



YOUNG VOICES

AT THE BALLOT BOX

LOWERING THE VOTING AGE FOR LOCAL
ELECTIONS IN 2017 AND BEYOND

A White Paper from Generation Citizen (Version 2.0 – Jan. 2017)

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EXECUTIVE SUMMARY

Most would agree that American democracy needs a shot in the arm. Around 60 percent of eligible citizens usually vote for president, fewer than 25 percent vote in most Mayoral elections, and public trust in government is at an historic low.

WE NEED BOLD, INNOVATIVE SOLUTIONS TO SPARK PARTICIPATION IN POLITICS AND ENSURE THAT ELECTED OFFICIALS HONESTLY REPRESENT THE INTERESTS OF THEIR CONSTITUENTS. ONE POSSIBILITY, WHICH HAS BEEN GAINING MOMENTUM AND DESERVES A PROMINENT PLACE IN THE ‘SOLUTION BANK,’ IS EXTENDING VOTING RIGHTS TO 16- AND 17-YEAR-OLDS IN LOCAL ELECTIONS.

Youth activists and local elected officials have pursued this idea in a number of cities for over a decade. Takoma Park, Maryland broke through in 2013 as the first American city to allow 16-year-olds to vote in local elections, and its neighbor Hyattsville followed suit in 2015. At the end of 2015, Generation Citizen launched the Vote16USA campaign to help support local efforts and promote the idea nationally, hoping to serve as a clearinghouse for those interested in, and already working on, the issue.

In the 14 months since, despite the initial skepticism that many demonstrate over the idea, lowering the voting age has been solidified as a serious policy proposal worthy of mainstream consideration. More than 75 media outlets have covered the issue since

Vote16USA's launch, including the New York Times, Wall Street Journal, Vox, and Rolling Stone. Most importantly, the issue was put before voters for the first time as ballot measures in San Francisco and Berkeley, California.

In Berkeley, 70 percent of voters voted yes to extend voting rights to 16- and 17-year-olds for the city's school board elections. The goal in San Francisco was more ambitious – lowering the voting age to 16 for all municipal elections. An early poll in April pegged the measure at 36 percent support, well below the 50 percent threshold needed to pass. Typically, ballot measures that pass begin with approximately 60%, to hold the inevitable backlash.

Over the next several months, however, youth leaders significantly swayed public opinion with a message focused on increasing voter turnout in the long run by building habitual voters at a young age. Nearly every elected official in the city supported the campaign, and in November it ultimately earned over 172,000 votes to finish just two percent shy of passing.

The youth-led ballot measure campaigns in Berkeley and San Francisco prove that lowering the local voting age is a viable policy solution that the public is ready to consider. These measures provide us a playbook for how to approach future campaigns in cities around the country. There is now more interest in this policy than ever, from youth, voters and state and local elected officials around the country.

The landscape around lowering the voting age has changed dramatically since the 2015 publication of Vote16USA's first white paper, "Young Voices at the Ballot Box," necessitating this update. This paper presents the same core research and arguments with updates to reflect the past year's progress. The paper also lays out updated, concrete next steps to advance the cause, and includes an updated legal feasibility study. ■

WHY SHOULD WE LOWER THE VOTING AGE TO 16?

Often, at first glance, the idea of lowering the voting age to 16 provokes skepticism from the public. Why should we lower the voting age if so many 18-year-olds do not even vote in the first place? And aren't 16-year-olds just kids?

A longer glance reveals that extending voting rights to 16- and 17-year-olds in local elections is an opportune and strategic way to strengthen our overall democracy. While further evaluation is needed to more comprehensively determine the potential effects of lowering the voting age, research does exist, from this country and others, to suggest that lowering the voting age can improve voter participation and overall civic engagement, while the potential downsides are minimal.

REASON #1: WE NEED TO ENCOURAGE EFFECTIVE AND RELEVANT CIVIC LEARNING

Lowering the voting age on the local level can drive demand for effective civics education in schools, reviving a discipline that has been pushed to the side as schools focus on achieving accountability metrics in other subjects.

Enfranchising 16- and 17-year-olds, even in a limited capacity, has the power to invigorate civics education in high schools. In all subjects, students learn best when the material presented is relevant to their lives. But, for many students, it can be difficult to feel a connection between the political process described in textbooks and the issues that affect them every day. Civics class risks falling short by teaching young people how government works without any ability to actually participate in it. This disconnect may provide one of the reasons that Americans struggle at understanding how our government works. For example, only approximately one third of American adults can name the three branches of government, and a third can't even name a single branch.¹ Letting 16- and 17-year-olds vote will bring much-needed relevance to civics classes, which can help address this lack of civic knowledge amongst the public.

In addition to motivating students to engage with civics classes, lowering the voting age can lead schools to

focus more attention on effective civics education. When students are able to vote in local elections before leaving high school, it becomes harder for districts to ignore this crucial discipline. The high school classroom is the ideal place to teach and engage young people about important local issues, and lowering the voting age can inspire schools to take advantage of this opportunity.

This held true in San Francisco in 2016. The Board of Education voted unanimously to endorse the Vote16SF campaign, and simultaneously passed a resolution that committed to bolstering the district's civic education curriculum to ensure 16- and 17-year-olds would be ready to approach the ballot if Prop F passed.

As we call for lowering the voting age in local elections, significant initiatives (including funding for civic learning in the Elementary and Secondary Education Act and state mandates for a civics education class) are simultaneously underway to strengthen civics education nationwide. These efforts naturally go hand in hand with the push to lower the voting age, and in tandem they have the potential to create a virtuous cycle that dramatically boosts civic engagement. Lowering the voting age can catalyze demand for stronger civics education, which even further cultivates an engaged and active citizenry.

Research shows that people who attend high schools with a strong culture of civic engagement have higher turnout rates in their 30's, regardless of their individual opinions on the importance of voting.² Expanding voting to 16- and 17-year-olds can inspire both students and schools to renew their focus on civics, creating the potential for long-lasting, positive societal impact.

REASON #2: WE NEED TO MAKE VOTING A HABIT

Government performs best with strong participation from the public, and the best way citizens can participate in government is by voting. Lowering the voting age can lead to a long-term increase in voter turnout, bringing more citizens in touch with their government and pushing the government to better serve its people. Increased turnout is especially important in local elections, where turnout has been plummeting in



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recent years and some cities are struggling to get even 20 percent of voters to the polls.³

First and foremost, voting is a habit—a path-dependent process—and a person’s first election is critical to establishing that habit.⁴ Evidence from Takoma Park, Maryland, and European countries that have lowered the voting age supports the argument that the age of 16 is a better time to start the habit of voting than 18.

In Takoma Park, the turnout rate for 16- and 17-year-olds exceeded any other demographic in the city’s 2013 elections.⁵ Evidence from Europe is also favorable. Austria lowered its voting age to 16 for all of the country’s elections in 2008, and turnout among 16- and 17-year-olds has been higher than for older first time voters.⁶ In the 2011 local elections in Norway, 21 municipalities used a voting age of 16 as a trial, and 16- and 17-year-old turnout was much higher than turnout among regular first-time voters (aged 18-21).⁷

Furthermore, research indicates that voting in one election can increase the probability that a person will vote in the next election by over 50 percent, and shows that early voting experiences are an important determinant of future voting behavior.⁸ Young people start forming voting habits when they reach the voting age and confront their first election.

While some Americans vote in the first election they are eligible for and become habitual voters, the majority of the electorate does not vote upon initial eligibility. Statistically, these individuals become habitual nonvoters for at least the next few elections, until they pick up the habit later in life. This helps explain why turnout for voters younger than 30 is worse than for any other age group.

Importantly, the overall voter turnout rate has dropped since the national voting age was lowered to 18 in 1971, through a constitutional amendment that was passed to align the voting age with the age for

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military service. The drop in turnout is not necessarily because people younger than 21 are less inclined to vote, but rather, because 18- and 19-year-olds are at a traditionally unstable point in life. According to the Center for Information and Research on Civic Learning & Engagement (CIRCLE), the main reason why young people claim they do not vote is because they are too busy.⁹ At the age of 18, this “busy” quotient, may be the highest, as people are adjusting to new responsibilities for the first time and may also struggle to determine the logistics of voting in a new location, without guidance from family or educators.

It is clear that since most 18-year-olds are in the midst of major life transitions, this age is a particularly problematic time to establish the habit of voting. Sixteen-year-olds, however, are in a much better position to confront their first elections.

Lowering the voting age to 16 for local elections would ensure that each new voter experiences at least one election while in high school (assuming two year election cycles in each locality). This allows them to establish the habit of voting in a stable environment. Sixteen- and 17-year-olds can absorb their parents’ beliefs that voting is important, and schools can help students understand the logistics and establish voting as an accepted norm. If a person casts a ballot in the first election they are eligible for at age 16 or 17, it is statistically more likely that they will continue to participate in subsequent elections. The resulting higher turnout can lead to a more representative and higher performing government.

Research also shows that political participation is a social act, and citizens’ social circles heavily influence turnout. Social networks based on high schools and family life are more likely to encourage voting than the

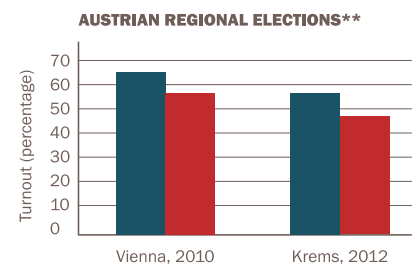
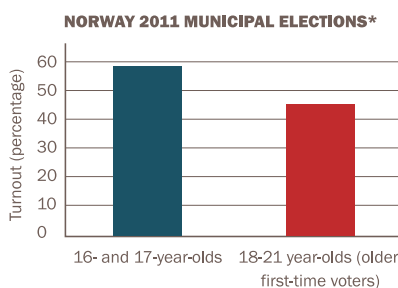
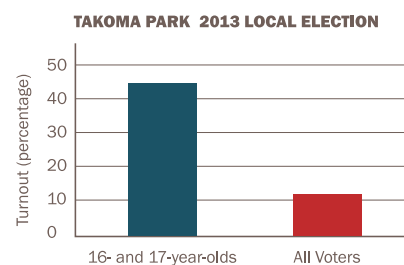
brand-new networks 18-year-olds join after they leave the parental nest.

As researchers from Denmark conclude, “Today when voters become eligible at 18 years of age, most young voters have had none or few participatory opportunities before leaving home. A younger voting age would create more opportunities for acquiring the habit of voting before leaving home.”¹⁰ Helping 16- and 17-year-olds establish this important habit is a key step to increasing long-term voter turnout, and thus creating a more effective and accountable government. Lowering the voting age has shown to be effective at increasing turnout among first-time voters, and research demonstrates that once someone casts their first ballot they are likely to continue the habit of voting for years to come. Lowering the voting age can effectively help young people create the habit of voting, increasing overall turnout in the long run.

