persons under 18 years of age Every person subject to none of the disqualifications provided by Section 1 of this article or by a law enacted under that section who is a citizen of the United States and who is a resident of this state shall be deemed a qualified voter.” ²²⁶	Nov. 1997 (lowered voting age to eighteen). ²²⁷
Utah	“Every citizen of the United States, eighteen years of age or over, who makes proper proof of residence in this state for thirty days next preceding any election, or	Nov. 1976 (lowered voting age to eighteen through legislative joint resolution and

223. TENN. CONST. art. IV, § 1.

225. Interestingly, Tennessee “was one of five states to ratify the Twenty-Sixth Amendment the day it was proposed by Congress,” but it took several more years for the state to amend its state constitution. See *Tennessee Constitutional Convention: Voting Age, Amendment 5 (1968)*, BALLOTPEDIA, [https://ballotpedia.org/Tennessee_Constitutional_Convention:_Voting_Age,_Amendment_5_\(1968\)](https://ballotpedia.org/Tennessee_Constitutional_Convention:_Voting_Age,_Amendment_5_(1968)) (last visited Aug. 3, 2022).

226. TEX. CONST. art. VI, §§ 1(a)(1), 2(a).

227. *Texas Obsolete Provisions of the Texas Constitution, Proposition 4 (1997)*, BALLOTPEDIA, [https://ballotpedia.org/Texas_Obsolete_Provisions_of_the_Texas_Constitution,_Proposition_4_\(1997\)](https://ballotpedia.org/Texas_Obsolete_Provisions_of_the_Texas_Constitution,_Proposition_4_(1997)) (last visited Nov. 30, 2022).

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	for such other period as required by law, shall be entitled to vote in the election.” ²²⁸	voter approval). ²²⁹
Vermont	<p>“Every person of the full age of eighteen years who is a citizen of the United States, having resided in this State for the period established by the General Assembly and who is of a quiet and peaceable behavior, and will take the following oath or affirmation, shall be entitled to all the privileges of a voter of this state</p> <p>Every person who will attain the full age of eighteen years by the date of the general election who is a citizen of the United States, having resided in this State for the period established by the General Assembly and who is of a quiet and peaceable behavior, and will take the oath or affirmation set forth in this section,</p>	Nov. 2010 (amended to allow seventeen-year-olds who turn eighteen by the general election to vote in the primary election); ²³¹ Mar. 1974 (lowered voting age to eighteen). ²³²

228. UTAH CONST. art. IV, § 2.

229. H.R.J. Res. 3, 1975 Leg., Gen. Sess. (Utah 1975), <https://images.archives.utah.gov/digital/collection/432n/id/61563>; OFF. OF LT. GOVERNOR/SEC’Y OF STATE CLYDE L. MILLER, ELECTION 1976 OFFICIAL UTAH VOTER INFORMATION PAMPHLET 5–8 (1976), <https://voteinfo.utah.gov/wp-content/uploads/sites/42/2019/07/1976-Voter-Information-Pamphlet.pdf>; UTAH LIEUTENANT GOVERNOR ELECTIONS, ABSTRACT OF THE RETURNS OF THE GENERAL ELECTION HELD IN THE STATE OF UTAH ON NOVEMBER 2, 1976 4 (1976), https://elections.utah.gov/Media/Default/Documents/Election_Results/General/1976Gen.pdf.

231. *Vermont Voting Age Amendment, Proposal 5 (2010)*, BALLOTPEdia, [https://ballotpedia.org/Vermont_Voting_Age_Amendment,_Proposal_5_\(2010\)](https://ballotpedia.org/Vermont_Voting_Age_Amendment,_Proposal_5_(2010)) (last visited Aug. 3, 2022).

