

AMENDED IN ASSEMBLY MAY 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Joint Resolution

No. 15

Introduced by Assembly Member Alejo

(Coauthors: Assembly Members Ammiano, Atkins, Bloom, Blumenfield, Bocanegra, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chesbro, Cooley, Daly, Dickinson, Eggman, Fong, Fox, Frazier, Garcia, Gatto, Gomez, Gordon, Gray, Hall, Roger Hernández, Jones-Sawyer, Levine, Lowenthal, Medina, Mitchell, Mullin, Muratsuchi, Nazarian, Pan, John A. Pérez, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Torres, Weber, Wieckowski, Williams, and Yamada)

March 6, 2013

Assembly Joint Resolution No. 15—Relative to the Voting Rights Act of 1965.

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, as amended, Alejo. Voting Rights Act of 1965.

This measure would urge the Supreme Court of the United States to affirm the constitutionality of Section 5 of the Voting Rights Act of 1965.

Fiscal committee: no.

- 1 WHEREAS, Political sovereignty is the cornerstone of the
- 2 democratic process in our country; and
- 3 WHEREAS, The remedy and redress of grievances against the
- 4 government is ensured through the election of representatives who
- 5 voice the concerns of the public; and

1 WHEREAS, The right to vote is a fundamental right of citizens
2 of the United States and is the most important of civic rights and
3 obligations; and

4 WHEREAS, The political sovereignty of our country is
5 jeopardized when eligible people fail to vote; and

6 WHEREAS, American democracy is strengthened when we
7 create and maintain voting systems that ensure the ability of all
8 citizens to practice civic engagement by taking part in elections;
9 and

10 WHEREAS, Voter discrimination based on race is not a thing
11 of the past but a current reality that persists in places such as
12 Monterey County, where discriminatory voting procedures have
13 raised concerns as recently as 2002 and 2004; and

14 WHEREAS, The Fifteenth Amendment to the United States
15 Constitution ensures that the right of citizens of the United States
16 to vote is not denied on account of race or color; and

17 WHEREAS, The Fifteenth Amendment to the United States
18 Constitution grants the Congress of the United States the authority
19 to protect the right to vote; and

20 WHEREAS, The Congress of the United States has exercised
21 its authority to protect the right to vote by passing landmark
22 legislation of the civil rights era known as the Voting Rights Act
23 of 1965 that seeks to abolish discriminatory procedures and barriers
24 that disenfranchise minority voters; and

25 WHEREAS, Section 5 of the Voting Rights Act of 1965 has
26 contributed to the immense progress in protecting and expanding
27 the right to vote over the past few decades by ensuring that state
28 and local election practices are just and fair; and

29 WHEREAS, Section 5 of the Voting Rights Act of 1965 has
30 played, and continues to play, a critical role in preventing and
31 addressing real threats to the right to vote of all Americans; and

32 WHEREAS, Section 5 of the Voting Rights Act of 1965 allows
33 for adjustments as conditions change and is justified by the ongoing
34 disproportionate enactment of discriminatory voting policies in
35 the presently affected jurisdictions; and

36 WHEREAS, The Voting Rights Act of 1965 is a reflection of
37 the assurance provided by the United States Constitution that all
38 Americans have the right to vote without facing discrimination,
39 poll taxes, and other abuses; and

1 WHEREAS, The Congress of the United States has, time and
2 again, reaffirmed the need for protection against abuses that might
3 curtail the right to vote by renewing Section 5 of the Voting Rights
4 Act of 1965; and

5 WHEREAS, Section 5 of the Voting Rights Act of 1965 is
6 currently under review by the Supreme Court of the United States;
7 now, therefore, be it

8 *Resolved by the Assembly and the Senate of the State of*
9 *California, jointly,* That the Legislature hereby urges the Supreme
10 Court of the United States to affirm, as it has done on several
11 occasions since 1965, the clear constitutionality of Section 5 of
12 the Voting Rights Act of 1965, which provides fundamental
13 protections to the right of each citizen of the United States to vote
14 and to have his or her vote counted; and be it further

15 *Resolved,* That the Chief Clerk of the Assembly transmit copies
16 of this resolution to the Supreme Court of the United States, the
17 President of the United States, the Congress of the United States,
18 the United States Department of Justice, and the author for
19 appropriate distribution.