REASON #3: SIXTEEN- AND 17-YEAR- OLDS HAVE A STAKE IN THE GAME, AND POLITICIANS MUST PAY ATTENTION TO THEM

Youth are affected by local political issues, including education funding, school board decisions, employment initiatives, police programs, and public works projects. They work without limits on hours and pay taxes on their income, can drive in most states, and in some cases, are tried in adult courts. Fifty-eight percent of youth participate in volunteer activities, and many 16- and 17-year olds have been living in their communities for years and feel a deep connection to local issues.¹¹ They deserve the right to vote on issues that affect them on the local level.

AGE 16 IS A BETTER TIME TO START THE HABIT OF VOTING THAN AGE 18



*16- and 17-year-old data is for the 20 municipalities that lowered the voting age as a trial. 18-21 year-old data is for all municipalities in Norway.

**Although Austria lowered the voting age nationally, it is difficult to get reliable data on national turnout on age group due to data privacy laws. Data presented here, from regional elections, come from official electoral lists. See Zeglövits amnd Aichholzer, 2014.



WHY SHOULD WE LOWER THE VOTING AGE TO 16?

The most reliable way for ordinary citizens to influence the government is through their votes, but those under 18 are excluded from the electorate. Allowing 16- and 17-year-olds to vote in municipal elections would force local politicians to listen to their voices and address their concerns.

REASON #4: SIXTEEN- AND 17-YEAR-OLDS ARE READY TO VOTE

Furthermore, research shows that 16- and 17-year-olds are equivalent to 18-year-olds in their capacities to function as citizens and vote responsibly. On average, 16-year-olds possess the same level of civic knowledge as older young adults, and they also demonstrate equal levels of self-reported political skill and political efficacy. This does not mean that 16-year-olds have the same political acumen as 30- or 40-year-olds. But they do statistically have the same knowledge and skills as 21-year-olds.¹² Therefore, it seems that they have the knowledge and acumen necessary to vote. Additionally, their voting choices on the aggregate were not substantially different from young adults.

Research also demonstrates that 16- and 17-year-olds are both neurologically and socially mature enough to vote. Not only do they have requisite civic knowledge and skills, but they have the mental reasoning ability necessary to make informed choices.

16- AND 17-YEAR- OLDS ARE BOTH NEUROLOGICALLY AND SOCIALLY MATURE ENOUGH TO VOTE. NOT ONLY DO THEY HAVE REQUISITE CIVIC KNOWLEDGE AND SKILLS, BUT THEY HAVE THE MENTAL REASONING ABILITY NECESSARY TO MAKE INFORMED CHOICES.

It is important to note that this study did show that adolescents under the age of 16 seem to have less political acumen. Sixteen seems to be the specific age to which lowering the voting age makes sense according to their political acumen.

Additionally, a study on the quality of vote choices among Austrian 16- and 17-year-olds concluded that 16- and 17-year-olds' vote choices reflected their political preferences just as well as older voters' choices.¹³ This evidence strongly indicates that 16- and 17-year-olds are as ready to vote as 18-year olds, and denying them that right is an arbitrary policy.

WHY SIXTEEN?

As efforts to lower the voting age in the U.S. have emerged in the past few years, most individuals and groups involved have advocated for lowering the age to 16. Some groups have targeted the age of 17, while a few commentators have argued for even lower ages, like 12.

Takoma Park and Hyattsville successfully lowered their municipal voting ages to 16, and the efforts in San Francisco and Berkeley were also focused on the age 16. The unsuccessful effort in Lowell, Massachusetts targeted 17, largely because organizers thought it was a more winnable proposition than 16.

As these efforts continue to grow and expand into a cohesive movement, it is important that relevant stakeholders utilize the same specific goal of lowering the voting age to 16 for municipal elections. Turning 16 is a significant milestone in our society; sixteen-year-olds can drive in most states, work and pay taxes on their income, and potentially be tried as an adult in court. Lowering the voting age to 16 also ensures that every high school student experiences one election before graduating (assuming two year cycles). Lastly, research shows there is a difference between 16-year-olds and younger teenagers when it comes to abilities. ■

MYTHS ABOUT LOWERING THE VOTING AGE

Like any new, bold idea, lowering the voting age faces an array of counterarguments, and these deserve adequate consideration. Ultimately, most counterarguments come down to claims surrounding the maturity and ability of 16- and 17-year olds. Youth is a nebulous concept, and, in reality, legal age-based distinctions in our society are arbitrary and based on what is deemed best for society at large, as judged at a certain point in time. Lowering the voting age to 16 is in the best interests of our democracy, and arguments against doing so are only myths. Some of the most relevant specific counterarguments are addressed as follows:

MYTH #1: 16-YEAR-OLDS ARE NOT MATURE ENOUGH TO VOTE

This gut reaction is misguided. It is true that research exists showing 16-year-olds' brains are still developing and they do not perform as well as older adults in impulse-driven situations in which emotions run high. However, the decision-making process for voting does not fall into this impulse-driven category. Rather, it depends on "cold cognition," a thought out decision-making process in which 16-year-olds perform just as well as adults.¹⁴ Research shows that 16-year-olds are indeed ready to vote.¹⁵ We need to work to get past this initial gut reaction, especially since an initial, negative response usually does not even begin to consider how lowering the voting age can improve our democracy as a whole.

MYTH #2: SIXTEEN-YEAR-OLDS AREN'T REALLY ADULTS

Sixteen-year-olds play an important role in our society, and the age has special significance in our culture. Sixteen-year-olds can drive in most states, work without any restriction on hours, pay taxes, and in some cases be tried for crimes as adults. Also, high school students volunteer at twice the rate of adults, which shows a commitment to their communities that is deserving of a vote in local elections.¹⁶ The legal definition linking adulthood to the age of 18 should not affect voter eligibility.

It is also important to emphasize that these efforts are to lower only the voting age to 16. All other legal age limits should be set in accordance to what is best for each individual issue. Our country has set the driving age, in most states, at 16, and the drinking age at 21. For this specific issue, the voting age should be 16.

MYTH #3: LOWERING THE VOTING AGE IS A PROGRESSIVE POWER GRAB

The perception that young voters favor Democrats is often overstated—in a 2014 Pew survey, 50 percent of millennials self-identified as political independents,¹⁷ and longitudinal polling data on political ideology shows that millennials are trending conservatively.¹⁸ Accordingly, many political strategists believe the millennial generation is up for grabs.

Moreover, the effort to lower the voting age transcends party lines. The main goal of the effort is to invigorate our democracy by fostering active and engaged citizens. A more lively political discourse—in classrooms and in the broader public sphere—can stimulate ideas from across the political spectrum. The effort to lower the voting age is based on increasing participation in democracy, not promoting any one ideology.

MYTH #4: SIXTEEN- AND 17-YEAR-OLDS WILL COPY THEIR PARENTS' VOTE

Data from the 2014 Scottish independence referendum suggests this claim is untrue. A survey conducted prior to the referendum found that over 40 percent of young people had different voting intentions than a parent interviewed.¹⁹ This claim will need to be studied more in the United States, but given the data on youth political preferences, it seems that young people demonstrate and express political beliefs independent from those of their parents. ■

CURRENT LANDSCAPE IN THE UNITED STATES

SUCCESSFUL IMPLEMENTATION

I. Takoma Park and Hyattsville, MD

Takoma Park became the first American cities to extend voting rights to 16- and 17-year-olds for local elections in 2013 and 2015, respectively. Both cities are suburbs of Washington, D.C. with populations around 18,000. Maryland's legal structure made it relatively simple for the cities to lower the voting age—the city councils only needed to vote in favor of a charter amendment and they could implement the change. In Takoma Park, the proposal was passed in the context of a larger effort to expand voting rights through several reforms, including same-day voter registration. In Hyattsville, the reform passed as a standalone measure. One council member proposed the idea, and a grassroots effort convinced other members of the proposal's merits. The Maryland-based organization FairVote, which studies and promotes a number of election reforms, supported the efforts in both cities.

In Takoma Park's 2013 elections, the first after the change, 44 percent of registered 16- and 17-year-olds voted, the highest rate among any age group.²⁰ For a more detailed examination of how these cities lowered the local voting age and what the initial effects have been, see Vote16USA's report: "Lowering the Voting Age for Local Elections in Takoma Park and Hyattsville: A Case Study."

"IN A PLACE WHERE YOU ALREADY FELT SO CONNECTED TO THE CITY, IT MADE YOU FEEL THAT MUCH MORE CONNECTED TO POLITICAL CANDIDATES. LOWERING THE VOTING AGE AND SHOWING YOUNG PEOPLE THAT THEIR VOTE COUNTS IS THE FIRST STEP IN SHOWING YOUNG PEOPLE THAT THEY HAVE TO BE INVOLVED."

– Amaliz Perez, Takoma Park

RECENT AND ONGOING CAMPAIGNS

I. San Francisco

In 2016, San Francisco made history as the first city in the United States to put the question of lowering the voting age for all elections before voters as a ballot measure. More than 172,000 citizens voted in favor of the proposal, which finished just two percentage points shy of passing, a tremendous achievement for a youth-led campaign on the ballot for the first time.

The effort began in 2014, when high school students in the city were struck by the fact that they and their peers were significantly impacted by local elections but had no voice in the process. Youth leaders brought a proposal to lower the local voting age to the San Francisco Youth Commission, where the Vote16SF campaign was born. In less than two years, students working on the campaign earned the support of nearly every elected official and political club in the city. The Board of Education unanimously endorsed the proposal, and the Board of Supervisors voted 9-2 to put it on the ballot at the November 2016 election.

Initial polling showed just 36% of voters would support the measure, but youth pressed forward, and earned 48% of the vote after months of campaigning. This dramatic increase demonstrates that public education efforts can substantially shift public opinion on the issue, especially when young voices are at the center. This campaign proves that lowering the voting age on the local level is a viable policy idea that voters are ready to seriously consider. Campaign leaders expect to bring the issue back to the ballot and win in 2018 or 2020.

For more on the historic San Francisco campaign and its keys to success, see Vote16USA's case study report.

