



Voter Qualifications

2026

Presented by the Oklahoma State Election Board

Introduction

- ▶ At times in our history, voting requirements were very restrictive.
- ▶ For purposes of this demonstration, if you are under 18, pretend that you are 18.

Everyone please stand up

Sit down if:

- ▶ You do not own property
 - ▶ If you are under 18, sit down if your family does not own property
- ▶ You are not white
- ▶ You are not male

Sit down if:

- ▶ You do not have \$1.50 to pay to be able to vote
- ▶ You do not have \$30 to pay to be able to vote

Sit down if:

- ▶ You have not lived in this state for at least 3 years
- ▶ You cannot read English

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If you're still standing up, please sit.

These were, at one time, all requirements for voting.

If you had to sit down, you would not have been eligible to vote.

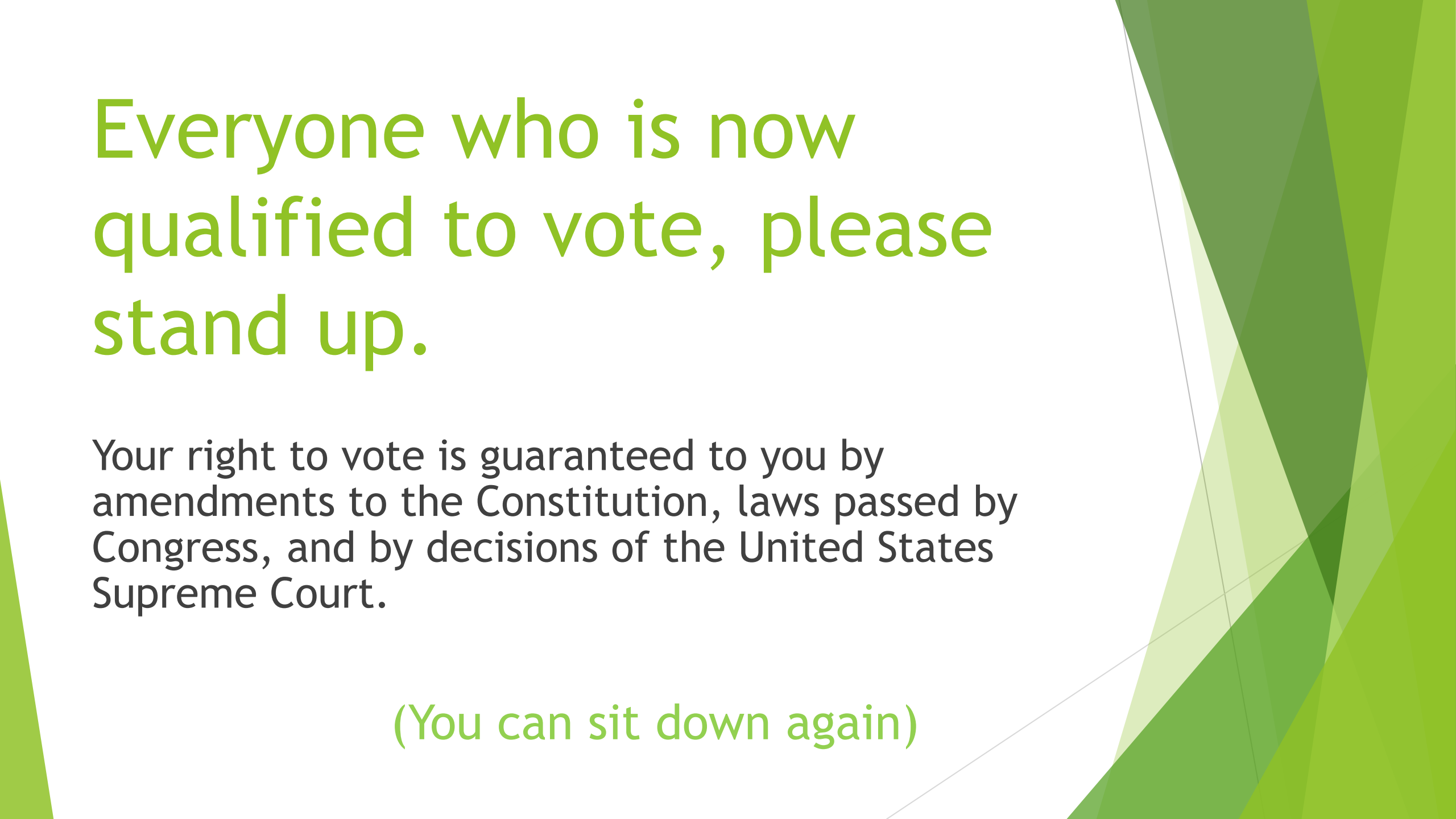
States once set voting requirements

- ▶ The 10th Amendment to the United States Constitution provides that all powers not specifically given to the federal government or denied to the states belong to the states.
- ▶ One of these powers is the right to set voting requirements.

