

How State Legislators Can Protect Election Integrity and Security

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Issue Overview

The federal government is retreating from its role of coordinating election security support and oversight. At the same time, state lawmakers are [stepping up to ensure](#) that elections remain secure, accessible, and trusted. These efforts reflect a growing movement among states to assert their authority, protect democratic institutions, and maintain public confidence in elections.

This issue brief outlines state legislators' core tools to strengthen election security and integrity — legislation, oversight and investigatory powers, strategic communications, and partnerships with other state government officials. It is intended to serve as a practical reference for deploying state authority to defend election systems and the right to vote.

Background

The 2026 elections will take place amid escalating threats to election integrity and new efforts by the Trump administration to undermine both the security of election systems and the ability of officials to defend them.

The [federal government is retreating](#) from its role as a central hub for election security, leaving state and local officials with fewer resources and partners at a time of heightened risk. Key developments include:

- reduced [staff and support](#) at the U.S. Cybersecurity and Infrastructure Security Agency (CISA), as the agency deprioritizes training, risk assessments, and incident response for state and local election officials;
- the termination of [funding](#) for the Multi-State Information Sharing and Analysis Center and the Elections Infrastructure Information Sharing and Analysis Center, national information-sharing networks that also provided low- or no-cost cybersecurity tools to election offices;
- the disbanding or politicization of [federal entities](#) that monitor and analyze foreign interference;
- cuts to election security grants and [new conditions](#) on remaining funds that require compliance with President Trump's executive order on elections; and
- weakened deterrence against election-related threats, as the administration supports and pardons [individuals](#) who sought to interfere with election processes.

At the same time, the administration is [laying the groundwork](#) for direct interference in state and local election systems:

- A March 2025 [executive order](#) directed the independent Election Assistance Commission to decertify current voting systems, commanded the Department of Homeland Security to report on voting machine security, and instructed the attorney general to prioritize prosecutions of alleged election crimes, echoing Project 2025 [recommendations to target](#) election officials who expand voter access.
- The president pledged to issue [new executive orders](#) to restrict mail voting, ban certain voting machines, and impose national voter ID requirements.
- The administration deployed the National Guard and federal law enforcement officers in major cities to aid in mass deportation efforts, raising [additional concerns](#) about interference and voter intimidation.

In this environment, states must serve as the critical line of defense to ensure elections remain secure, accessible, and trusted.

What State Legislators Can Do

Legislation

One of the most effective ways for state lawmakers to strengthen election security is through legislation. They can introduce bills to safeguard voting systems and technology and protect election workers from intimidation and threats of violence. They can also use fiscal notes to highlight the impact of federal funding changes and introduce resolutions to raise awareness about election integrity. Even if not enacted, such bills help inform people of the challenges facing elections and demonstrate legislative leadership in maintaining secure and trusted elections. The following recommendations and examples demonstrate how lawmakers can strengthen election security through legislation.

Restrict access to voting systems to only authorized personnel and require election officials to notify the state whenever a third party requests access.

- [California](#), [Colorado](#), and [Minnesota](#) prohibit individuals from accessing voting systems without authorization. In regulations, [Colorado](#) defines an authorized individual as an employee of the election office, a poll worker, an employee of the voting system vendor, or an employee of the state election office performing a task permitted by statute or rule.
- [California](#) requires election officials to notify the state election office whenever the chain of custody of a voting system has been compromised or the security has been breached.

Improve voting system testing and postelection audits to avoid technical failures and prove accuracy.

- [Colorado](#), [Georgia](#), [Nevada](#), [Rhode Island](#), and [Virginia](#) require election officials to complete risk-limiting audits after each election, which provide evidence that election outcomes, not just individual voting machine tallies, are accurate, often while counting fewer ballots than traditional audit methods. Many of these states first authorized risk-limiting audit pilot programs to troubleshoot and refine processes.

Require effective backup plans for polling places to ensure voting can continue during technical failures and other disruptions.

- In case of electronic pollbook failure, [Arizona](#) requires polling places to have a “printed roster or other contingency plan” (such as a nonnetworked electronic list of voters) that election workers can use to continue checking in voters.
- To ensure that polling places do not run out of ballots when turnout is unexpectedly high, [South Carolina](#) requires polling places to have enough ballots on hand for all registered voters plus 10 percent.