II. Berkeley

Berkeley, CA joined its neighbor San Francisco in making history in 2016. Youth leaders in the city successfully advocated for a ballot measure that would lower the voting age for school board elections in Berkeley to 16. The city council voted to put the measure on the ballot, and it passed with an overwhelming 70 percent of the vote. The city council still must vote to implement the change, and is expected to do so in early 2017. This is an historic success that again proves voters are ready to give 16-year-olds the right to participate in local elections.

CURRENT LANDSCAPE IN THE UNITED STATES

III. Washington, D.C.

In 2015, a city council member introduced the Youth Vote Amendment Act of 2015, which would extend voting rights to 16- and 17-year-olds for all D.C. elections. The legislation gained multiple co-sponsors but did not advance beyond committee. The legislation will be reintroduced in 2017. It only needs a majority city council vote to become law – no referendum is required. Local youth-serving organizations are organizing students to lead advocacy efforts, following the strategies that worked well in San Francisco.

IV. Colorado

Multiple efforts are underway to extend voting rights to 16- and 17-year-olds in Colorado. Students in Boulder are advocating for a lower voting age in municipal elections, while a coalition called Student Voice Student Vote is organizing around a state bill that would lower the voting age for school board elections statewide.

V. New Mexico

Efforts to extend voting rights to 16- and 17-year-olds in New Mexico are emerging in early 2017. On the city level, young people in Albuquerque are organizing to advocate for lowering the voting age in municipal elections. On the state level, Rep. Javier Martinez has introduced legislation that would lower the voting age for school board elections statewide. Rep. Martinez introduced similar legislation in 2015; it garnered 16 co-sponsors but did not advance beyond committee.

VI. Illinois

Students in Illinois are exploring possibilities for lowering the voting age on the city level in Chicago, Evanston, and Downers Grove, while also pursuing state level legislation that would make it easier for cities to implement 16-year-old voting once approved.

PAST EFFORTS

I. Lowell, MA

In 2009, a group organized by the United Teen Equality Center convinced the Lowell city council to vote in favor of drafting a home rule petition to send to the state legislature. Had the petition cleared the legislature, it would have allowed the city to hold a referendum, which, if successful, would have lowered the voting age for local elections to 17. The petition gained bipartisan support at the State House and passed in the Senate, but stalled in the House.

II. Cambridge, MA

High school students in Cambridge led an initiative to lower the voting age to 17 for municipal elections in 2002. Per Massachusetts law, the city council had to vote to send a home rule petition to the state legislature. The council voted in favor of the initiative 8-1, but the petition did not advance at the State House. The council continued to express its support in subsequent years, and once sent a petition to the state seeking to lower the voting age for only School Committee elections, but did not succeed on the state level.

III. Other

Initiatives in 2015 in the cities of Brattleboro, VT and North Andover, MA, were also unsuccessful. In both cases, proposals to lower the voting age were voted down at town meetings. Organizers in Brattleboro plan to bring up the issue again. In both cases, if the votes on the town level were successful, the measures would have required approval by the state legislature.

State Representatives and State Senators in several states have introduced bills over the past 15 years that would lower the voting age for either all of the states' elections or just school board elections in the state. None of these bills have passed, and very few made it out of committee. These bills include:

- » 2003 – Texas
- » 2004 – California
- » 2004 - Iowa
- » 2005 - Washington
- » 2008 - Illinois
- » 2008 - Michigan
- » 2009 - Wisconsin
- » 2011 - Washington
- » 2014 - Missouri
- » 2015 - Minnesota
- » 2015 - New Mexico
- » 2015 - Arizona
- » 2015 - Hawaii ■

CURRENT LANDSCAPE INTERNATIONALLY

The concept of 16- and 17-year-old voting has seen considerably more momentum internationally. Brazil, Ecuador, Argentina, Nicaragua, Austria, and Scotland all let 16-year-olds vote, and the voting age in Indonesia is 17. Austria lowered its voting age to 16 for all of the country's elections in 2008, and turnout among 16- and 17-year-olds has been higher than the previous average for first time voters.²¹ Austria presents a particularly important case study; the voting age reform was accompanied by other measures intended to engage young citizens, including the elevation of the status of civic education in schools.²² Austria's success shows the promise of a lower voting age combined with a renewed focus on civic education. This combination likely produces the best outcome in terms of civic engagement, as the two initiatives mutually reinforce each other. American cities considering lowering their voting ages should also examine areas for improvement in their schools' civic education programs.

In the 2011 local elections in Norway, 21 municipalities used a voting age of 16 as a trial, and 16- and 17-year-old turnout was much higher than turnout among regular first-time voters (aged 18-21).²³

More recently, the voting age was set at 16 for the 2014 Scottish independence referendum. Turnout among 16- and 17-year-olds was approximately 75 percent, and a post-election survey found that 97 percent of 16- and 17-year-olds who voted said they would vote again in future elections, further evidence that a person's first election is habit forming.²⁴ Following that vote, the Scottish parliament decided in 2015 to allow 16- and

IN THE 2011 LOCAL ELECTIONS IN NORWAY, 21 MUNICIPALITIES USED A VOTING AGE OF 16 AS A TRIAL, AND 16- AND 17-YEAR-OLD TURNOUT WAS MUCH HIGHER THAN TURNOUT AMONG REGULAR FIRST-TIME VOTERS (AGED 18-21).

17-year-olds to vote in all of Scotland's elections going forward.

The United Kingdom considered lowering the voting age to 16 for the 2017 Brexit referendum, but ultimately did not. The upper chamber of parliament supported the proposal, while the lower chamber was opposed. Analysis from Generation Citizen shows that a 16-year-old voting age, coupled with stronger youth turnout, could have made a difference in the referendum.²⁵

Preliminary calculations by Generation Citizen indicate that globally, 7.9 percent of all 17-year-olds are eligible to vote, and 4.1 percent of all 16-year-olds can vote. This is not a new idea – it is a good existing idea that should be expanded.

See Appendix A for a complete list of countries with voting ages lower than 18. ■



LEGAL FEASIBILITY IN THE UNITED STATES



CITY-LEVEL CAMPAIGNS TO LOWER THE VOTING AGE FOR LOCAL ELECTIONS SEEM TO BE CURRENTLY FEASIBLE IN FIVE STATES, WHILE TEN ADDITIONAL STATES APPEAR TO GIVE CITIES THE AUTHORITY TO LOWER THE LOCAL VOTING AGE.

The legal feasibility of lowering the voting age in any given city depends on state laws, as each state has the authority to establish the requirements for voting in its state and local elections.

These requirements are set out in either state Constitutions or statutes. Local governments have varying degrees of authority in determining voter eligibility for their municipal elections, depending on the degree of home rule municipalities are granted in their particular states.

An initial feasibility study by Generation Citizen has determined that city-level campaigns to lower the voting age for local elections seem to be currently feasible in five states, while ten additional states appear to give cities the authority to lower the local voting age but have nuanced laws that may pose hurdles and require further analysis. In these states, cities could lower the voting age for their local elections through city charter amendments. The process varies, but proposed charter amendments usually must be passed by the city council and then approved by voters at the next election.²⁶ Since this is a legally untested area and some constitutional and statutory provisions are open to interpretation, actions to change the voting age in areas where it seems possible may be subject to legal challenges. See Appendix B for a more detailed discussion of the feasibility study, a 50 state map of legal feasibility in each state, and summaries of each state's applicable laws.

It should be noted that if advocates wish to lower the voting age for an entire state, either a state constitutional amendment or statutory change would be required, depending on the state. An amendment to the U.S. Constitution was required to lower the federal voting age from 21 to 18 in 1971. This change was motivated by a desire to align the voting age with the age for military service, in the context of the Vietnam War. ■

NEXT STEPS TO ADVANCE THIS CAUSE

The 2016 election marked an historic moment for the Vote16 movement. Prop F in San Francisco was the nation's first ballot measure to extend voting rights to 16- and 17-year-olds in municipal elections. After polling at 36 percent in March, the ballot question earned 48 percent of the vote on Election Day, with over 172,000 San Franciscans voting yes. Across the Bay in Berkeley, a ballot measure to extend voting rights to 16- and 17-year-olds for school board elections won with 70 percent of the vote. These two ballot measures, but especially Prop F, prove that this is a viable policy solution voters are ready to consider and provide us a playbook for how to approach future ballot measure campaigns to lower the voting age in cities around the country. Further, the divisive, substance-free 2016 presidential election season stimulated a hunger for new political solutions that compels us to think big about possibilities for Vote16.

Overall, the goal remains to advance this policy on the municipal level, one city at a time, with youth voices at the front and center. Ballot measure campaigns are the vehicle to lowering the voting age in most cities where it is possible. We aim to support multiple ballot measure campaigns in 2018 and/or 2020. In states that do not currently give cities the authority to lower the voting age for local elections, state legislation is required to remove that barrier, and we intend to engage with legislators to advance this legislation in the near future.

Below are intended next steps to advance the cause in the next four years:

FOCUS ON D.C. IN 2017

The Washington, D.C. city council will consider a bill to lower the voting age to 16 in 2017. The bill was introduced last winter near the end of the council period, but did not advance out of committee. It will be reintroduced in this council period. This bill only needs a majority vote from the council to become law – it does not need to go to be approved by voters. Vote16USA will support the local organizations and youth who are leading the advocacy effort. If the bill passes, D.C. will become the largest city with 16-year-old voting and will draw significant media attention as the nation's capital, boosting momentum for the cause nationwide.

MORE ACTION IN MARYLAND

Maryland is the only state in which cities (with the exception of Baltimore) can make this change without putting the question on the ballot. Following the success in Takoma Park and Hyattsville, we believe it is possible to pass this reform in multiple other Maryland cities over the next few years. Now is the time to initiate those conversations as both youth and elected officials look for concrete responses to reinvigorate local democracy following the 2016 election.

STRATEGIC CITY LEVEL BALLOT MEASURE CAMPAIGNS

Outside of D.C. and Maryland, no state gives cities the power to pass this reform without either putting it before voters or getting legislative approval from the state. Three states that should be prioritized, where the legal ability of cities to make this change is clear, are **California, Colorado, and New Mexico**. There is an opportunity to lay the groundwork for successful ballot measure campaigns in these three states in either 2018 or 2020.

California: Wins in San Francisco and Berkeley are very realistic, building on the momentum from 2016. We also want to pursue Vote16 in larger cities throughout the state like San Diego, Los Angeles, and/or San Jose. Bills introduced in the state Assembly last year related to lowering the voting age generated statewide attention and were supported by statewide coalitions, identifying partners to work with across the state. It is possible to make Vote16 a major issue in California in 2020, with ballot measures in several large cities and support from prominent state- and national-level elected officials.