232. *Vermont End the Residency Requirement to Vote Amendment (1974)*, BALLOTPEdia, [https://ballotpedia.org/Vermont_End_the_Residency_Requirement_to_Vote_Amendment_\(1974\)](https://ballotpedia.org/Vermont_End_the_Residency_Requirement_to_Vote_Amendment_(1974)) (last visited Nov. 30, 2022).

	shall be entitled to vote in the primary election.” ²³⁰	
Virginia	“In elections by the people, the qualifications of voters shall be as follows: Each voter shall be a citizen of the United States, shall be eighteen years of age, shall fulfill the residence requirements set forth in this section, and shall be registered to vote pursuant to this article.” ²³³	Jan. 1977 (changed the residency requirement from six months to thirty days); ²³⁴ Jan. 1973 (lowered voting age from twenty-one to eighteen). ²³⁵
Washington	“All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections.” ²³⁶	Nov. 1974 (introduced a thirty-day residency requirement for all people eighteen years or older); ²³⁷ Nov. 1970 (attempted to amend the constitution to lower voting age from twenty-one to nineteen, but the ballot initiative failed); ²³⁸ Nov. 1910 (“All male persons” changed to “All

230. VT. CONST. ch. II, § 42.

233. VA. CONST. art. II, § 1.

234. *Article II, Virginia Constitution*, BALLOTPEDIA, https://ballotpedia.org/Article_II,_Virginia_Constitution (last visited Aug. 3, 2022).

235. *Id.*

236. WASH. CONST. art. VI, § 1.

237. *Washington Durational Residency Requirement, SJR 143 (1974)*, BALLOTPEDIA, [https://ballotpedia.org/Washington_Durational_Residency_Requirement,_SJR_143_\(1974\)](https://ballotpedia.org/Washington_Durational_Residency_Requirement,_SJR_143_(1974)) (last visited Aug. 3, 2022).

238. *Washington Voting Age of 19, HJR 6 (1970)*, BALLOTPEDIA, [https://ballotpedia.org/Washington_Voting_Age_of_19,_HJR_6_\(1970\)](https://ballotpedia.org/Washington_Voting_Age_of_19,_HJR_6_(1970)) (last visited Nov. 30, 2022).

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		persons”). ²³⁹
West Virginia	“The citizens of the state shall be entitled to vote at all elections held within the counties in which they respectively reside; but no person who is a minor, or who has been declared mentally incompetent by a court of competent jurisdiction, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the state and of the county in which he offers to vote, for thirty days next preceding such offer, shall be permitted to vote while such disability continues” ²⁴⁰	Nov. 1994 (removed “language referring to paupers and male voters and reduc[ed] the residency requirements for voting to thirty days”). ²⁴¹
Wisconsin	“Every United States citizen age 18 or older who is a resident of an election district in this state is a qualified elector of that district.” ²⁴²	Apr. 1986 (amended to update text, including lowering the voting age to eighteen). ²⁴³
Wyoming	“Every citizen of the United States of the age of twenty-one years and upwards, who has resided in the state or	Italicized language after Art. 6, § 2 reads: “Since ratification of the

239. *Article VI, Washington State Constitution*, BALLOTPEDIA, https://ballotpedia.org/Article_VI,_Washington_State_Constitution (last visited Aug. 3, 2022).

240. W. VA. CONST. art. IV, § 1.

241. *West Virginia Repeal Archaic Language, Amendment 1 (1994)*, BALLOTPEDIA, [https://ballotpedia.org/West_Virginia_Repeal_Archaic_Language,_Amendment_1_\(1994\)](https://ballotpedia.org/West_Virginia_Repeal_Archaic_Language,_Amendment_1_(1994)) (last visited Nov. 16, 2022).

242. WIS. CONST. art. III, § 1.

243. *Wisconsin Modernizing Constitutional Text Amendment, Question 2 (April 1986)*, BALLOTPEDIA, [https://ballotpedia.org/Wisconsin_Modernizing_Constitutional_Text_Amendment,_Question_2_\(April_1986\)](https://ballotpedia.org/Wisconsin_Modernizing_Constitutional_Text_Amendment,_Question_2_(April_1986)) (last visited Aug. 3, 2022).

	territory one year and in the county wherein such residence is located sixty days next preceding any election, shall be entitled to vote at such election, except as herein otherwise provided.” ²⁴⁴	26th Amendment to the U.S. Constitution, twenty-one should read eighteen” and “There are no longer durational residency requirements for electors,” which reflects the Wyoming Supreme Court’s decision in <i>Delgiorno v. Huisman</i> . ²⁴⁵
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244. WYO. CONST., art. VI, § 2 (2016), <https://sos.wyo.gov/Forms/Publications/WYConstitution.pdf> (providing explanation on changes to elector qualifications).

245. *Id.*; see *Delgiorno v. Huisman*, 498 P.2d 1246 (Wyo. 1972).