States once set voting requirements

These are requirements for voting in Oklahoma today:

- ▶ If you are 18 years old,
 - ▶ a United States citizen residing in Oklahoma, and
 - ▶ if you have not been convicted of a felony,
- you can register to vote.

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Everyone who is now qualified to vote, please stand up.

Your right to vote is guaranteed to you by
amendments to the Constitution, laws passed by
Congress, and by decisions of the United States
Supreme Court.

(You can sit down again)

A Brief History of Voter Qualifications in the United States

Property Requirements

- ▶ Property requirements concern the ownership of real estate — land, a house, etc.
- ▶ By 1820, most of the new states entering the Union did not have property ownership requirements for voting.
- ▶ By 1850, most other states had dropped this requirement.

In some states, property ownership requirements may still exist for voting in a few special types of elections.

Requirements Based on Race

The Fourteenth Amendment

- ▶ Ratified in 1869.
- ▶ Provides citizenship to the African-Americans freed from slavery following the Civil War.
- ▶ Also provides that no state can deny to any person equal protection of the laws.

The Fifteenth Amendment

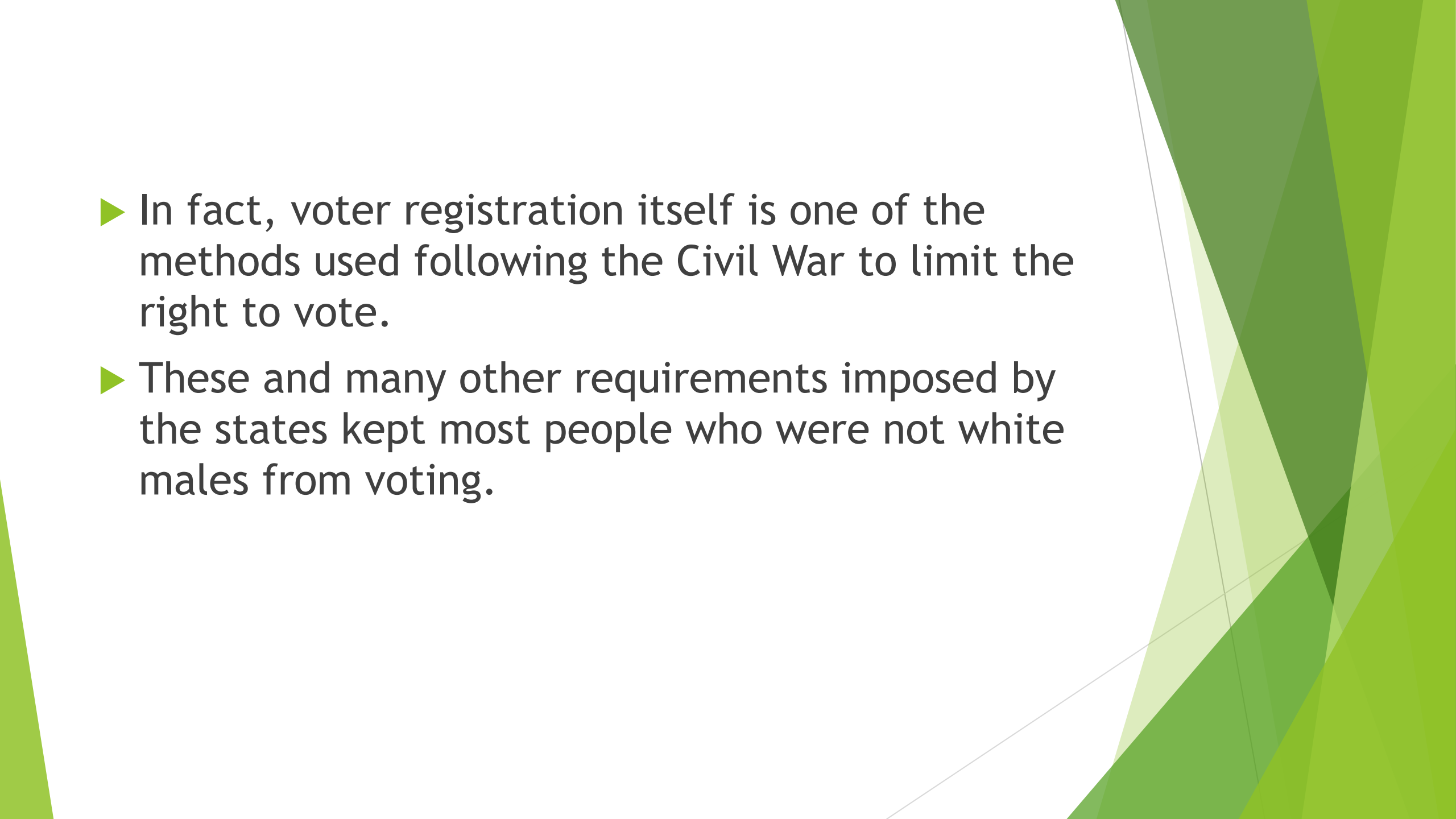
- ▶ Ratified in 1870.
- ▶ Provides that "the right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any state, on account of race, color or previous servitude."
- ▶ Also provides that "the Congress shall have power to enforce this article by appropriate legislation."

