

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 77

BY REPRESENTATIVE JACKSON

CONGRESS: Memorializes congress to amend and reenact Section 4 of the Voting Rights Act

1 A CONCURRENT RESOLUTION

2 To memorialize the United States Congress to amend and reenact Section 4 of the Voting
3 Rights Act, so that Section 5 of the Voting Rights Act can be fully enforced to secure
4 and protect the right to vote for millions of Americans.

5 WHEREAS, congress enacted the Voting Rights Act of 1965 to prohibit racial
6 discrimination in voting; and

7 WHEREAS, the Voting Rights Act has been immensely successful at redressing
8 racial discrimination and protecting the right to vote for minorities and has been used to
9 block more than a thousand proposed changes to voting laws; and

10 WHEREAS, the United States Department of Justice considers the Voting Rights Act
11 to be the most effective piece of civil rights legislation ever enacted; and

12 WHEREAS, a core provision of the Voting Rights Act is the Section 5 preclearance
13 requirement which prohibits certain jurisdictions from implementing any change affecting
14 voting without first receiving a determination from the United States attorney general or the
15 United States District Court for the District of Columbia that the change does not have a
16 discriminatory purpose or effect; and

17 WHEREAS, Section 4(b) of the Voting Rights Act provided a coverage formula and
18 applied the Section 5 preclearance requirements to jurisdictions encompassed by the
19 formula; and

20 WHEREAS, in 2013, in *Shelby County v. Holder*, 133 S. Ct. 2612 (2013), the
21 Supreme Court of the United States invalidated Section 4(b) of the Voting Rights Act
22 finding that the formula was outdated and therefore an impermissible standard by which to
23 subject any jurisdiction to the preclearance requirements of Section 5 of the Voting Rights
24 Act; and

1 WHEREAS, since *Shelby County v. Holder*, Section 5 of the Voting Rights Act has
2 been enforceable only in jurisdictions covered by a separate court order entered under
3 Section 3(c) of the Voting Rights Act; and

4 WHEREAS, until Congress revises the coverage formula contained within Section
5 4 of the Voting Rights Act to be responsive to current conditions, Section 5 of the Voting
6 Rights Act, an important deterrent to discriminatory election procedures, remains largely
7 unenforceable.

8 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
9 memorialize the United States Congress to amend and reenact Section 4 of the Voting Rights
10 Act, so that Section 5 of the Voting Rights Act can be fully enforced to secure and protect
11 the right to vote for millions of Americans.

12 BE IT FURTHER RESOLVED that this Concurrent Resolution shall not be
13 interpreted or construed to be an expression of support of the provisions of H.R. 3899 by
14 Rep. Sensenbrenner of the 113th Congress, S. 1945 by Sen. Leahy of the 113th Congress,
15 or H.R. 885 by Rep. Sensenbrenner of the 114th Congress.

16 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
17 presiding officers of the Senate and the House of Representatives of the Congress of the
18 United States of America and to each member of the Louisiana congressional delegation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 77 Engrossed

2015 Regular Session

Jackson

Memorializes the U.S. Congress to amend and reenact Section 4 of the Voting Rights Act, so that Section 5 of the Voting Rights Act can be enforced to secure and protect the right to vote for millions of Americans.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original concurrent resolution:

1. Specify that the resolution shall not be interpreted or construed to be an expression of support of specified federal legislation.