Colorado: The city of Boulder is a realistic initial target. Youth are already advocating for the issue there, and the city has much in common with Berkeley. Denver is a reasonable next step. Advocates in Denver are currently working on a state bill to lower the voting age in school board elections, and that energy can be channeled toward a municipal-level effort in the city. It may be possible to pursue ballot measures in other Colorado cities as well, but winning in Boulder and Denver are the top two priorities in the state.



NEXT STEPS TO ADVANCE THIS CAUSE

New Mexico: Youth and local organizations in Albuquerque have just started the process of organizing advocacy for the issue in Albuquerque. The city leans more conservative than the cities in California and Colorado, which is a positive for the cause as it will force Vote16 supporters to bring conservative supporters on board, which the movement needs.

Campaigns in these cities should follow the model of the Vote16SF campaign. Initial steps in each city are to identify leaders for the local effort, develop partnerships with community organizations and school programs to recruit youth leaders, build relationships with elected officials and community leaders, and organize or participate in initiatives around voter registration, civic education, or local campaigns to build the youth's political skills and build political capital ahead of a ballot measure campaign. Each city will work to gain the support of city council members now, to create a smooth route to the 2018 or 2020 ballot.

STATE LEVEL ACTION

Lowering the voting age on the local level in many states requires action on the state level to either make the change for the entire state or to grant cities the ability to do so for their local elections. Now is the time to begin advancing state level legislation. Specific possibilities include:

Massachusetts: Cities in Massachusetts can send home rule petitions to the state legislature requesting permission to make this change on the local level. The city of Cambridge sent three such petitions in the early 2000's. None succeeded, but the city council was enthusiastic about the proposal each time. More recently, Lowell sent a home rule petition to lower the local voting age to 17. We believe the energy to send home rule petitions still exists in these two cities, and potentially others. Given the hunger for solutions driven by the 2016 election, growing interest in Vote16 nationally, and Massachusetts' recent law allowing 16-year-olds to preregister to vote that became active in August 2016, we believe state-level advocacy would be more effective now than it was in the past.

Illinois: The legal situation around cities lowering the voting age in Illinois is particularly complex, and state

legislation could potentially make it much easier for a city to implement a lower local voting age. In 2013, the state passed a law allowing 17-year-olds to vote in primary elections, following effective advocacy from a youth-led coalition known as "Suffrage @ 17." That work provides a playbook for success and established local leaders to work with. The state also recently passed legislation requiring high-quality civic education for all high school students, a positive move that can be leveraged for Vote16.

New York: State law in New York currently does not give cities the authority to lower the voting age for their local elections, but the state could pass enabling legislation to give any one city that power. Thus, we would seek to pass state legislation giving New York City the authority to lower its local voting age, and then lobby the city to pass the measure. There is precedent for this kind of legislation – the state legislature previously gave New York City the power to allow non-citizen parents to vote in school board elections. Advocacy would likely start on the city level, to show state legislators that demand exists for the city to make this change. Generation Citizen engaged in similar work when lowering the age to 16 for community board participation.

PUBLIC EDUCATION AND PRESS

The San Francisco campaign proved that public opinion can shift rather rapidly on this issue once people are introduced to it and hear positive messages about it. We believe there is potential for large-scale public education campaigns, on either a state or national level, to introduce this idea to the general public and build public support and demand for it. We will explore options for larger-scale public education efforts that could be executed in the next four years. One piece of any such strategy will be a continued focus on earned media, building on the success we've had in generating local and national press coverage.

In the past year, the New York Times, Vox, Politico, the Washington Post, the Wall Street Journal, Bloomberg, the Atlantic and smaller outlets like Washington Monthly and MTV News have all covered campaigns to lower the voting age. In San Francisco, we placed op-eds in the city's two major newspapers during a busy election season and were featured by almost every local outlet.



NEXT STEPS TO ADVANCE THIS CAUSE

We anticipate continued success in the press, especially as reporters look for stories illustrating concrete solutions and the positive side of politics.

YOUTH ADVISORY BOARD

The national Vote16USA Youth Advisory Board has played a crucial role in our work so far, and we plan to make this group an even larger part of the campaign going forward. Youth Advisory Board members have offered input on overall strategy and specific initiatives, worked to support ongoing campaigns, served as spokespeople in the media, and helped spread the idea to new cities and audiences. Going forward, we plan to further formalize the role of Youth Advisory Board members and establish a more comprehensive structure that includes a smaller Central Committee of youth involved in active Vote16 campaigns and a larger General Board that includes youth who have worked on Vote16 campaigns in the past or are just starting to get involved with the work.

ENDORSEMENTS

As we saw in San Francisco, endorsements from trusted elected officials were key to advancing the issue and winning public support. It is time to do more of this on the national level, especially as so many politicians are expressing interest in civic engagement. We will work with partners to generate a list of targets on both sides of the aisle and work to earn their endorsement on the issue.

It is especially important to secure endorsements from conservatives and ensure that conservatives are part of local efforts going forward, to maintain and bolster the bipartisan nature of this campaign. ■

CONCLUSION

The time is ripe to advance Vote16 in cities and states across the country. The 2016 ballot measure campaigns in San Francisco and Berkeley prove the viability of the idea, and the presidential election season left many young people, policymakers, and citizens with a strong desire for bold, concrete solutions to revitalize our democracy starting on the local level.

Extending voting rights to 16- and 17-year-olds on the local level can increase turnout in the long run by making it easier for young people to establish the habit of voting, and 16- and 17-year-olds have indeed voted at higher rates than older first-time voters when given the chance. Lowering the voting age can also catalyze improvements in civic education that so many have called for in the past few months, and 16- and 17-year-olds have shown they are ready to vote and have a stake in local issues.

Critically, this issue transcends party lines. It is not the idea of one party, and it does not aim to benefit any political ideology. Rather, lowering the voting age is an effort to reinvigorate our democracy by fostering active and engaged citizens.

As the post-election period fades and 2017 comes into full swing, national political discourse will remain alive with discussion and debate on several important issues. The state of our democracy itself is one of those issues, and Vote16 deserves to be part of the conversation. Lowering the voting age is a step in the right direction toward cultivating an engaged and active citizenry that can strengthen our nation for years to come. Now is the time to ensure Vote16's tremendous progress in 2016 turns into real wins in the years to come. ■

WE SAW TIME AND TIME AGAIN THAT SOME PEOPLE THINK THIS IDEA IS A LITTLE FAR FETCHED AT FIRST, BUT ONCE YOU HAVE A FIVE MINUTE CONVERSATION WITH SOMEONE AND REALLY EXPLAIN THE BENEFITS OF STARTING VOTING EARLIER THEY USUALLY COME AROUND.

– Joshua Park, 15, San Francisco

APPENDIX A

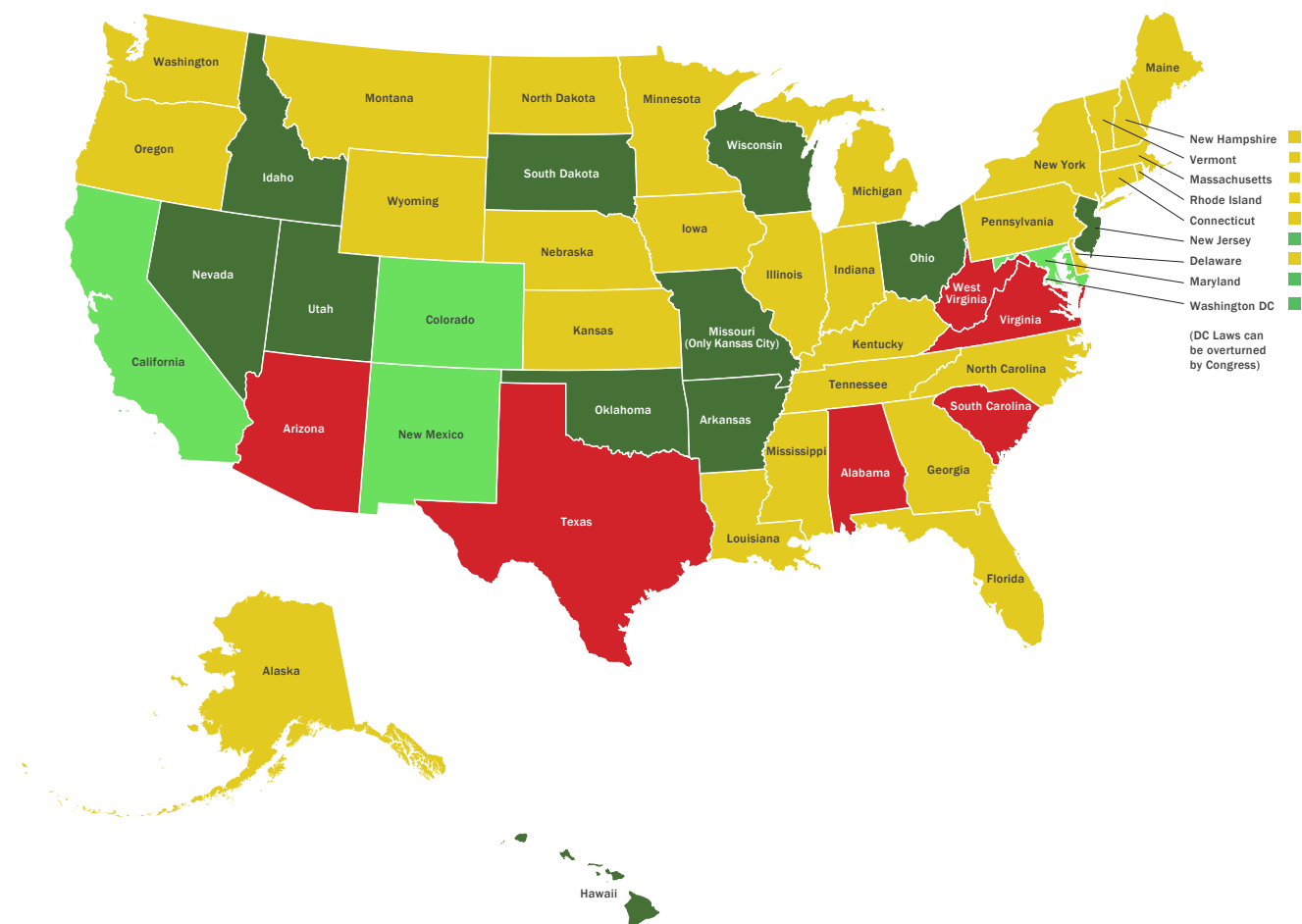
COUNTRIES WITH VOTING AGE LESS THAN 18

COUNTRY	VOTING AGE
Argentina	16 for all elections. Lowered from 18 to 16 in 2012.
Austria	16 for all elections. Lowered from 18 to 16 in 2008. Some municipalities let 16-year-olds vote in local elections before the national change.
Bosnia	16 if employed, otherwise 18.
Brazil	16- and 17-year-olds and those over 70 have the option of voting, while those 18-69 are legally required to vote.
Croatia	16 if employed, otherwise 18.
Cuba	16 for all elections.
East Timor	17 for all elections.
Ecuador	16- and 17-year-olds and those over 65 have the option of voting, while those 18-64 are legally required to vote.
Germany	16 for several states, 18 for national elections.
Guernsey (British Crown Dependency)	16 for all elections.
Hungary	16 if married, otherwise 18.
Indonesia	17 for all elections, and married persons regardless of age.
Isle of Man (British Crown Dependency)	16 for all elections.
Jersey (British Crown Dependency)	16 for all elections.
Malta	16 for Local Council elections, 18 for all other elections.
Nicaragua	16 for all elections.
Norway	Performed a pilot program with 16-year-old voting age for local elections in 20 municipalities in 2011; will continue the trial with 10 new municipalities this year.
Scotland	16 for all elections. The voting age was lowered to 16 for all Scottish elections in June 2015, following the success of a 16-year-old voting age in the 2014 independence referendum.
Serbia	16 if employed, otherwise 18.
Sudan	17 for all elections.

