

# Senate Bill 10

## Changing the Required Voting Age to 16 Years Old

### ARTICLE 1

#### **4 REASONS TO LOWER THE U.S. VOTING AGE TO 16**

<https://vote16usa.org/reasons-for-lowing-voting-age-16/>

By: Vote 16 USA

#### **REASON #1: WE NEED TO MAKE VOTING A HABIT**

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. Research shows that voting is habitual. A person who votes in the first election they are eligible for is likely to continue voting consistently, while someone who doesn't will take several years to pick up the habit. It is clear that age 16 is a better time to establish a new habit than age 18, and data from places that have lowered the voting age shows that 16-year-olds do indeed vote at higher rates than older first-time voters.

#### **REASON #2: SIXTEEN- AND 17-YEAR OLDS ARE READY TO VOTE**

Research shows that 16- and 17-year-olds have the necessary civic knowledge, skills, and cognitive ability to vote responsibly. A study comparing the qualities associated with voting—such as civic knowledge, political skills, and political interest—among citizens 18 and older and citizens below 18 found no significant differences between 16 year olds and those above age 18. Furthermore, deciding how to vote relies on “cold cognition,” the decision making process in which a person deliberates alone and unhurried, and draws on logical reasoning abilities. Research shows that cold cognition matures by 16, and does not improve as one gets older.

#### **REASON #3: SIXTEEN- AND 17-YEAR-OLDS HAVE A STAKE IN THE GAME, AND ELECTED OFFICIALS MUST TREAT THEM AS EQUAL CONSTITUENTS**

Youth are affected by local political issues as much as anyone. They also 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. Sixteen- and 17-year-olds deserve the right to vote on issues that affect them on the local level. Further, voting is the most reliable way for ordinary citizens to influence the government. Lowering the voting age would force local politicians to listen to sixteen- and 17-year-olds and address their concerns.

#### **REASON #4: LOWERING THE VOTING AGE TO 16 WILL STRENGTHEN CIVICS EDUCATION**

Strong civics education and a lower voting age would mutually reinforce each other to increase civic engagement. A lower voting age would make civics education more effective as providing students a way to directly apply what they're learning in the classroom in their communities would add a crucial level of relevance to civics courses. It would also encourage more schools to

implement higher quality civics education programs given its immediate implications on students lives.

## **ARTICLE 2**

### **Should 16-year-olds be allowed to vote?**

<https://www.pbs.org/newshour/politics/should-16-year-olds-be-allowed-to-vote>

By: Hannah Grabenstein April 20, 2018

Earlier this month, a Washington, D.C., city councilman proposed what hasn't been a widely embraced idea in recent years: lowering the voting age threshold in local and federal elections from 18 to 16.

Charles Allen had attempted to pass his bill once before, in 2015, but it died in committee. This time, he said, he thinks there's more support. Since the early 2010s, a handful of communities, mostly clustered in the suburbs of D.C., have already lowered the voting age to 16 for local elections, and other cities are considering similar legislation.

As young people across the country have staged protests and pressured their lawmakers for action on gun violence, largely in response to the Parkland, Florida, school shooting, the question of when teens ought to have an electoral voice has resurfaced.

Constitutional law expert Michael Morley said states, for the most part, are empowered to define their own electorates. States have broader power than Congress to set the voting age for state and local elections, though Congress regulates federal offices, he added.

Here's a look at the issue, and what it might mean for the 2018 and 2020 elections.

### **Why is the voting age 18?**

In 1970, Congress passed a series of amendments to the Voting Rights Act of 1965, one of which lowered the national voting age from 21 to 18. After the amendments passed, states had one of three options, Morley said. They could comply, they could ignore the new law and wait until then-Attorney General John Mitchell enforced the rule by suing the states, or they could do what Oregon chose to do: preemptively sue Mitchell on the grounds that the amendments were unconstitutional.

Later that year, the Supreme Court heard arguments for *Oregon v. Mitchell*, and ultimately mostly ruled in favor of the state; the Court said Congress only had the authority to legislate voting over previously passed amendments which regulated voting rights (the 14th, 15th, and 19th Amendments, for example), and over federal elections. State and local elections, the Supreme Court said, were regulated solely by the states.

But nationally, a movement was growing in favor of lowering the voting age, Morley said. The nation had been embroiled in the Vietnam War for years, and the sentiment that began to emerge was that if young men (and women) were old enough to fight in the U.S. military, they were old enough to vote. In 1971, Congress proposed the 26th amendment, and it was ratified by three quarters of the states in a matter of months — the fastest ratification of an amendment to date, Morley said.

### **Who has lowered the voting age since then?**

According to Brandon Klugman, campaign coordinator at Vote16USA, an organization which lobbies for lowering the voting age, currently four other cities have laws allowing 16- or 17-year-olds to vote: three Maryland cities — Takoma Park, Greenbelt, and Hyattsville — allow 16-year-olds to vote in local elections; and Berkeley, California, allows 16-year-olds to vote in school board elections only.

