

How to Work With State Legislators

A Guide for Local Election Officials



The National Conference of State Legislatures is the bipartisan organization dedicated to serving the lawmakers and staffs of the nation's 50 states, its commonwealths and territories.

NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues, and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

- Improve the quality and effectiveness of state legislatures.
- Promote policy innovation and communication among state legislatures.
- Ensure state legislatures a strong, cohesive voice in the federal system.

The conference operates from offices in Denver, Colorado and Washington, D.C.

The U.S. Election Assistance Commission helps election officials improve the administration of elections and helps Americans participate in the voting process.

The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). The EAC is an independent, bipartisan commission charged with developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines and serving as a national clearinghouse of information on election administration. The EAC also accredits testing laboratories and certifies voting systems, as well as audits the use of HAVA funds.

Other responsibilities include maintaining the national mail voter registration form developed in accordance with the National Voter Registration Act of 1993.

The four EAC commissioners are appointed by the president and confirmed by the U.S. Senate. The EAC is required to submit an annual report to Congress as well as testify periodically about HAVA progress and related issues. The commission also holds public meetings and hearings to inform the public about its progress and activities.

How to Work With State Legislators

Local election officials are each state’s election experts, and their perspectives can be instrumental in crafting effective, administrable election legislation. This brief guide outlines five key principles to empower local election officials to embrace an educational mindset and engage with legislators and the legislative process.

Legislative Activity on Elections

Year	Election Bills Introduced	Election Bills Enacted
2022	2,120	280
2021	3,677	292
2020	3,345	389
2019	2,953	367
2018	2,555	336

Source: NCSL’s State Election Legislation Database.



Understand Legislatures and the Legislative Process

In the United States, there are 99 state legislative chambers, with 7,386 legislators and over 30,000 legislative staff. Yet state legislatures vary widely from state to state, with differences in the number of legislative members and staff, session lengths, procedures, political makeup and so on. Be sure to familiarize yourself with your state legislature’s unique characteristics—NCSL’s [Legislatures at a Glance](#) resource can help. Also take the time to identify the legislators that serve your community and the legislative committees that oversee election laws and funding in your state. Each chamber has an election committee, and the names vary by state and sometimes chamber.

LEGISLATIVE PROCESS

In all states except Nebraska, which has a unicameral legislature, the legislative process follows this predictable path:

1. A legislator has an idea and drafts (or asks legislative staff to draft) a bill.
2. The legislator introduces that bill.
3. The bill is assigned to a committee based on topic.
4. The committee holds public hearings.
5. Members of the committee debate the bill’s merits and act on the bill (i.e., approve it, either as is or amended, or kill it).
6. If approved, the committee sends the bill to the Senate or House floor where legislators debate the bill’s merits, possibly amend it and vote it up or down.
7. If the bill is approved, it then goes to the other chamber, where the process is repeated.
8. If the bill is amended during consideration by the second chamber, the changes must be approved by the first chamber, and it may go to a conference committee to resolve differences between the two versions.
9. Once enacted by the legislature, the governor may sign it, veto it or in some states, let it become law without explicit approval through signature.
10. If the governor vetoes the bill, the legislature can let the veto stand or attempt to override it.



LEGISLATORS

The nation's 7,386 state legislators are elected to represent the constituents in their districts. Most legislators are policy generalists, not experts, though some have expertise in one or more policy areas. Regardless, they vote on issues from A to Z—agriculture to zoning—while trying to navigate multiple constraints, such as:

- A steep learning curve. About 20% of legislators are new after each election, and it is a challenge to learn about all the policy issues brought before them, as well as the budgeting and legislative processes.
- Information overload. Legislators make decisions about hundreds of policy topics each session. On average, over 109,000 bills are introduced in legislatures across the country each year. While not all legislators are deeply involved with every bill, they do need to know enough to vote.
- Term limits. In the 16 states with term limits, only a small number of legislators are likely to have institutional memory and deep policy knowledge.
- Limited public resources. Legislators must make tough choices when allocating limited resources across competing priorities.
- Competing priorities. Many legislators may also hold a job outside of the legislature, and they must manage constituent service responsibilities, as well.