APPENDIX B

LEGAL FEASIBILITY OF CITY CAMPAIGNS TO LOWER THE VOTING AGE IN LOCAL ELECTIONS

This study aims to determine the legal feasibility of municipal-level campaigns to lower the voting age for local elections in each state. Cities can take action to lower their local voting age in some states, while the law clearly prohibits this in other states. Some states remain unclear – advice from local legislative counsel is needed to better understand the situation in these states.



- Green:** Cities can lower voting age, usually through charter amendments
- Dark Green:** Cities may be able to lower voting age through charter amendment. but the law is less clear or potential barriers exist. See state descriptions.
- Yellow:** Need to change state law (city-specific enabling legislation may be a possibility)
- Red:** Need state constitutional amendment



APPENDIX B (CONTINUED)

GLOSSARY & OVERVIEW OF FEASIBILITY STUDY METHODS

GLOSSARY

Constitution: Just like the U.S. Constitution is the “supreme law of the land” for the whole country, each state has its own Constitution that serves as a blueprint for the political and legal organization of the state. No state or local laws can conflict with the state Constitution.

Statute: Statutes are laws. Federal statutes apply to the whole country, while state statutes apply to one state. A compilation of all of a state’s laws is sometimes referred to as the state statutory code, or just the state code. Phrases like “election code” refer to a group of laws related to one topic, in this case elections.

Case law: Case law is legal precedent that is established by judicial decisions in court cases. It often clarifies or interprets statutory or constitutional laws.

Home rule: Home rule refers to the degree of authority that local units of government (i.e. municipalities, cities, counties, etc.) have to exercise powers of governance within their boundaries. Each state determines how much home rule power, if any, its municipalities have. In some states, municipalities have a wide degree of authority to pass laws and govern themselves as they see fit, as long as they obey the federal and state Constitution. In others states, municipalities have virtually no home rule authority. In order for a municipality to lower its voting age, it must have the appropriate home rule power to do so.

METHOD FOR DETERMINING LEGAL FEASIBILITY OF LOWERING THE VOTING AGE

Determining the legal feasibility of lowering the voting age in any given city starts with a two step process—first examining the state’s voting age provisions, and then its home rule laws. Although we are interested in individual cities, the initial analysis takes place on the state level.

Step 1: Analysis of Voting Age Provisions

First, we must look at both the state Constitution and the state election statutes for provisions regarding the voting age. The key is to determine, in both the Constitution and the statute, whether the voting age requirement is phrased as a grant or a restriction. The Ohio Constitution, for example, says “Every citizen of the United States, of the age of eighteen years [...] is entitled to vote at all elections.” This phrase can be interpreted two ways: either (1) the right to vote is given exclusively to citizens over the age of 18, or (2) while those over 18 cannot be denied the right to vote, voting rights could be granted on a discretionary basis to those under 18.

To determine which of these interpretations is correct, further analysis is needed of case law in each state, although it is likely that many states do not have any case law on this subject. In the context of the 26th Amendment to the U.S. Constitution, which is also worded as a grant, at least one federal court has suggested that the more inclusive interpretation is correct, noting that the amendment “provides that the right to vote cannot be denied on the basis of age to persons age eighteen or over, but it does not prohibit the states from setting a lower voting age.”²⁷ However, this decision is not binding precedent over state courts.

APPENDIX B (CONTINUED)

The Ohio provision quoted above is an example of what we call a grant. The Arizona Constitution, on the other hand, gives an example of what we refer to as a restriction: “No person shall be entitled to vote at any general election [...] unless such person be a citizen of the United States of the age of eighteen years or over.” This clearly prohibits those under 18 from voting.

If a state Constitution phrases the voting age as a restriction, the first step to lowering the voting age in cities in that state must be a state constitutional amendment to rephrase that provision. If a state statute phrases the voting age as a restriction, the state legislature must pass a new law to change the statute and make it more permissible of under-18 voting. Statewide or city-specific enabling legislation may also be a possible solution in this situation.

If both the state Constitution and state election statute phrase the voting age requirement as a grant, we can move on to an analysis of home rule. It is important to note, however, that the true meaning of the phrases we call grants is open for interpretation by individual state courts. If a municipality takes action to lower its voting age, this action could be challenged in court, and the state court may interpret the voting age provision as meaning that the right to vote is reserved exclusively to those over 18.

Step 2: Home rule analysis:

The second key to determining the legal feasibility of lowering the voting age in cities in any given state is establishing the degree of home rule, if any, municipalities are granted in that state. Home rule allows municipal flexibility in local affairs so far as is consistent with applicable state law, and it comes from the state Constitution, state statutes, or both. In some cases, a state will list exactly which subjects municipal governments can and cannot exercise control over. Other states with home rule are more vague in their descriptions of what powers local governments can exercise, leaving the issue open for interpretation. Lastly, there are instances in which municipalities can take action in a matter of local governance, but the action must be approved by the state legislature. This was the case in Massachusetts when Lowell and Cambridge tried to lower their local voting ages.

It is necessary to consult with local experts to more conclusively determine the legal feasibility of a municipality lowering its voting age in some situations. Municipal actions in some areas where it seems legal may still be subject to court challenge over the interpretation of home rule statutes.

Step 3: Deeper Analysis

For states that appear feasible, the next step is to take a deeper look at state laws related to elections that would impact a cities' ability to implement 16-year-old voting, such as voter registration laws. This research is specific to each state.

FEASIBLE STATES

In these states, our research indicates that cities can take action to lower the voting age for their local elections, usually through city charter amendments. A charter amendment must be proposed by one city council member, passed by the council, and then approved by a majority of voters as a ballot issue. Citizens can also bring a petition to propose a charter amendment in many cities, but this is less practical in most jurisdictions.

CALIFORNIA

Charter cities can change their local voting ages through charter amendments.

The California Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. California gives its charter cities (nearly every major city is a charter city) broad home rule authority. Elections are not specifically addressed, but municipalities “may make and enforce all ordinances and regulations in respect to municipal affairs” (Calif. Const. art. XI, § 5a) and case law supports the determination that elections are considered municipal affairs. This indicates that California charter cities may lower their local voting ages through city charter amendments, as San Francisco is pursuing now.

COLORADO

Charter cities can change their local voting ages through charter amendments.

The Colorado Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution provides a process for cities to adopt home rule charters, and gives charter cities the power to control “all matters pertaining to municipal elections” (Colo. Const. art. XX 20, § 6). Thus, home rule charter cities can lower the voting age for their local elections through charter amendments. All of Colorado’s major cities are home rule charter cities.

MARYLAND

Cities can lower the voting age for local elections by city council vote, except for Baltimore.

The Maryland Constitution grants the right to vote to those over 18, and does not explicitly prohibit those under 18 from voting. Further, the Maryland election code states that: “Except for the City of Baltimore, the provisions of this section do not apply to a municipal corporation in the State in which the municipal or charter elections are regulated by the public local laws

of the State or the charter of the municipal corporation” (Md. Code § 2-202). This gives cities the ability to regulate their local elections, and is what allowed Takoma Park and Hyattsville to lower the voting age with just a city council vote.

NEW MEXICO

Charter cities can change their local voting ages through charter amendments.

The New Mexico Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution provides a process for cities to adopt home rule charters, and gives charter cities very broad authority (NM Const. art. 10, § 6). Further, the election code contains a section regulating municipal elections, but states that “The provisions of the Municipal Election Code shall not apply to home rule municipalities [...] unless the Municipal Election Code is adopted by reference by such municipality” (NMSA § 3-8-1). This indicates that the nine home rule charter cities in New Mexico can indeed lower the voting age in their local elections, through charter amendments.

WASHINGTON, D.C.

Washington, D.C.’s city council can pass a bill to lower the voting age in the city, but the U.S. Congress can overturn it.

Washington, D.C. is unique in this discussion. The city council can pass a bill to lower the voting age, but, like any other D.C. law, the U.S. Congress could pass a bill to overturn it.

CITIES MAY BE ABLE TO LOWER THE VOTING AGE FOR LOCAL ELECTIONS, BUT THE LAW IS LESS CLEAR OR POTENTIAL BARRIERS EXIST

In these states, the constitutional and statutory provisions on the voting age are phrased as grants, and cities appear to have the necessary home rule power, but the legal situation is ambiguous enough to warrant scrutiny, or other potential barriers have been identified. These states range from those where it is somewhat likely that a city's action to lower the voting age would hold up to scrutiny, to those where it is possible but doubtful.

ARKANSAS

Counties may be able to lower the voting age for their local elections. Need verification.

Arkansas' Constitution and statutes do not deny a city or county the ability to lower the voting age for its local elections. First class cities can exercise power related to "municipal affairs" as long as it doesn't conflict with state law (14-43-601). However, according to an Arkansas Municipal League handbook, the Arkansas Supreme Court has continued to apply Dillon's Law and has been strict about city legislation it upholds. County governments, however, seem to have a greater degree of power. The state Constitution gives counties the power to "exercise local legislative authority not denied by the Constitution or by law" (Const. Amendment 55). The best advocacy strategy in Arkansas is probably on the county level. A county may be able to take action to lower its voting age for county elections, but the interpretation of the voting age provision in the state Constitution may be subject to court interpretation. Further research is needed to verify a county's authority in this area. Research is also needed on registration statutes and related provisions.

