Digest: Dual County Elector Act of 2026 (House Bill 26-001)

Executive Summary

House Bill 26-001, titled the **Dual County Elector Act of 2026**, establishes a framework for qualified residents of the State of San Andreas who maintain more than one lawful residence to participate in local elections in multiple counties. The Act seeks to address the civic engagement of specific demographics—such as students, seasonal workers, and individuals in shared custody arrangements—who maintain legitimate ties to two distinct jurisdictions.

To preserve the "one-person, one-vote" principle, the Act mandates the creation of the **Dual-County Elector Information System (DCEIS)**. This centralized system is designed to automatically suppress duplicate votes in federal, statewide, and overlapping legislative contests, while permitting dual participation in non-overlapping local and district-specific matters. The Act expressly prohibits interstate dual voting and establishes strict eligibility and application requirements to prevent fraud.

Legislative Intent and Rationale

The General Assembly of San Andreas identifies a segment of the population that is currently forced to select a single county for voting purposes despite having "legitimate, continuous civic engagement" in multiple jurisdictions.

Key Demographics Identified

- **Students:** Individuals maintaining both a campus residence and a parental home.
- **Seasonal/Employment-Based Residents:** Workers, contractors, or medical personnel residing part-time in different counties for work.
- **Shared Households:** Residents in shared custody or blended household arrangements.
- **Caretakers:** Personnel residing part-time in multiple counties to provide care.

Core Legal Principles

The Act asserts that local elections (municipal, county, school district, and special district) represent separate political subdivisions. Participation in these distinct jurisdictions does not violate constitutional voting principles provided that:

https://saleg.uscgov.com/bd/hb26-001

1. Only one vote is cast for each specific office.
2. Duplicate contests are suppressed.
3. Legislative district contests are only counted when the districts do not overlap.

Defining Dual-County Elector (DCE) Status

The Act provides specific definitions to distinguish between residency types and voting jurisdictions.

Term	Definition
Lawful Residence	A physical dwelling where an elector regularly sleeps, maintains property, receives mail, or maintains a continuous presence.
Primary County	The county of longest continuous residence, or the county chosen by the elector if residency in both started simultaneously.
Secondary County	The second county where an elector maintains a lawful residence and is certified to vote.
Statewide Election	Races for Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, statewide ballot measures, and federal offices.
Local Election	Races for municipal, county, school district, and special district offices or local ballot measures.

The Certification Process

Certification as a Dual-County Elector is not automatic and requires a formal application process verified by both involved counties.

https://saleg.uscgov.com/bd/hb26-001

Application Requirements

- **Documentation:** Proof of lawful residence in both counties and documentation establishing residency start dates.
- **Sworn Affidavit:** An affirmation of the accuracy of claims and an acknowledgment that duplicate voting for statewide or federal offices is illegal.
- **Student-Specific Provisions:** Recognizing that students may lack traditional leases, the Act allows for alternative documentation, including:
  - Transcripts or university housing letters.
  - Financial aid documents.
  - Institutional mail (registrar, bursar, etc.).
  - Two envelopes from different senders addressed to the residence, dated at least 30 days apart.

Duration and Revocation

- **Term:** Certification is valid through two general elections (not exceeding four years).
- **Revocation:** Status is revoked if a residence is abandoned, fraud is discovered, or the elector requests removal.
- **Updates:** Electors must notify the Secretary of State of any residency changes within 20 days.

Election Mechanics and the DCEIS

The **Dual-County Elector Information System (DCEIS)** is the technological backbone of the Act, maintained by the Secretary of State to track certification and prevent duplicate voting.

The "First Ballot Controls" Rule

To manage duplicate contests (statewide, federal, or overlapping legislative districts), the Act establishes a chronological priority system:

- The first ballot reported as received in the DCEIS determines which votes are counted.
- If ballots are received simultaneously, the ballot from the **Primary County** takes precedence.
- The system must automatically suppress duplicate contests from the second ballot while ensuring local-only contests are never suppressed.

Legislative District Contests

- **Overlapping Districts:** (e.g., House District 12 appearing in both counties) Only one vote is counted.

- **Non-overlapping Districts:** (Distinct constituencies) Both votes are counted.

Limitations and Legal Enforcement

Residency Restrictions

- **In-State Only:** Only residences within San Andreas qualify. Out-of-state residences are expressly excluded.
- **Two-County Limit:** Even if an elector maintains residences in three or more counties, they may only be certified in two (one Primary, one Secondary) per certification period.
- **Change Restrictions:** The Primary County cannot be changed within 45 days of any statewide, federal, or legislative election.

Offenses

The Act distinguishes between technical suppression and intentional fraud:

- **Automatic Suppression:** A DCE is not guilty of an offense if the DCEIS automatically removes duplicate contests.
- **Felony Offense:** Knowingly attempting to override, evade, or manipulate the DCEIS suppression system is a felony.
- **Federal Compliance:** The Act emphasizes that electors remain responsible for federal law compliance. Section 6(d)(I) states: *"For avoidance of doubt, nothing in this Act shall be interpreted to authorize or permit an elector to cast a ballot for any federal office in more than one state."*

Implementation Timeline

- **Effective Date:** 12:01 a.m. on the day following the 90-day period after the general assembly's final adjournment.
- **Veto Provision:** If a veto petition is filed, the Act must be approved by voters in the November 2027 general election, taking effect upon the Governor's official declaration of the vote.

Awaiting Signatures from:

- **Benjamin Harrison**, President of the Senate
- **Brooklynn Suarez**, Speaker of the House of Representatives
- **Isabel R. Payne**, Governor of the State of San Andreas

https://saleg.uscgov.com/bd/hb26-001