



# ANALYSIS: SB7 CONFERENCE COMMITTEE REPORT

Republican conference committee members voted to adopt the final conference committee report on SB7, the omnibus voter suppression bill, with the committee report filed on Saturday morning, May 29. The bill must now receive an up or down vote in both the Senate and the House by Sunday, May 30 before moving to the governor's desk for signature.

The final version of SB7 again uses procedural tricks to go around the required legislative process. The bill contains entirely new text that did not appear in either version of the bill that passed the House and the Senate. There has been no debate on these provisions and no analysis of the cost to taxpayers. \*New provisions are noted with an asterisk.

Key things to know about the final bill:

## **Makes it easier to overturn an election (pp. 53-54):**

- \*Adds provisions that make it easier to overturn an election. Previously, those seeking to overturn an election were required to prove their case by clear and convincing evidence. The new provisions lower the threshold to merely require proof by a preponderance of the evidence.

## **Further restricts voting by mail (pp. 20-37):**

- \*Adds new eligibility requirements for voting by mail that make voters specifically disclose whether they have an illness, injury, need for medical confinement, or mental or physical disability
- \*Now requires a vote by mail application to include the voter's driver license, social security number, or a statement that the voter lacks these forms of ID
- Allows voters' signatures on mail ballot applications to be compared to any signature on record, removing requirements that the signature be recent and that it must be compared to at least two signatures to prevent arbitrarily rejecting ballots, especially of older voters
- Adds a state jail felony to the election code for any public official that:
  - Solicits mail ballot applications (excepting general communications and posting application online)
  - Sends out unrequested VBM application
  - Uses public funds for third parties to distribute VBM applications (e.g. League of Women Voters)

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- Pre-fills any part of the VBM application for voters

### **Limits when and where you can vote and removes county officials' discretion to set election times (pp. 8 - 13):**

- Bans drive through voting
- Bans 24-hour and late-night voting used by shift workers in the Nov. 2020 election
- Removes county officials' discretion in setting voting hours by limiting early voting to between 6 am and 9 pm; except on Sundays which is limited to 1pm to 9pm

### **Makes it more difficult to help voters who need assistance (pp. 37-42):**

- Anyone who assists a disabled voter or a voter who cannot read the language of the ballot must fill out form listing their contact information, relationship to the voter, and whether they received any form of compensation from a candidate, campaign, or political committee (this applies to in-person and vote-by-mail assistance)
- Enhances the oath for assistants to require an assistant to affirm that the voter is eligible to receive assistance and that the assistant did not "encourage" the voter to choose them, even though it is not illegal to encourage someone to receive help with voting
- Adds a state jail felony for violations of the oath and for offering or receiving compensation to assist voters with voting by mail
- For voters with disabilities voting curbside, most people in the car with them must get out of the car, even if it is raining or there is other inclement weather

### **Empowers partisan poll watchers (pp. 15-18):**

- Allows watchers "free movement" in the polling place
- Makes it an offense (Class B) for an election worker to knowingly refuse a watcher's presence in the polling place
- Makes it an offense (Class A) to obstruct a watcher
- Allows watchers who believe that were wrongfully refused or obstructed to seek injunctive relief through the courts
- \*Requires watchers to take an oath that they will not disrupt the voting process or harass voters

### **Bans "vote harvesting" (pp. 44-49):**

- Adds a third degree felony for poorly defined "vote harvesting services" which could be interpreted to include normal campaign activity
- Adds civil liability for the same offense

### **Bans straight-ticket voting, again (p. 14):**

- Straight ticket voting has already been banned and was not used in the 2020 election