HAWAII

Counties can likely lower the voting age for their local elections through charter amendments, although more research is needed to verify.

Hawaii's Constitution grants the right to vote to those 18 and up and does not specifically prohibit those under 18 from voting. The state statutes do not contain a provision on the voting age. Local government in Hawaii is mostly administered on the county level, and counties have broad power to self-govern via charters, as long as charter provisions don't conflict with general laws of the state. It does not appear that there are any state laws that would prohibit a county in Hawaii from lowering the voting age for its local elections, but this needs to be confirmed with more research on related statutes, including voter registration laws.

IDAHO

The election code appears to disqualify those under 18 from voting, but it is not entirely clear. City-specific enabling legislation may be an option.

The Idaho Constitution grants the right to vote to those over 18 and does not explicitly prohibit those under 18 from voting (Idaho Const. art. 6,

§ 2). The Iowa election code, however, contains a provision titled "Disqualified Electors Not Permitted to Vote" (Iowa Code. Ann. § 34-403) This provision states that "no elector shall be permitted to vote if he is disqualified as provided in article 6, sections 2 and 3 of the state constitution." Article 2 says, among other things, that all citizens over the age of 18 are qualified to vote. Taken together, this could very well be interpreted as meaning that one who is not qualified to vote under article 2 is disqualified. In this case, the Disqualified Electors statute would need to be changed. Regarding home rule, the Constitution states that "Any county or incorporated city or town may make and enforce, within its limits, all such local police, sanitary and other regulations as are not in conflict with its charter or with the general laws" (Idaho Const. art. 12, § 2). This could likely be interpreted to give cities the ability to change the local voting age. City-specific enabling legislation could be an alternative to changing the Disqualified Electors statute. Further research is also needed on provisions related to implementation, including voter registration statutes.

MISSOURI

The city of Kansas City may be able to lower the voting age for its local elections through either a charter amendment or a local ordinance.

The Missouri Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state has a specific statute that gives any city with a population over 400,000 the right to regulate its own elections (§ 122.650.1). The only such city in Missouri is Kansas City. Other charter cities “shall have all powers which the general assembly of the state of Missouri has authority to confer upon any city, provided such powers are consistent with the constitution of this state” (Art. 6 § 19a), but it is unclear whether this provision grants authority over local elections. The existence of the statute specific to cities over 400,000 suggests it does not. Kansas City’s charter includes a provision stating that state election laws shall apply to all city elections, “except as provision is otherwise made by this Charter or ordinance” (§ 601). So, it appears that Kansas City can lower its voting age for local elections. However, conversations between Vote16USA staff and Kansas City City Council staff revealed that city council staff are not confident in the city’s authority to make this change. Council staff declined to continue the conversation beyond this point, but Vote16USA will re-engage in the future. Further research is also needed on provisions related to implementation, including voter registration statutes.

NEW JERSEY

Cities operating under optional plan municipal governments appear to have the ability to change their local voting ages through charter amendments, but local officials disagree.

The Constitution grants the right to vote to those over 18 and does not explicitly prohibit those under 18 from voting (NJ Const. art. 2, § 1.3) and the election code refers back to the Constitution (N.J. Rev. Stat. § 19:4-1). Regarding home rule, Title 40, section 40:69A-29 lists specific powers granted to optional plan municipal governments, and this list does not include the power to regulate elections. But, Title 40, section 40:69A-30 states that this list is not exhaustive, and the powers of municipalities should be construed liberally. This provision is written in a generous way, and appears to let cities do anything that is not in conflict with other state law. So, it appears that New Jersey cities operating under optional plan municipal governments can lower the voting age, as long as this action is not interpreted to conflict with state laws on the voting age. However, the NJ League of Municipalities counsel disagrees

with this interpretation, and believes cities do not have this authority. Vote16USA will re-engage in the future. Further research is also needed on related provisions, including voter registration statutes.

NEVADA

More research is needed on home rule law.

The Nevada Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Nevada does not provide home rule through its Constitution, but it does give incorporated cities (the classification of city with the most autonomy in Nevada) certain, specifically listed powers under NRS 268.008. Authority over local elections is not listed. But, the state law about city elections says that “conduct of any city election is under the control of the governing body of the city, and it shall, by ordinance, provide for the holding of the election, appoint the necessary election officers and election boards and do all other things required to carry the election into effect” (NRS 293C.110). This may mean that cities can lower the voting age for their local elections through charter amendments or ordinances, but the law is particularly open to interpretation. Further research is also needed on related provisions like registration statutes.

OHIO

Charter cities can change their local voting ages through charter amendments, but may be especially subject to court challenge.

The Ohio Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution provides that “municipalities shall have authority to exercise all powers of local self-government” (Art. 18 Sec. 3). The scope of “local self-government” is not defined, and has needed to be determined by the courts. Generally, if an issue is a matter of “general and statewide concern,” it is outside the scope of home rule. There is no way to tell whether the voting age in local elections would be a matter of “general and statewide concern” or a “power of local self-government.” It appears that a city in Ohio could attempt to change its voting age through a charter amendment, declaring that doing so is a “power of local self-government,” and would then have to defend the action if it is challenged in court. More research is needed on related statutes, like voter registration laws.

OKLAHOMA

Charter cities can change their local voting ages through charter amendments, which need to be approved by voters and the Governor.

Oklahoma's Constitution phrases the voting age provision as a grant, and the statute refers back to the Constitution. Regarding home rule, cities with populations greater than 2,000 are allowed to adopt home rule charters and amend them so long as they do not conflict with the state Constitution or statutes. Charter amendments must be approved by the city council, then approved by voters, then submitted to the governor for approval (Constitution Section 18-3(a)). The governor shall grant approval if the amendment "shall not be in conflict with the Constitution and laws of this State." However, it is unclear how the governor decides to approve charter amendment in reality. Consultation with local leaders is necessary to gain insight.

SOUTH DAKOTA

Cities and counties can lower the voting age for their local elections through charter amendments.

The South Dakota state Constitution and election code both grant the right to vote to those 18 and older, and do not specifically prohibit those under 18 from voting (Const. Art. 7 § 2 and SDCL 12-3-1). Any county or city in South Dakota can adopt a charter, and "A chartered governmental unit may exercise any legislative power or perform any function not denied by its charter, the Constitution or the general laws of the state" (Const. Art. 9 § 2). A state statute lists the restrictions on power of home rule units, and this list does not include elections. Therefore, it seems that home rule units (cities or counties) in South Dakota can lower the voting age for their local elections through charter amendments. Charter amendments must be approved by voters. Further research is also needed on provisions related to implementation, including voter registration statutes.

UTAH

Cities may be able to lower the voting age for local elections, but the issue is especially open to interpretation.

The Utah Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The Constitution also gives cities the ability to adopt charters for their local government. Cities with charters have "the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary

and similar regulations not in conflict with the general law, and no enumeration of powers in this constitution or any law shall be deemed to limit or restrict the general grant of authority hereby conferred" (Const. Art. 11 § 5). This indicates cities might be able to use their home rule power to lower the voting age. However, local elections are included in the statutory definition of "election" in the state election code (20A-1-102), which could prevent cities from acting on the issue. Further interpretation and case law research is needed, as well as research on related statutes, like the voter registration laws.

WISCONSIN

It appears that cities can lower the voting age through charter amendments, but the election code and home rule and provisions are especially open to interpretation, complicated by case law.

The Constitution (Art. 3 § 1) and statute (§ 6.02) both phrase the voting age requirement as a grant. The Constitution (Art. 11 § 3) gives cities power to "determine their local affairs and government, subject only to this Constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or every village." It is likely that state election statutes are of "statewide concern," especially since (§ 5.02) defines "election" as "every public primary and election." If this is true, cities may still be able to lower the voting age, since doing so may not directly conflict with the state law. On the other hand, cities may be prohibited from doing anything in an area of statewide concern where there already are statewide laws. Case law does not give very clear direction, but leans toward a more limited interpretation of home rule. Research is also needed on state status related to implementation, such as voter registration laws.

NEED STATE LEGISLATION TO GIVE CITIES THE POWER TO LOWER THE VOTING AGE FOR LOCAL ELECTIONS

In these states, some aspect of state law prevents a city from taking action to lower its voting age. Legislation is needed on the state level. Such a bill could take a variety of forms depending on the specifics of state law.

ALASKA

Home rule statute prevents cities from lowering local voting age.

Alaska's Constitution presents the voting age requirement for voting as a grant (Art. 5 § 1), but the statute that provides voter requirements for state elections is less clear (15.05.010). A strict reading of the statute may interpret it as a grant, but the way the statute is structured makes it seem like a restriction. Further, there is a specific statute about voter qualifications for municipal elections (29.26.050). It does not mention age but refers back to the state election statute, and uses more restrictive language, lending credence to the more restrictive interpretation of the state election statute. Alaska's Constitution provides broad power to home rule cities, but a statute prohibiting home rule cities from acting to supersede specific statutes includes the municipal voter qualification statute mentioned above (29.10.200). So, for a home rule city in Alaska to lower its voting age, the statute concerning restriction of home rule powers must be changed, and the general voter qualification statute may need to be changed as well. Statewide or city-specific enabling legislation may also be an option.

CONNECTICUT

Home rule statute prevents cities from lowering local voting age.

The Connecticut Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Additionally, Connecticut does grant home rule to its municipalities. However, the law specifically prohibits municipalities from taking action that affects "matters concerning qualification and admission of electors" (Title 7, Chapter 99, Section 7-192a). It may be possible for one or more

specific cities to seek enabling legislation, but this is unclear because Connecticut's Constitution contains a provision that limits the general assembly's ability to enact special legislation specific to a single city (Article 10 Section 1). Statewide or city-specific enabling legislation may also be an option.

DELAWARE

Home rule statute prevents cities from lowering local voting age.

Delaware's Constitution phrases the voting age requirement as a grant, and the statute does not mention it, so the question turns to home rule. Delaware does give its cities a degree home rule powers, but cities are specifically prohibited from amending a municipal charter to "change the qualifications of those entitled to vote at municipal elections" (§ 835). Statewide or city-specific enabling legislation may also be an option.

FLORIDA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

The Florida Constitution does not specifically prohibit those under 18 from voting, but the state's election code reads "A person may become a registered voter only if that person is at least 18 years of age" (Chapter 97) (emphasis added). Florida municipalities have home rule, but cannot take action that is preempted by or in conflict with state law. The way the election code is written, it would almost certainly either preempt or conflict with a municipality's action to lower the voting age. Thus, it appears that the law would have to be changed to allow those over 18 to vote, while not specifically denying that right to those under 18. This may still leave enough ambiguity for a legal challenge—a more certain strategy would be to also change the home rule law to specifically state that municipalities have authority over their local elections. Statewide or city-specific enabling legislation may also be an option.