Some legislators hold leadership positions within the legislature. They generally are the speaker of the house, speaker pro tempore, senate president, senate president pro tempore, majority and minority leaders and whips, and caucus and committee chairs. Knowing leaders' agendas can help you identify shared policy priorities and determine which proposals are most likely to gain support.

LEGISLATIVE STAFF

Legislative staff also play important roles in the legislative process. Many legislatures employ permanent, nonpartisan and sometimes partisan professional staff to conduct research on policy issues, draft legislation, manage standing committees and more. Legislatures also have legal staff, librarians and fiscal analysts. Permanent professional staff, particularly in the 16 states with term limits, are the keepers of institutional memory.

Some legislators also have personal staff who, like the lawmakers, come and go with elections. These personal staff often will be your first point of contact. They convey information to legislators and schedule in-person or phone meetings for them.

For more details on the legislative process, its players and rules, see NCSL's civic education resource, [Learning the Game](#).

Legislative Terms

AMENDMENT: Any proposed alteration to a bill that would add, delete, substitute or omit language in that legislative document.

- Committee amendment: An amendment offered by a legislative committee.
- Floor amendment: An amendment offered to a bill presented by a legislator while that document is being discussed on the chamber floor.

BILL: Draft of a proposed law presented to the legislature for consideration.

CHAMBER: Official hall for the meeting of a legislative body. Also used to refer to the legislative body itself.

COMMITTEE: A formal subset of the chamber appointed by the presiding officer (or another authority specified by the chamber) to consider and make recommendations concerning disposition of bills, resolutions and other related matters.

- Conference committee: A committee composed of members from the two chambers specifically appointed to reconcile the differences between House and Senate versions of a bill or bills.
- Interim committee: A committee established to study or investigate certain matters between annual or biennial legislative sessions and to report to the next regular session.
- Joint committee: A committee composed of members from both chambers.
- Standing committee: A committee appointed with continuing responsibility in a general issue area or field of legislative activity.

HEARING: A formal opportunity usually scheduled by a committee to hear and debate a bill, often with public input.

HOUSE: Generic term for one of the two chambers that comprise a legislature; usually the body in a bicameral legislature that has the greater number of members; shortened name for House of Representatives or House of Delegates.

SENATE: One of the two chambers that comprise a legislature; usually the body in a bicameral legislature having the fewer number of members.

SESSION: The period during which the legislature meets; also, the daily meeting of the Senate or House.

- Regular session: The annual (or biennial) meeting of the legislature required by constitution.
- Special session: A special meeting of the legislature that is called by the governor (or the legislature itself) and limited to specific matters.

VETO: Action by the governor to disapprove a measure.

VETO OVERRIDE: Vote by the legislature to pass a bill over a governor's veto.

See NCSL's [Glossary of Legislative Terms](#) for more information.



Embrace an Educational, Rather than Administrative, Mindset

Election officials typically operate with an administrative mindset—thinking about the practical steps necessary to run an election, implement a new policy or answer voter questions—but when working with lawmakers, try to embrace an educational mindset instead.

Even though legislators have first-hand experience running in elections, they are unlikely to be familiar with the details of how elections are run or how policies look in practice. By providing the behind-the-scenes perspective on everything from voter registration processes to training poll workers and conducting a post-election audit (all frequent topics of legislation!), election officials can help inform the laws that are created.

Approaching these conversations as policy implementer to policymaker may help keep the focus on the elections process, not politics. With an educational mindset, election officials can use their role and expertise to explain procedures and advocate for the importance of the electoral process and the work done by election offices. Remember, too, that your perspective on specific bills can help avoid unintended consequences and ensure the legislation is administrable.

The circumstances of an election official's role—elected vs. appointed—will affect what kind of educational or advocacy activities can be undertaken and with what level of autonomy; election officials may also have greater impact by working through their state associations.

