Mississippi VRA Overview

The Robert G. Clark, Jr. Voting Rights Act is legislation that enshrines into state law many of the same types of protections against racial discrimination in voting as those found in the federal Voting Rights Act (VRA). Given recent Supreme Court decisions that have weakened the VRA, along with the pending Supreme Court case *Louisiana v. Callais* in which the Court may strike down Section 2 of the VRA, the MS VRA is designed to fill the gaps and bolster the protections of the VRA.

The MS VRA is divided into eight core provisions:

- **Prohibition on Voter Suppression and Vote Dilution:** Establishes a cause of action to challenge, in state court, election practices that deny or abridge the voting strength or access of voters of color based on protected class status.
- **Preclearance:** Requires certain jurisdictions with a history of discrimination to obtain approval from a newly created independent agency, the Mississippi Voting Rights Commission, or a court before making changes to voting practices.
- **Protections for Limited English Proficient and Disabled Voters:** Mandates translated materials and assistance for language-minority voters, including groups not currently covered by federal law.
- **State Voting and Elections Database and Institute:** Creates a centralized data repository for election administration information to support enforcement and transparency and eliminate the need for burdensome public records requests.
- **Prohibition Against Intimidation, Deception, and Obstruction:** Provides clear remedies for voters who face threats, false information, or interference.
- **Public Notice of Voting-Related Changes:** Requires jurisdictions to provide advance notice of changes to election rules or practices.
- **Democracy Canon:** Directs courts to interpret laws in favor of broad access and equal participation in the democratic process.
- **Enforcement:** Allows both a state attorney general and private individual affected by violations to sue; provides for a notice-letter process, preliminary relief, remedies, and other specific procedures.

The MS VRA will be an effective tool to support communications and mobilization around voting rights issues, particularly the impending decision in *Callais*. Launching the campaign this session will build a foundation for the enactment of pro-voter policies during this and future sessions.