GEORGIA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

Georgia's Constitution grants the right to vote to those over 18 and does not specifically prohibit those under 18 from voting. The Georgia code contains a statute listing voter qualifications that clearly restricts those under 18 from voting (§ 21-2-216). Further, while Georgia gives its municipalities some home rule powers, the home rule law lists specific powers that are reserved for the state, including "action affecting ... the procedure for election or appointment of the members

[of the municipal governing authority]” (§36-35-6). For municipalities in Georgia to lower their local voting ages, the state legislature would need to pass bills changing both the voter qualification law and the home rule law. Statewide or city-specific enabling legislation may also be an option.

ILLINOIS

Charter cities have home rule authority to lower the voting age, but state law about voter registration would prevent implementation.

The Illinois Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state Constitution states that home rule units (counties and municipalities with populations over 25,000) “may exercise any power and perform any function pertaining to [their] government and affairs” except as expressly limited, and that home rule powers “shall be construed liberally” (art. 7 § 6). Neither the constitution nor state statutes explicitly preempt municipalities from lowering their voting ages, so it seems that municipal units in Illinois can lower the voting age for their local elections, through charter amendments. However, the state Constitution requires that “laws governing voter registration and conduct of elections shall be general and uniform” (Const. art. 3, § 4). Voter registration forms are required to include a space where the prospective voter affirms that “I will be at least 18 years old on or before the next election” (Ill. Comp. Stat. Ann. § 5/1A-16). A home rule unit could not use a different registration form without an amendment to state registration law. State legislation could amend the registration provision to affirm that home rule units that exercise their home rule authority to enact 16-year-old voting may also implement corresponding registration procedures.

INDIANA

Home rule statute prevents cities from lowering local voting age.

The Indiana Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. The state has home rule, but it is extremely limited and specifically prohibits municipalities from conducting elections, or from regulating “conduct that is regulated by a state agency,” which would include elections (IC 38-1-3-9-7). Thus, advocacy efforts in Indiana would have to begin with changing the home rule law to allow municipalities to exercise control over local elections. Given the limited nature of the current law, this seems particularly unlikely. Statewide or city-specific enabling legislation may also be an option.

IOWA

Voter qualification statute prevents cities from lowering local voting age.

Iowa’s Constitution phrases the voting age provision as a grant, but the election code phrases it as a restriction (§ 48A.5). The state Constitution has an amendment granting municipal corporations “home rule power and authority, not inconsistent with the laws of the General Assembly, to determine their local affairs and government” (Section 38A). However, the election code provides that “county commissioner of elections shall ... conduct the election pursuant to the provisions of [the state election code]” (376.1). It appears that, if the voting age statute was changed to make it a grant rather than a restriction, a city could take action to lower its voting age. While the county commissioner would still conduct elections pursuant to the state laws, a lower voting age would no longer be contrary to those laws. Statewide or city-specific enabling legislation may also be an option.

KANSAS

Voter qualification statute prevents cities from lowering local voting age.

The Kansas Constitution phrases the voting age requirement as a grant, but the election code presents it as a clear restriction. Fortunately, Kansas does have relatively broad home rule powers. If the law regarding the voting age were changed to phrase the requirement as a grant, like the state Constitution does, it appears that cities would be able to use their home rule power to lower the voting age for local elections. Statewide or city-specific enabling legislation may also be an option.

KENTUCKY

Open to interpretation, but home rule law likely prevents cities from lowering local voting age.

Kentucky’s Constitution phrases the voting age requirement as a grant. The voter qualification statute refers back to the Constitution, but in a way that may possibly be construed to restrict voting to only those above 18 (KRS § 116.025). Kentucky grants home rule via statute 82.082(1), which says, “A city may exercise any power and perform any function within its boundaries [...] that is in furtherance of a public purpose of the city and not in conflict with a constitutional provision or statute.” Additionally, cities do not have power where there is a “comprehensive scheme of legislation on the same general subject” (82.082(2)). Although the state election code does not specifically address municipal elections, it is certainly arguable that it is a “comprehensive scheme of legislation on the same general subject” as municipal elections.



In sum, it would be possible for a city in Kentucky to take action to lower its voting age, declaring that doing so is “in furtherance of a public purpose of the city” and that the state election code does not represent a “comprehensive scheme of legislation on the same general subject” as municipal elections. But, these declarations are subject to court challenges, and it is possible a court would reject the city’s claims, preventing it from lowering its voting age. Statewide or city-specific enabling legislation may also be an option.

LOUISIANA

Voter qualification statute prevents cities from lowering local voting age.

Louisiana’s Constitution phrases the age requirement for voting as a grant, but a statute in the state’s election code specifically states that “no one, under the age of eighteen years shall be permitted to vote in any election” (Title 18 § 101). If that statute were changed, local governments (parishes and municipalities) with home rule charters may be able to lower the voting age in their local elections through charter amendments, because they can exercise any power that is “necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with this constitution” (Const. Art. 6 § 5e). However, whether changing the local voting age falls under this description is subject to interpretation. In sum, advocacy in Louisiana must start with changing the statute that prohibits those under 18 from voting, and then it may be possible for local governments to take action. Statewide or city-specific enabling legislation may also be an option.

MAINE

Voter qualification statute prevents cities from lowering local voting age.

Maine’s state Constitution phrases the voting age as a grant, but the state election code presents it as a restriction. Further, while Maine’s Constitution provides for municipal home rule, the state election code specifically states that “The qualifications for voting in a municipal election conducted under this Title are governed solely by [the state election code’s voter qualification statute, which is phrased as a restriction]” (Title 30-A § 2501). Therefore, in order for municipalities to lower their voting ages in Maine, the state election code must be changed to phrase the voter qualification provision as a grant. To eliminate ambiguity, the statute previously mentioned (§ 2501) could also be eliminated or changed to specifically state that the qualifications for voting in municipal elections are not governed by state laws. Statewide or city-specific enabling legislation may also be an option.

MASSACHUSETTS

Cities need the state legislature’s approval for home rule petitions.

The Massachusetts Constitution and election code phrase the voting age requirement as a grant. Cities in Massachusetts have the ability to adopt home rule charters, but to amend a charter to lower the voting age, cities must send home rule petitions, also referred to as special act charters, to the state legislature (Chapter 43B). First, the city council must form a study committee, which recommends the home rule petition to the council. Then, if the city council votes in favor of the petition, it goes to the state legislature and is treated as a piece of legislation. If it passes the House and Senate and is signed by the Governor, the petition is returned to the city for implementation. Cities can write their petitions to make the proposal subject to approval by voters after being passed by the state legislature, but don’t necessarily have to. See this paper’s discussion of Lowell’s effort to lower the voting age for more details on the process in Massachusetts.

MICHIGAN

Voter qualification statute prevents cities from lowering local voting age. Home rule law is open to interpretation, but may also prevent cities from lowering local voting age.

The Michigan Constitution phrases the voting age as a grant, but the election code says that to vote a person must be “not less than 18 years of age,” which is a restriction (Ch. 168 Sec. 492). Cities have a degree of home rule, but “No provision of any city or village charter shall conflict with or contravene the provisions of any general law of the state” (MCL 117.36; 78.27), and charter amendments must be submitted to the governor for approval. First, the voting age statute must be changed to phrase the age as a grant rather than a restriction. Even if this happens, it would be unclear whether a city could take action to lower its voting age, or if that would still conflict with or contravene the state law. To avoid this uncertainty, the home rule law would need to be changed to specifically give cities authority over elections. Statewide or city-specific enabling legislation may also be an option.

MINNESOTA

Voter qualification statute prevents cities from lowering local voting age. More research is needed on home rule.

The Minnesota state Constitution phrases the voting age requirement as a grant, but the state’s election code phrases it as a restriction (Ch. 201.014). There is a state statute (Ch. 205.02) regarding the applicability of state election law to municipal elections, but further analysis

is needed to understand how this affects cities' ability to lower the voting age. Regardless, statewide or city-specific enabling legislation could be a viable option.

MISSISSIPPI

Home rule statute prevents cities from lowering local voting age.

The Mississippi Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. However, the Mississippi home rule law specifically prohibits cities from changing “the requirements, practices or procedures for municipal elections,” unless specifically authorized by another statute (Miss. Code Ann. § 21-17-5). Thus, the home rule law would have to be changed to allow municipalities to exercise home rule authority over local elections. Statewide or city-specific enabling legislation may also be an option.

MONTANA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

Montana's state Constitution phrases the voting age requirement as a grant, but the state statute phrases it as a clear restriction (13-1-111). Further, while cities in Montana can adopt charters, they are still subject to state laws concerning elections, and charters “shall not contain provisions establishing election, initiative, and referendum procedures” (§ 7-3-708). So, for a municipality in Montana to have the ability to lower its local voting age, both the state law on voter qualifications and the home rule law would need to be changed. Statewide or city-specific enabling legislation may also be an option.

NEBRASKA

Voter qualification statute prevents cities from lowering local voting age.

Nebraska's Constitution presents the age requirement for voting as a grant, but the election code defines an elector as a citizen “who is at least eighteen years of age.” Cities with populations greater than 5,000 are allowed to adopt charters. City councils can propose charter amendments, which must be approved by referendum (Const. Art. 11-4), but charters are still subject to the Constitution and state laws. Therefore, the statute defining an “elector” must be changed before cities can take action to lower their voting ages through charter amendments. Statewide or city-specific enabling legislation may also be an option.

NEW HAMPSHIRE

Home rule statute prevents cities from lowering local voting age.

New Hampshire's Constitution phrases the voting age provision as a grant, and the statute simply refers to the Constitution (Const. Art. 11 and § 654:1). However, while New Hampshire's towns and cities have the ability to adopt charters, charters do not give towns or cities any additional powers other than to determine the organization of their local government (§ 49-C:15). Further, New Hampshire law provides for the qualifications of voters in municipal elections (49-C:5). Additionally, in 2000, voters did not approve a proposed constitutional amendment that would have given cities and towns broad home rule powers. For a New Hampshire municipality to lower its voting age for local elections, the legislature would have to pass a bill specifically giving municipalities the authority to regulate local elections. Statewide or city-specific enabling legislation may also be an option.