Options for Educational Outreach

Election office tours: Invite local and key legislators to tour your operation, get to know you and your staff, and ask any questions about how elections are run.

“Legislative Days”: Collaborate with other election officials to host a “Legislative Day” at the capitol to discuss election administration needs with lawmakers before or during session.

Community election meetings: Host a community meeting with your local legislators to highlight upcoming or recent election administration legislation and any other election community needs, such as recruiting poll workers.

One-on-one meetings: Establish brief, periodic meetings during session to discuss election legislation, funding or other requirements with your legislative allies.



Build Relationships

Before you can help lawmakers develop effective election policies, you must first develop relationships with key legislators. While many local election officials may start with lawmakers from their district because of their shared constituency, you could consider developing relationships with a wider group of legislators to ensure that your expertise reaches the most appropriate decision-makers. That includes legislators who champion election issues, chairs of the legislature's election committees and even all members of the election committees.

To develop relationships, consider both going to legislators and bringing them to you. Go to key lawmakers' town halls and other events, introduce yourself and solicit their questions. Invite these policymakers to any election events you're hosting, such as logic and accuracy testing, and—of course—to tour your operations.



Tours, alongside your step-by-step explanations, can demystify the elections process and illustrate its built-in security and accuracy checks. In these early interactions, be sure to emphasize the nonpartisan and bipartisan nature of your work serving all voters, especially if you are a partisan elected official. While phone, email and social media are all useful means of communication, in-person interactions tend to be the most memorable.

Be open to relationships with anyone in the legislature. Even in a hyperpartisan world, who your potential allies are may surprise you. A legislator of a different political party may be open to your input as an election administrator, and lawmakers who have not been engaged on election legislation may be inspired to dive in after making a connection with you.

Building these relationships takes patience and persistence. Do not be afraid to reach out to legislators multiple times by multiple means (email, phone, social media, in person, etc.) and be willing to play the long game—it’s possible that your offers to “chat elections” may go unheeded until the legislator urgently needs your expertise, but by then they will know you are someone they can consult.

Legislative staff are key players, too. Establishing an open channel of communication with those who draft bills and staff election committees can help ensure bill language is clear and avoids any unintended consequences. Getting to know legislators’ personal staff is also useful, since they are the ones who schedule meetings and, if a meeting is not possible, can convey your input directly to the lawmaker.

Think outside of the legislature, as well, and look for coalition-building opportunities that can amplify your perspective when communicating with policymakers. Some of the best resources for this are the state election official associations—getting involved with your state’s organization will facilitate connections with other election officials and, often, provide access to an already-established structure for collectively addressing lawmakers. Keep in mind your state’s chief election official and state election director as potential allies, as well.

Developing relationships with other election officials, lobbyists, activists, members of the executive branch, members of local government and community groups may also expand your influence with legislators.



Engage in the Legislative Process

Every legislative body has rules that affect the legislative process, including limits on how many bills a legislator can introduce in a session, deadlines for introducing bills and the process for assigning bills to a committee. Understanding the rules in your state is critical because they determine the timing and flow of bills through the legislative process and shed light on the pressures legislators face.

First, heed the calendar and legislative priorities. When legislators are in session, they must focus on the most urgent issues, with anything else waiting until later—this is especially true in states with short or biennial sessions. It is essential, therefore, to know when your state’s legislature is in session and to reach out to the appropriate legislators with your wish list or offers of tours before session begins when they have more time for learning and connecting.

Do not wait until a bill has been passed to share your perspective on it. Instead, during session, pay attention to the election committee’s hearing schedule and which bills will be heard at which hearings. If you have comments on a bill, share those with the relevant committee members before the scheduled hearing. Your input at this stage, especially on technical matters, will allow the bill to be modified or amended before it moves on to possibly become law. In general, the earlier you provide feedback, the easier it is to incorporate into the legislation.

