



Protection of Election Workers

Legislative Action | April 14, 2023

Summary

Since 2021, the number of states proposing legislation to protect their election officials and workers has increased. Many bills would create criminal offenses for harassment or intimidation, ranging from misdemeanors to felonies. Other trends include protecting election officials' personal information, enhancing already existing penalties like fines or jail time, and creating task forces or groups to study threats against election officials.

The following document contains current, active legislation from 2023 sessions, passed legislation, and proposed and failed legislation and their summaries.

Current Legislation

2023

Maryland:

- [HB 951](#): Altering the prohibition against a person from interfering with an election official in the performance of the official duties of the election official and altering the related penalty; prohibiting an individual from making available on the Internet certain information regarding an election official or the election official's immediate family; and authorizing an election worker to submit a certain request to the State Department of Assessments and Taxation to remove certain information from certain records.

New York:

- [AB 4759](#): Enacts the "election workers, voters and polling places protection act" to protect voters, poll watchers, election officials, and any damage to physical property being used as a polling place or by the board of elections; makes violations a class D felony which includes imprisonment of up to seven years.

Texas:

- [SB 293](#): Creates a felony criminal offense for those who threaten election officials; prohibits dissemination of personal information.
- [HB 3510](#): Creates penalties for the intimidation and harassment of election officials. Creates a felony for people who threaten election officials in the performance of their duties.

Minnesota:

- [SF 3](#): Prohibits intimidation, interference, and deceptive practices related to voting or election-related activities. Criminal penalties are provided. A civil remedy to enforce the provisions of this section is established. A person may be held vicariously liable for damages.

Oklahoma:

- [SB 481](#): Provides that using an electronic communication device to knowingly make personal information of an election officer public with a result that places that individual in reasonable fear of death or serious bodily injury will be guilty of a misdemeanor. Any person who, directly or indirectly, threatens or intimidates any election official with the



intent to improperly influence an election will be guilty of a misdemeanor punishable of a fine up to \$1,000 or be imprisonment in the county jail for up to six months, or both.

Indiana:

- [HB 1465](#): Provides that a person commits intimidation, a Level 5 felony, if the subject of the threat or the person to whom the threat is communicated is an election worker.
- [HB 1225](#): Enhances the crime of battery if the victim is an election worker.

Arizona:

- [HB 2728](#): Establishes an election worker harassment task force and require annual reporting, beginning on Jan. 1, 2025, of the number and nature of reported threats against election officers and workers.

North Carolina:

- [SB 313/HB 372](#): Any person who intimidates, threatens, coerces, or attempts to is liable to civil damages up to \$100,000.

Connecticut:

- [HB 6410](#): Establishes a working group to study the issue of online harassment of individuals and make recommendations concerning necessary changes in state law to penalize online harassment of individuals and guidelines for reporting online harassment of municipal and state-elected officials.
- [HB 6507](#): Prohibits intimidation, harassment or threatening of election officials in polling places and provides for criminal prosecution of anyone engaged in such conduct.

Passed Legislation

2023

New Mexico:

- [SB 43](#): Amends the crime of intimidation to include acts against election officials and employees and agents of the secretary of state, county clerks and municipal clerks.

2022

Colorado:

- [HB 1273](#): Makes it unlawful for a person to threaten, coerce, or intimidate an election official with the intent to interfere with the performance of the official's duties or with the intent to retaliate against the official for the performance of the official's duties. Prohibits a person from making the personal information of an election official or an election official's immediate family publicly available on the internet if the person knows or reasonably should know that doing so will pose an imminent and serious threat to the election official or the election official's immediate family.

Maine:

- [HP 1354](#): provides that a person commits a Class C crime if that person intentionally interferes by force, violence or intimidation or by any physical act with a public official who is in fact performing or the person believes is performing an official function relating to a federal, state or municipal election. Current law provides that a person is



guilty of obstructing government administration, which is a Class D crime, if the person intentionally interferes by force, violence or intimidation or by any physical act with a public servant performing or purporting to perform an official function.

New Hampshire:

- [SB 405](#): prohibits intimidation, coercion, violence, or threats against election officers. Makes violations a class B felony.

Oregon:

- [HB 4144](#): allows election worker exempt from public disclosure. Prohibits harassment against an election worker. Harassment is classified as a Class A misdemeanor.

Massachusetts:

- [S 2924](#): allows a city or town, at the discretion of its election officials, to detail police officers to early voting sites to preserve order and protect local election officials and workers from any interference with their duties.

California:

- [SB 1131](#): allows election workers to keep their home addresses confidential.

Vermont:

- [S 265](#): Enhances penalties for threats carried out at polling places and enhances penalties for threats designed to terrify, intimidate, or unlawfully influence candidates for public office, public servants, election officials, and public employees.

Proposed & Failed Legislation

2023

Wyoming:

- [HB 139](#): Creates a criminal offense for intimidation of election officials beginning July 2023. Protects against distribution of personal information.

2022

New York:

- [A 10687](#): Enacts the "election workers, voters and polling places protection act" to protect voters, poll watchers, election officials, and any damage to physical property being used as a polling place or by the board of elections; makes violations a class D felony which includes imprisonment of up to seven years.
- [A 9257](#) and [S 9267](#): Includes within the class D felony of assault in the second degree, the intentional causing of physical injury to an election officer while such person is performing their assigned duties; amends aggravated harassment and obstruction of governmental administration to include election officers.

North Carolina:

- [SB 916](#): Increases penalties for people who intimidate, threaten, or coerce election workers. Allows for possible fine of \$100,000 and/or 5-year prison sentence.



Minnesota:

- [HF 3666 and SF 4217](#): Prohibits intimidation of election officials.

New Mexico

- [SB 144](#): Amending the crime of intimidation to include acts against election officials and employees and agents of the secretary of state, county clerks and municipal clerks.

Maryland:

- [SB 956](#): Expands prohibition on making threats to include election officials.

Vermont:

- [S 230](#): Provides an enhanced penalty for the criminal threatening of election officials, public employees, and public servants.

2021

Washington:

- [SB 5148](#): Prohibits harassment of election officials and makes harassment a class B felony.

Michigan

- [HB 5282](#): Prohibits intimidating an election inspector or preventing an election inspector from performing his or her duties. Makes violation of the crime a misdemeanor punishable by imprisonment for up to 90 days or a \$500 fine, or both.