



Elections, Election Integrity & Lawfare in 2024

The Fight Over Election Integrity at the Ballot Box & in the Courts

Hyatt Regency San Francisco Airport | May 18, 2024
3:15 - 4:15 p.m. | Cypress C Room
CLE Credit Available (by Cummins & White, LLP)
Cost: Free

Panelists:

- Harmeet Dhillon (RNC National Committeewoman (CA))
- Ashlee N. Titus (Bell, McAndrews & Hiltachk, LLP)
- Fred Whitaker (Chair, Orange County GOP)

Moderator: Garrett Fahy (Chair, Rep. Nat'l. Lawyers Assn., CA)

1. Notable Election Law Litigation & Lawfare (Harmeet Dhillon)

- a. June 2023: [SCOTUS rejects independent state legislature theory](#) in part but allows further challenges to state legislature rulemaking around federal elections
- b. April 2024: SCOTUS [hears Trump's appeal](#) of DC Circuit ruling on presidential immunity, decision in June or July
- c. April 2024: SCOTUS [declines to hear appeal](#) by Senate candidate Kari Lake to ban use of electronic vote counting machines (standing issue)
- d. How Trump's team is allegedly [using campaign committees](#) to funnel campaign funds to his lawyers through intermediary entities and avoid campaign finance disclosures
 - i. Trump campaign committees' disclosures are [here](#)
- e. Nevada: *RNC v. Aguilar* - RNC moving to clean up Nevada's voter rolls, opposition by [progressive and liberal groups](#)

2. Recent Legal Developments in Swing & Other States (Fred Whitaker)

- a. Wisconsin
 - i. Gov [signed bill for new districts](#) that undoes GOP Plan for last decade
 - ii. follows Wisconsin Supreme Court [decision](#) striking down GOP map
- b. Georgia
 - i. Georgia [reprimands Fulton County](#) for scanning ballots twice [in 2020 recount](#)
 - ii. Fulton County election law featured in last season of [Curb Your Enthusiasm](#)
- c. North Carolina
 - i. 3 judge [Panel rejects part of GOP](#) passed law that weakened governor's power over elections and appointed an independent elections board

- d. Arizona -
 - i. [Federal judge strikes down parts](#) of laws dealing with citizenship proof upon registration and citizenship investigations by county elections officials
 - ii. Order [here](#)
 - e. Tennessee
 - i. [Federal judge rules that TN must update its felony voting rules](#) and finds current scheme unacceptable as it wrongly disenfranchised voters no longer under felony convictions
 - ii. Judge's ruling [here](#)
3. California Election Law Legislative Update (Ashlee Titus)
- a. Review of California proposed and passed bills addressing election law changes
 - b. Including Assembly Bills
 - i. AB [1784](#), AB [2050](#), AB [2249](#), AB [2355](#), AB [2642](#), AB [2655](#), AB [2839](#), AB [2915](#), AB [3184](#),
 - c. Senate Bills
 - i. SB [929](#), SB [1174](#), SB [1450](#) and
 - d. [SCA 1](#)
 - e.
4. Federal Election Law Bills & Developments (Garrett Fahy)
- a. New Bills
 - i. [Electoral Count Reform Act of 2022](#) sets new deadlines on election certification and reporting
 - ii. Bill text is [here](#)
 - iii. What it means for the states [here](#)
 - iv. [Ten other states](#) have passed laws to bring their state laws into compliance with ECRA
 - b. House:
 - i. [Equal Representation Act](#) passes House: adds citizenship to census question to ensure only citizens are counted for apportionment of House seats in next census
 - ii. [new poll](#) shows immigration remains country's top political concern
 - c. Senate
5. Status of Notable State Election Law Reforms (Garrett Fahy)
- a. Georgia Senate Bill 202 -
 - i. Full [Text here](#); signed by Gov. Brian Kemp on March 31, 2021
 - ii. [Provisions](#) go in to effect July 1, 2021
 - iii. 16 key [provisions here](#)
 - iv. Lawsuit [filed by DOJ](#) on March 29, 2021 challenging bill, case was consolidated with other cases, remains ongoing
 - v. Current status: [pending motion for summary judgment](#) by GA State officials/RNC
 - b. Texas law - SB 1 (Formerly SB 7)
 - i. Text and history [here](#)
 - ii. What it would do [here](#)
 - iii. Gov. Abbot signed [bill on September 7, 2021](#)
 - iv. Lawsuit filed against bill September 7, 2021, *Houston Justice, et al v. Gregory Wayne Abbott, et al* W.D.Tex. 5:21-cv-00848-XR

- v. [DOJ filed lawsuit](#) on Nov. 4, 2021 against the bill
- vi. *Houston Justice* case consolidated with *La Unin del Pueblo Entero v. Abbott*, No. 5:21-cv-844 (W.D. Tex.), remains ongoing
- vii. August 2023: federal district court [judge granted MSJ](#) in favor of challengers on their claim that law's [mail-in ballot identification](#) matching provisions violate federal law.
- viii. Trial: September & October of 2023
- ix. February 2024: [closing arguments made](#) in trial of claims