
**State Government Operations &
Accountability Committee**

HB 2305

Brief Description: Changing the voting age.

Sponsors: Representatives Hunt, Williams, Green and Haigh.

Brief Summary of Bill

- Changes the minimum voting age from 18 to 16 years of age.

Hearing Date: 4/8/05

Staff: Hannah Lidman (786-7291).

Background:

Voting Age History

The previous standard minimum voting age of 21 stems from the medieval English age requirement for knighthood. Voting ages throughout the world have historically been attached to the minimum age of military service.

At the time of the adoption of the Fourteenth Amendment to the United States Constitution in 1868, the existing 34 states had already set their voting ages at 21. At that time, the United States Constitution did not contain a national mandatory minimum voting age. Subsequently, every new state entered the union with a voting age of 21 except Alaska (age 18) and Hawaii (age 20) which both entered in 1959.

The amendment to the Voting Rights Act of 1965 extending the franchise to those 18 years of age and older was signed into law by President Nixon on June 22, 1970. In response to a number of state challenges, the Supreme Court ruled in *Oregon v. Mitchell* in 1970 that Congress only had the authority to lower the voting age for federal elections. The Court interpreted Article 1, Section 2 of the United States Constitution to mean that states may set the voting age for state elections as long as it does not conflict with relevant federal constitutional provisions and states are not prohibited from setting the state voting age lower than the federal one.

In 1971, the 26th Amendment to the United States Constitution remedied the bifurcated election system created under *Oregon v. Mitchell* by setting both the federal and state voting age at 18. Washington's minimum voting age was changed from age 21 to 18 by Amendment 63 to the State Constitution in 1974.

Voting Age Legislation

Since 2001, at least 18 states have considered legislation related to voting age. Several states have passed bills allowing persons not yet age 18, but who will be 18 on or by the date of the general election, to register to vote and vote in the primary. Several of these bills proposed lowering the voting age to 17, 16, and 14. In addition, New Hampshire is currently considering limited youth voting in municipal elections, and other states are looking at pre-registration for 16- and 17-year olds.

International Voting Ages

Most nations have voting ages between 18 and 21, with most at 18. Some exceptions include:

- Iran at age 15;
- Nicaragua at age 16;
- Indonesia at age 17;
- Brazil with voluntary voting from age 16-18 and mandatory voting from age 18-70; and
- Austria at age 18 nationally, but at age 16 in some cities and states.

Summary of Bill:

The minimum voting age in Washington is lowered from 18 to 16 years of age. This legislation is contingent on legislative and voter approval of the constitutional amendment in HJR 4213.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2006, if the proposed constitutional amendment (HJR 4213) is approved by the voters at the next general election. If the constitutional amendment is not approved this bill is void.