If you can, attend the hearings of bills that will affect election administration—especially if they seem likely to progress through the chamber and if you have opinions about the proposed changes. Only during committee hearings can anyone present testimony on pending legislation. Committee hearings are also the only opportunity that legislators have to publicly ask questions of the proponents and opponents of pending legislation.

Consider testifying (orally, in writing or both) at committee hearings. That may mean taking a position on the bill(s) being heard or specific provisions within it, but it could also mean explaining how the changes would affect your office. Sometimes that practical, on-the-ground perspective can be illuminating for policymakers. Before doing so, however, make sure you review your state’s rules for presenting testimony—while the process may seem cumbersome, the committee rules were designed to protect against a rush to judgment and ensure policies are reviewed by many people before going into effect. Each legislature’s

committee rules are different and can change between sessions, so consider contacting the legislative staff member who serves the committee for guidance. While testimony often occurs in person, opportunities for remote participation have increased since the Covid-19 pandemic; see NCSL's resource on [Remote Public Participation in Committee Proceedings](#) for an overview of state approaches, but be sure to confirm with legislative staff in your state.

Even if you choose not to formally testify before a committee, keep in mind that informal communications (via email, social media, phone calls, letters and in-person conversations) may be used by legislators who testify on behalf of a bill—so consider how and when you share your perspective in advance of the hearing. Know, too, what rules or other restrictions (such as anti-lobbying laws) may limit your engagement on legislation, and act accordingly.

Be tactical and practical. Remember that bills can evolve as they go through the legislative process: If there is legislation that you generally support except for a few particulars, you can “support with amendment.” And if you know a proposed change might have ripple effects throughout the state’s election code, note those conflicts or inconsistencies in related statutes and share them with the sponsor or committee so they can be addressed.

For more details on how legislative processes and rules work—and how they vary—see NCSL’s civic education resource, [Learning the Game](#).



Communicate Effectively

Local election officials have deep knowledge of how elections work that can benefit legislators as they make policy decisions—but election officials must translate that expertise into effective communication.

Know your audience. Most legislators, even those who care passionately about elections, only spend a sliver of their attention on elections; they’re also on other committees, sponsoring other bills, serving their constituents, perhaps campaigning again and sometimes holding down another job. They are busy people, and they want to be problem solvers. How you communicate with them must take all this into account.

Be clear and concise when talking about elections. Avoid jargon, including acronyms and other insider knowledge. Have specific, rather than general, requests. And be prepared for different amounts of their time with different length pitches. Consider the “bite, snack, meal” approach: A bite-size pitch takes less than a minute, a snack is a five-minute chat, and a meal is a substantive 20-minute (or more) conversation. Be ready for all three.

Preparation is key. Especially when advocating for or against legislation, be prepared to explain the problem and the specific solution you’d like to see. Arm yourself with useful anecdotes, data and financial information (such as how much it costs to run an election and where your funds come from), and take the time to anticipate legislators’ questions (or objections) and have answers at the ready.

Know how to persuade. While legislators often have widely different priorities, there are a few safe bets when it comes to motivating factors. Financial savings tops the list, and local election officials have unique insight into election costs and potential unfunded mandates—so be prepared to discuss issues such as unexpected costs, how a requested change could save money, now or in the long run, etc. Also consider how the change could help the lawmaker look like a problem solver. Know which issues are particularly important to the legislator and their constituents and make a case for how the change helps them. Bottom line: Election officials will need to do the work to show legislators why they should care.

Pitch Sizes



Bite: Less than a minute.



Snack: A five-minute chat



Meal: A 20-minute conversation.

Legislators' time and attention varies, so be prepared for all three.



Conclusion

Local election officials' experience and expertise are invaluable resources for legislators, and it is essential to let them know you are available to inform or support their work. Proactively build relationships with lawmakers and deliberately engage with the legislative process to ensure that your state's policies can best meet the needs of voters, election administrators and legislators alike.

For more information, contact the NCSL Elections and Redistricting Program, elections-info@ncsl.org, or the U.S. Election Assistance Commission, clearinghouse@eac.gov.

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