



# Legislative UPDATE

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## **Texas Voter ID Law Violates the Voting Rights Act**

In the latest chapter in Texas' five-year long [voter ID saga](#), the federal Fifth Circuit Court of Appeals determined in [Marc Veasey Et Al v. Greg Abbott Et Al](#), a lengthy opinion that the law does, in fact, violate Section 2 of the Voting Rights Act. A majority of the Fifth Circuit's 15 judges held that the voter ID legislation has a "discriminatory effect."

Interestingly, the Court did not "strike down" the law. Instead, it remanded the case back to district court to "fix" the law's discriminatory effect. According to the opinion, "[i]t would be untenable to permit a law with a discriminatory effect to remain in operation for" the November 2016 election. Due to the fact that the November election is only a few months away, the Court recognized that a legislative fix in a special legislative session isn't feasible. As a result, the opinion expressly permits the district court to enter an order that remedies the discriminatory effect.

What will the district court's "fix" look like? The opinion provides that the district court must do so "while respecting the Legislature's stated objective to safeguard the integrity of elections by requiring more secure forms of voter identification." City election officials can therefore expect much of the current voter ID law to remain in place, albeit with some additional safeguards to protect previously disenfranchised voters. The opinion suggests that the district court could remedy the law by reinstating voter registration cards as acceptable identification, or potentially allowing for an indigence exception to the current voter ID requirement.

The full opinion can be read [here](#). The League will continue to monitor and report on the case.

## **Committee to Consider Internet Posting of Legal Notices**

Last session, the Texas Legislature passed a resolution creating the [Joint Interim Committee on Advertising Public Notices](#). On August 18, the committee will hear testimony related to “the use of technology in the posting and advertising to the public of legally required notices.” The meeting will be in the Capitol Extension, Room E1.030, at 1:00 p.m.

League staff has been invited to testify, and will advocate for the abandonment of the archaic and costly system of printed newspaper publication.

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