The Dawes Act

- ▶ Granted citizenship to Native Americans who were willing to disassociate themselves from their tribe in 1887.
 - ▶ Prior to the Dawes Act, Native Americans were not considered citizens of the United States.
- ▶ Citizenship made those who accepted it technically eligible to vote.

Continued Limitations

- ▶ However, these amendments were not enough to guarantee the right to vote to all citizens.
- ▶ Some states continued to prevent people of color and many others from voting by requiring voters to pay a poll tax.
- ▶ Some states required that persons pass a reading test before being permitted to register to vote.

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- The background of the slide features abstract, overlapping green geometric shapes, primarily triangles and polygons, in various shades of green, creating a modern, layered effect on the right side.
- ▶ In fact, voter registration itself is one of the methods used following the Civil War to limit the right to vote.
 - ▶ These and many other requirements imposed by the states kept most people who were not white males from voting.

Citizenship for Native Americans

In 1924, all Native Americans were granted citizenship and the right to vote, regardless of tribal affiliation.

The Magnuson Act

In 1943, Chinese immigrants were given the right to citizenship and the right to vote.

The Twenty-Fourth Amendment

- ▶ Ratified in 1964.
- ▶ Provides that states cannot require people to pay a poll tax to vote for President and Vice President, United States Senator or United States Representative.
- ▶ However, states still had the right to charge a poll tax for voting in other elections. Many people still were denied the right to vote in most elections.

The Voting Rights Act

- ▶ Passed in in 1965.
- ▶ Prevents the states from charging poll taxes.
- ▶ The United States Supreme Court has upheld the Voting Rights Act over restrictive state laws many, many times.

For example, in 1966, in the case of Harper v. Virginia Board of Elections, the Court ruled that poll taxes "introduce wealth or payment of a fee as a measure of a voter's qualifications..."

For this reason, the Court said poll taxes violate the equal protection clause of the Fourteenth Amendment.


Requirements Based on Sex

The Nineteenth Amendment

- ▶ Ratified in 1920.
- ▶ Provides that the "...right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex."

Until the ratification of the Twenty-Fourth Amendment in 1964 and the passing of the Voting Rights Act in 1965, many women, particularly women of color, were denied the right to vote using the same requirements that restricted the rights of many men.

Residency Requirements

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- ▶ Some states still require that you live in the state for a certain period of time before you can register to vote there.
 - ▶ The Voting Rights Act limits the amount of time that a state can require.
 - ▶ Oklahoma requires only that you swear or affirm you are a resident of the state. It does not require that you live here for any certain length of time before registering to vote.

Age Requirements

- ▶ Twenty-sixth amendment ratified in 1971.
- ▶ Provided that the "...right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or any state on account of age."

Other Restrictions

An Amendment to the Voting Rights Act

- ▶ Passed in in 1975.
- ▶ Requires ballots be printed in their language or that interpreters be provided at the polling place to translate the ballots for non-English speaking voters.

Voting Accessibility for the Elderly and Handicapped Act

- ▶ Passed in in 1985.
- ▶ Requires the states to make polling places accessible to elderly and handicapped voters.
- ▶ Also requires states to make voter registration locations and materials accessible to physically and visually disabled persons.

The Americans with Disabilities Act (ADA)

- ▶ Passed in 1990.
- ▶ Requires the government to make its services — including elections and voter registration materials — accessible to persons with disabilities.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)


- ▶ Passed in 1986.
- ▶ Granted the right to vote to:
 - United States Military and Uniformed Services,
 - Merchant Marine,
 - other citizens overseas, living on bases in the United States, abroad, or aboard a ship.