Many states also allow 17-year-olds to vote in state and presidential primary elections if they turn 18 before the general election, according to FairVote.

### **Why the D.C. campaign is complicated**

D.C. is a unique case. Though it operates as a city, it's also a district under federal control. So, while the 50 states can change their individual voting age requirements, only D.C. is also under the watchful eye of Congress, which can overturn legislation from the city if it wants to, Morley said.

### **What supporters say**

Allen has a laundry list of reasons he believes the voting age is too high. Among them: 16-year-olds should have a stake in laws which affect them, such as education policy; research suggests that a strong predictor for voting habits is a record of previous voting; and as student activists around the country have demonstrated, many teenagers, “have very well thought out positions and frankly, in many cases, they’re leading the adults,” Allen said.

For Allen, however, perhaps his greatest motivation is that many 16-year-olds are taxpayers who cannot vote for their own elected representation. That issue speaks strongly to a councilmember in D.C., which does not have voting representation in Congress.

Allen has re-introduced his bill at a time when a youth movement is unfolding across the country, with students and teenagers are participating in advocacy, activism, and even government itself.

The national voting rights advocacy group FairVote supports Allen’s bill. “Sixteen and 17-year-olds are affected by the same policies or even policies in a different way than older voters are,” said Dave O’Brien, legal fellow at FairVote. “Sometimes, they’ll be affected by those policies longer,” like the environment, the national debt, and decisions about war. “It seems only right that they should have some sort of input into it,” he added.

## **What critics say**

Some critics say 16-year-olds aren't mature enough or don't have enough life experience.

"The arguments for lowering the voting age to 18 don't entirely translate to lowering it to 16," Morley said, referring to the 1970 campaign. "You had the notion that 18 was already adulthood in several other contexts," such as facing the draft, establishing households, and starting families. But Morley doesn't necessarily think those arguments apply to 16-year-olds, who in most cases are still legally required to attend school and generally depend on parental support.

Allen doesn't see legal adulthood as relevant.

"I think that young people have a stake in election outcomes. At age 16 your relationship with the law changes dramatically, from being able to drive on city streets to having a job and paying taxes," he said.

"There are a lot of 16- and 17-year-olds that also walk around everyday with adult responsibilities," Allen said. "Not only are they having jobs, they're a part of helping run a family. Some of them may even have kids of their own. When you think about what those responsibilities are, why shouldn't they have a voice in helping shape that?"

## **Why it matters**

Historically, political parties have struggled to get 18- to 24-year-olds to show up on Election Day. According to census data, 50.9 percent of the 18- to 24-year-old population voted in the 1964 presidential election. While turnout was similar in the subsequent presidential election, the percentage of voters in that age bracket hasn't been as high since. The percentage didn't crack 40 percent in the 2016 election.

Despite that history, Allen thinks young people are demonstrating a willingness to get engaged. He pointed to Takoma Park, Maryland, as one example. A FairVote analysis of the 2013 election in Takoma Park showed that about 17 percent of 16- and 17-year-old eligible voters cast a ballot in the local election. That's about double the 8.5 percent of eligible 18-year-olds.

"They've shown that they will vote, and they'll vote repeatedly which is good for civics. They're getting engaged now and becoming lifelong voters," Allen said.

At FairVote, O'Brien said that it's possible that allowing teens to vote could impact the voting decisions of the larger electorate. "There might be concerns that older voters might perceive younger voters, or at least that section of the electorate, as somehow less legitimate because they're too immature," O'Brien said. "But you have that same concern whenever a new group is brought to the electorate, whether it's women or African-Americans."

Neither Allen nor O'Brien sees the issue as partisan — "there are young people who are going to be of all political persuasions," Allen said — but Morley isn't as convinced.

Given that data suggests today's youth tend to vote more Democratic, Morley says jurisdictions' efforts to lower the voting age "could be seen not so much as an attempt to rectify some injustice, but instead as a means of trying to stack the electoral deck" in favor of Democrats.

### **What's next?**

Klugman at Vote16USA said many states are making a good effort to increase voter turnout among young people. Currently, 13 states and D.C. allow for voter pre-registration at age 16. In California, a new law will go into effect this month, in which 16 and 17-year-olds will be pre-registered to vote when they get a driver's license. They'll have to opt out if they don't want to register.

And Klugman said that state legislators in at least three other states — New York, Virginia and Minnesota — have introduced bills to lower the voting age in state and local elections, federal elections, or both.

The next step for the D.C. bill is a hearing at the Committee on Judiciary and Public Safety, which Allen chairs. He said since four of the five committee members co-introduced the bill, he anticipates it will be voted on fairly quickly this summer. It will then move to a vote before the entire city council, and, if successful, to Mayor Muriel Bowser's desk (Bowser's press secretary, LaToya Foster, said the mayor will support the bill).

By 2020, Allen hopes 16- and 17-year-olds will be able to vote in both local and federal races.