

State Law Criteria: What's Changed?

- Lots
 - Other than equal population, Voting Rights Act, and equal protection, criteria were formerly discretionary and permissive (the board “may” consider the others). Now appear mandatory.
 - Criteria now ranked in order of priority.
 - No longer clear that non-statutory criteria can be considered.
 - Consideration of incumbency and political parties now restricted – to what extent, unclear.
 - Exclusion of prisoners previously a policy choice; not now.
 - A.B. 443 (Newman), introduced on February 16, would change the rules again to model the rules applicable to the CRC. Referred to Senate Committee on Elections & Constitutional Amendments on February 25, 2021