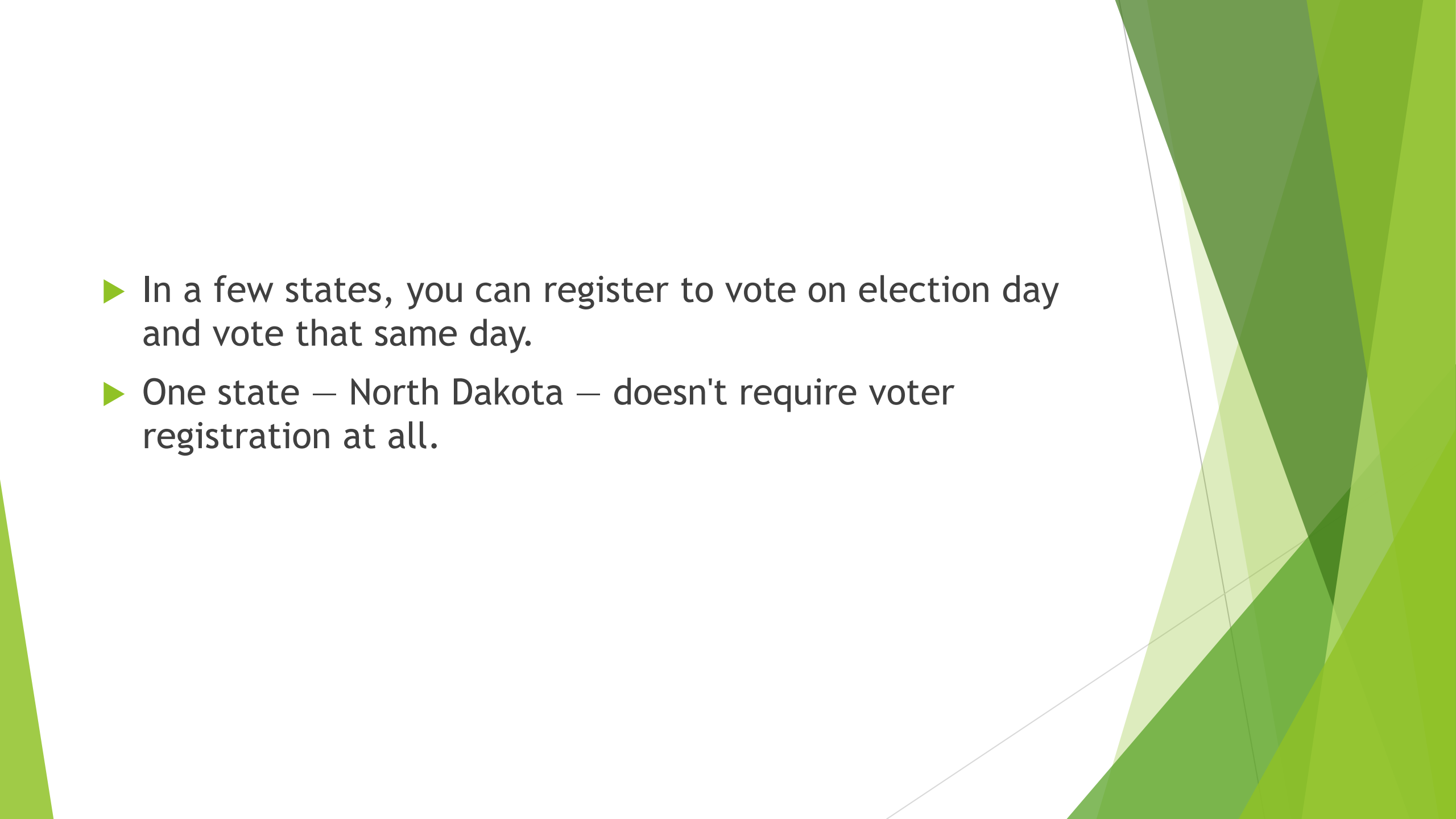
Military and Overseas Voter Empowerment Act (MOVE Act)

- ▶ Enacted in 2010
- ▶ Significant amendments to UOCAVA
- ▶ Requires that states provide absentee ballots to covered voters not fewer than 45 days prior to elections for federal offices.

The National Voter Registration Act

- ▶ Passed in 1993.
- ▶ Requires the states to make their voter registration rules more uniform.
- ▶ Allows voter registration by mail.
 - Available in most states.