NEW YORK

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

The New York Constitution phrases the voting age as a grant, but the state election code phrases it as a restriction. Additionally, while New York provides home rule, it is limited, and municipalities do not have control over voter registration requirements. Therefore, advocacy efforts in New York must aim to change both the state law on the election age and the state law on home rule. Statewide or city-specific enabling legislation may also be an option. This would be similar to the city-specific law that allowed New York City to extend voting rights to non-citizens for school board elections from 1969-2002, when the mayor took control of the schools.

NORTH CAROLINA

Voter qualification statute and home rule statute prevent cities from lowering local voting age.

North Carolina's state Constitution phrases the voting age requirement as a grant, but the state statute phrases it as a clear restriction (§163-55). North Carolina does not provide for home rule in its Constitution, and home rule authority has been given in a limited way through subject-specific statutes. No such statute exists concerning municipal elections, and the state election code contains sections governing municipal elections (Chapter 163 Article 24). To lower the voting age in cities in North Carolina, advocates would have to pass a bill changing the voting age statute and specifically granting municipalities the authority to regulate local elections. Statewide or city-specific enabling legislation may also be an option.



NORTH DAKOTA

Home rule statute prevents cities from lowering local voting age.

North Dakota's Constitution and election statutes grant the right to vote to those over 18 and do not specifically prohibit those under 18 from voting. But, state statutes list the powers that are given to home rule cities and counties, and both cities and counties have the power to "provide for all matters pertaining to [city or county] elections, except as to qualifications of electors" (40-05.1-06 and 11-09.1-05). So, for a city or county to lower the voting age in its local elections, these statutes would need to be changed. Statewide or city-specific enabling legislation may also be an option.

OREGON

Statute on state election law's applicability to local elections prevents cities from lowering local voting age.

Oregon's constitutional provision on the voting age is a bit ambiguous, but it can likely be interpreted as a grant (Art. 2 § 2). The state election code does not contain a voter qualification provision. Cities in Oregon have some degree of home rule, but the state election code states that "any primary election, general election or special election held in this state shall be conducted under the provisions of this chapter, unless specifically provided otherwise in the statute laws of this state" (§ 254.016). It seems that this provision prevents cities from enacting their own regulations related to elections, like lowering the voting age. In order to give cities in Oregon the power to lower their voting ages, either this statute or the home rule laws would need to be amended. Statewide or city-specific enabling legislation may also be an option.

PENNSYLVANIA

Home rule statute prevents cities from lowering local voting age.

The Pennsylvania Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Pennsylvania gives its municipalities a degree of home rule, but the state law specifically prohibits municipalities from exercising home rule authority over "the registration of electors and the conduct of elections." Advocacy efforts in Pennsylvania would need to begin with changing that state law to give municipalities more control over their local elections. Statewide or city-specific enabling legislation may also be an option.

RHODE ISLAND

State legislation is needed to give cities the authority to lower the voting age locally.

The Rhode Island Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting (Const. Art. 2 § 1 and §17-1-3). The state Constitution also says that any city can amend its charter and "enact and amend local laws relating to its property, affairs and government not inconsistent with this constitution and laws enacted by the general assembly" (Article 13, Section 2). On the surface, it appears this should be interpreted to mean that cities do have the power to lower the voting age, since the provisions about the voting age are presented as grants. However, conversations with elected officials and elections administrators in Rhode Island reveal that in reality the laws are interpreted to mean that the state controls all matters related to elections, despite cities' apparent home rule powers. So, legislation on the state level would need to more explicitly give cities this power.

TENNESSEE

State legislation is needed to give cities the power to lower the local voting age under home rule authority.

Tennessee's Constitution presents the voting age requirement as a grant, and the state's statutes don't address the voting age. Home rule is unclear. Art. 11 Sec. 9 of the Constitution gives any municipality the ability to become a home rule municipality, but it doesn't elaborate on powers granted. Title 6, Chapter 53 regulates municipal elections, but does not say whether home rule municipalities can form their own regulations regarding elections. While not explicitly clear, this is likely enough to determine that cities in Tennessee do not currently have the authority to lower the voting age for local elections. It is likely that state legislation would be needed to affirm a city's ability to lower the local voting age under its home rule authority.

VERMONT

Cities need the state legislature's approval for charter amendments.

The Vermont Constitution and election code grant the right to vote to those over 18, and do not explicitly prohibit those under 18 from voting. Municipalities in Vermont do have the ability to amend their charters, but all charter amendments must be approved by the city's voters as well as the state's General Assembly (§ 2645). It is possible for a city to amend its charter through this process to lower the voting age, because the state's election code says that charter provisions shall apply over state law when they provide for election procedures different than those outlined in the state laws (§ 2631).



WYOMING

Statute on state election law's applicability to local elections prevents cities from lowering local voting age.

Wyoming's Constitution phrases the voting age requirement as a grant, but the state election code's provisions on qualifications to register to vote is unclear (22-3-102). Regardless, the state election code does state that "a municipal election shall be governed by laws regulating statewide elections" (22-23-101). So, for a city in Wyoming to lower its voting age, that provision would have to be changed to give cities control over the regulation of their elections, and the registration qualification statute may need to be changed as well. Statewide or city-specific enabling legislation may also be an option.

WASHINGTON

State legislation would need to affirm that home rule powers extend to the issue of the local voting age.

The Washington constitution arguably frames voting as a right to those 18 and over, rather than a prohibition on those under 18. However, certain case law suggests that age is a minimum qualification, and the state registration statute indicates that registration is allowed only for those 18 or over. Washington's home rule provisions permit municipal autonomy, but only to the extent that the legislature has not adopted "a law concerning [that] particular interest." In the case of voting age, municipal efforts to lower the voting age would likely be found to conflict with the state registration statute, unless it can be shown that the registration statute itself is inconsistent with the constitutional language. State legislation would need to affirm that home rule authority extends to the issue of the local voting age and does not conflict with the registration statute.

STATE CONSTITUTION PREVENTS CITIES FROM LOWERING LOCAL VOTING AGE

In these states, an aspect of the state Constitution prevents cities from taking action to lower the voting age on the local level. Advocacy in these states would have to focus on a state constitutional amendment, which would be rather unlikely. In most states, constitutional amendments must be approved by two thirds of each House and by the state’s voters.

ALABAMA

State Constitution does not provide for any degree of home rule.

Alabama’s Constitution phrases the voting age provision as a grant, and the statute simply refers to the Constitution. However, Alabama does not give its municipalities any degree of home rule. The state legislature can pass “local acts” that apply to one municipality. Home rule would have to be provided through an amendment to the Constitution, which is unlikely. Individual cities could advocate for “local acts” allowing them to lower the voting ages, but these acts still have to be passed as constitutional amendments.

ARIZONA

State Constitution specifically prohibits voting by those under 18.

The Arizona Constitution and election code both clearly restrict voting to only those over 18 years of age. Advocacy efforts in Arizona would have to start with an amendment to the state constitution, which is rather unlikely. A majority of each House must approve the amendment, and then it must be approved by the state’s voters.

SOUTH CAROLINA

State Constitution prohibits municipalities from enacting provisions related to elections.

South Carolina’s Constitution and election statutes grant the right to vote to those over 18 and do not specifically prohibit those under 18 from voting (Const. Art. 2 § 4 and S.C. Code Ann. § 7-5-610). But, while the Constitution allows municipalities to adopt home rule charters, it specifically prohibits them from enacting provisions related to “election and suffrage qualifications” (Art. 8 § 14). City-specific enabling

legislation may be a possibility, but this is unlikely due to the constitutional provision. Constitutional amendments must be approved by two-thirds of each House, and then approved by the state’s voters.

TEXAS

State Constitution specifically prohibits voting by those under 18.

The Texas Constitution and election code both clearly restrict voting to only those over 18 years of age. Advocacy efforts in Texas would have to start with an amendment to the state constitution, which is rather unlikely. Two-thirds of each House must approve of the amendment, and then it must be approved by the state’s voters.

VIRGINIA

State Constitution specifically prohibits voting by those under 18, and does not provide for home rule.

The Virginia Constitution phrases its voting age provision as “Each voter shall be [...] eighteen years of age” (Article 2 Section 1). This phrase clearly restricts voting to those over the age of 18, so advocacy efforts in Virginia would have to start with an amendment to the Constitution to change this provision. In addition, Virginia does not offer home rule to its municipalities, which makes lowering the voting age in cities in Virginia especially unlikely.

WEST VIRGINIA

State Constitution specifically prohibits voting by those under 18, and does not provide for home rule.

West Virginia’s Constitution and election code both clearly restrict voting to only those over 18 years of age (Const. Art 4 § 1 and WV Code § 3-1-3). Advocacy efforts in West Virginia would have to start with an amendment to the state constitution, which is rather unlikely. Two-thirds of each House must approve of the amendment, and then it must be approved by the state’s voters.

APPENDIX C

ORGANIZATIONS AND STAKEHOLDERS SUPPORTING THIS EFFORT

Several groups and individual leaders have supported efforts to lower the voting age. They include:

The Center for Information and Research on Civic Learning and Engagement (CIRCLE)

- Conducts research on youth voting and civic engagement

FairVote

- Researches & promotes many election reforms
- Supported the successful efforts in Maryland

National Youth Rights Association

- Advocates for several youth rights issues, including lowering the voting age

Generation Citizen

Funders Collaborative for Youth Organizing

Academics and researchers, including:

- Peter Levine, Tufts University
- Daniel Hart, Rutgers University
- James Youniss, Catholic University
- Robert Atkins, Rutgers University
- Conne Flanagan, University of Wisconsin
- Parissa Ballard, University of California- Berkeley
- Felton Earls, Harvard University
- William Damon, Stanford University
- Joshua Douglas, University of Kentucky College of Law
- Vivian Hamilton, William & Mary Law School

APPENDIX D

VOTE16USA YOUTH ADVISORY BOARD

Summary:

This Youth Advisory Board brings together young people from around the country who are currently working to lower the voting age in their respective cities, or who have been involved in previous local campaigns. Board members help guide Vote16USA efforts and ensure that young voices remain at the center of the campaign. This Board will grow and change as Vote16USA evolves and new campaigns emerge around the country. We are in the process of adding members from emerging campaign, and will have an updated roster on Vote16USA.org in February 2017.

Current Vote16USA Youth Advisory Board Roster:

- Brandon Klugman, Vote16USA Campaign Coordinator
- Anna Bernick – San Francisco, CA
- Joshua Cardenas – San Francisco, CA
- Anna He – San Francisco, CA
- Joseph Jackson – Richmond, CA
- Hannah Sun – Denver, CO
- Jill Wu – San Francisco, CA
- Oliver York – San Francisco, CA
- Vivekae Kim – Chicago, IL
- Carlie Hansen – Chicago, IL



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