

## How the Law Regulates Who May Vote

### Handout 2

#### Constitutional Guidelines for Voting

1. Any person who votes in state elections may also vote in federal elections.

The Seventeenth Amendment declares that any person who votes for "the most numerous branch" of its own legislature is also qualified to vote for U.S. senators and representatives.

2. No state may deny a person the right to vote because of his or her race or color.

The Fifteenth Amendment says that no state may deprive any person of the right to vote regardless of race, color, or previous condition of servitude.

3. No state may deny a person the right to vote because he or she is a female or a male.

The Nineteenth Amendment forbids states from depriving a person of the right to vote because of his or her sex.

4. No state may deny the right to vote to a person who is at least 18 years old because of his or her age.

The Twenty-sixth Amendment states that citizens 18 years old (or older) may vote. This amendment does not prevent a state from allowing citizens younger than 18 years old from voting. The amendment does prohibit states from setting a maximum voting age.

5. No state may require a voter to pay a tax before voting.

The Twenty-fourth Amendment eliminates the poll tax. The poll tax began in Florida in 1889 and spread to 11 Southern states as a way to discourage African Americans from voting.

For many years, in many states, there was a literacy requirement for voting. This requirement was also used to prevent African Americans and other groups from voting. The first literacy requirement was adopted in Connecticut to limit the voting rights of Irish Catholic immigrants. Congress banned all literacy tests in the Voting Rights Act of 1970.