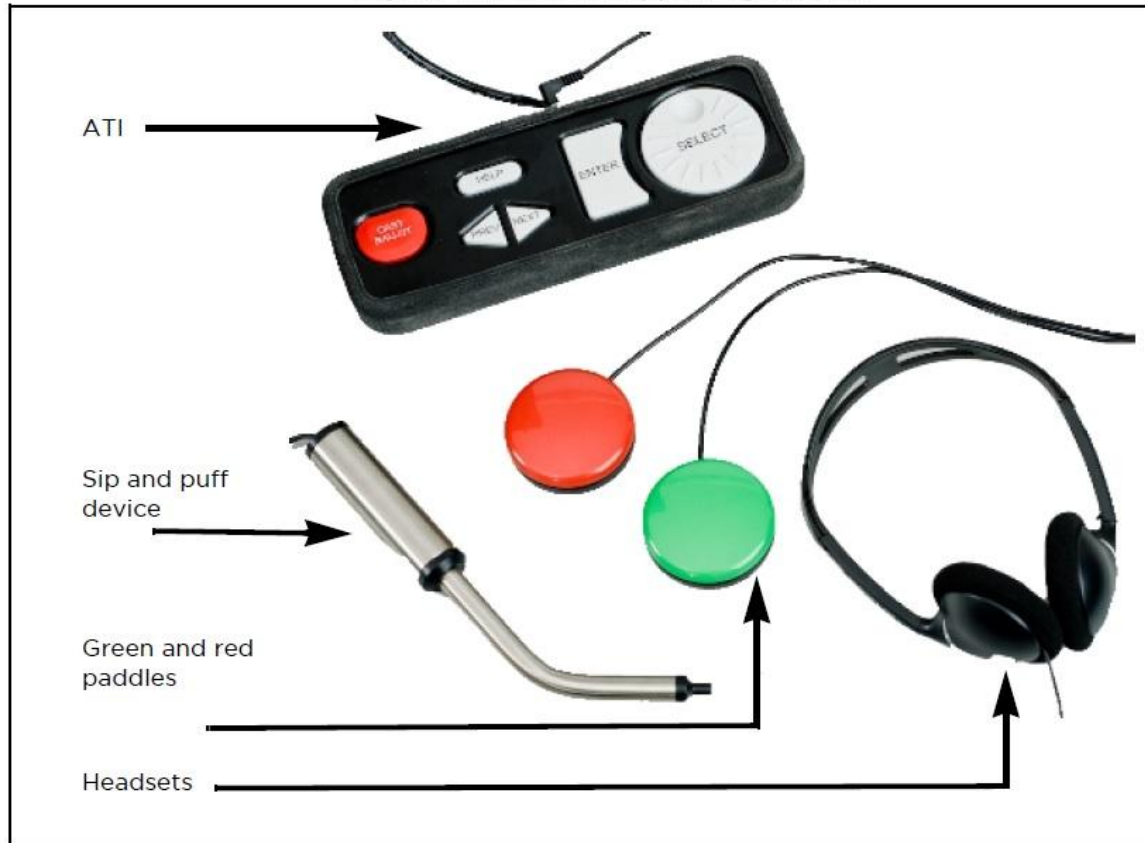
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- ▶ Allows voter registration when obtaining a driver license
 - Available in most states.
 - Available for people 18 or older.
 - ▶ Allows voter registration when applying for certain kinds of help from government agencies.

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- ▶ In a few states, you can register to vote on election day and vote that same day.
 - ▶ One state — North Dakota — doesn't require voter registration at all.

Help America Vote Act (HAVA)

- ▶ Passed in 2002.
- ▶ Includes many requirements.
- ▶ Includes voting accessibility for persons with disabilities, including visual disabilities.
- ▶ Requires the states to provide a voting system that offers persons with disabilities the opportunity to vote with the same level of privacy and independence as all other voters.

Figure 2. ATI and supporting devices



In Oklahoma, our voting machines are equipped with an Audio Tactile Interface that allows voters with disabilities to listen to the ballot and cast their votes independently.

Election Laws

- ▶ The laws around elections and voter registration are ever-evolving.
- ▶ If you have any questions about election laws or voter registration requirements, contact your County Election Board.

Resources Online

- ▶ Oklahoma State Election Board:
www.oklahoma.gov/elections
- ▶ State of Oklahoma Home Page: www.ok.gov
- ▶ United States Bureau of the Census:
www.census.gov
- ▶ United States Election Assistance Commission:
www.eac.gov
- ▶ Federal Voting Assistance Program: www.fvap.gov
- ▶ National Archives and Records Administration:
www.archives.gov/federal-register/electoral-college/about.html