Defend election officials from threats and doxing.

- [Michigan](#) and [Oklahoma](#) prohibit individuals from threatening an election worker with intent to interfere with their duties.
- [Virginia](#) and [Washington](#) allow election workers to participate in address confidentiality programs to protect their home address.

Prohibit guns at polling places and strengthen protections against intimidation.

- [California](#) recently passed the [Peace Act](#), which allows election workers and voters to sue people who engage in intimidating conduct at polling places and presumes that the presence of guns in places where elections are being conducted amounts to unlawful intimidation.

Partnerships Across State Government

Legislators have important allies across state government and the ability to bring relevant parties to the table, helping state leaders understand how they can best coordinate to support election security. In some cases, legislative leadership is needed to provide authority and resources for state support networks, as the following recommendations and examples demonstrate.

Establish an interagency election security and preparedness working group to coordinate state support for election security.

- [Montana](#), [New Jersey](#), and [Pennsylvania](#) all use collaborative [election security working groups](#) to coordinate information sharing, support for election officials, and incident response. These working groups include representation from the state election office, IT and cybersecurity agencies, emergency management, and law enforcement.

Work with state agencies to fund cybersecurity tools and services that election officials may no longer have affordable access to following federal cuts.

- [Arizona](#) and [New York](#) fund no-cost tools for local entities, including endpoint management and multi-factor authentication.

Develop and fund an election security navigator program to bolster local capacity.

- State election offices in [Illinois](#) and [Minnesota](#) have dedicated election security professionals who work closely with local election officials to assess the security of their systems, identify potential vulnerabilities, and develop tailored strategies to mitigate risk.

Regulatory and Administrative Action

State and local election officials can strengthen election security through regulations, directives, and operational standards. While these actions are not enacted by the legislature, lawmakers can encourage and support them. Such directives and standards, as seen in the following recommendations and examples, can strengthen election security.

Restrict access to voting systems to only authorized personnel and require election officials to notify the state whenever a third party requests access.

- By directive, [Pennsylvania](#) requires election officials to notify the state election office immediately upon receipt of any written or verbal third party access to voting systems.

Improve voting system testing and postelection audits to avoid technical failures and prove accuracy.

- In recent years, counties in Georgia, Michigan, and Pennsylvania [have seen errors](#) in recording votes or reporting vote totals that election officials could have resolved before voting began through more comprehensive pre-election logic and accuracy testing on voting systems. [Pennsylvania](#) released a directive in response that calls for testing all technology involved in voting processes, including electronic pollbooks, ballot-on-demand printers, ballot marking devices, and tabulating equipment, using ballots that reflect all possible choices and marked by each available method.

Require effective backup plans for polling places to ensure voting can continue during technical failures and other disruptions.

- For polling places that use ballot marking devices or ballot-on-demand printers rather than preprinted paper ballots, [North Carolina](#) requires by directive that polling places have preprinted emergency ballots available that voters can hand-mark if machines break down, in an amount equal to 50 percent of all voters.

Develop election law training requirements for law enforcement officers.

- [Georgia's](#) Peace Officer Standards & Training Council requires all new police officers to complete one hour of [training](#) in election law, including lessons on how police are permitted to engage with election workers and voters if called to respond to an incident.

Investigations and Oversight

Legislators have a range of investigatory tools to assess the impacts of federal policy changes, shape the public record, and promote accountability. Through hearings, working groups, and oversight committees, they can elevate constituent perspectives, gather evidence, and identify policy or operational gaps. Even when not in the governing majority, or when directives are implemented by executive offices or agencies, legislators can use reporting requirements, information requests, and budget oversight to encourage coordination, preparedness, and transparency, as the following recommendations and examples show.

Convene hearings or establish special committees and working groups to investigate alleged attempts at election interference and explore ways to strengthen election security.

- In response to foreign interference in the 2020 election, the Illinois General Assembly created the Illinois Elections Integrity Task Force in 2022 ([HB 1293](#), extended in 2025 by [SB 2456](#)). The task force is made up of state and local election officials, cybersecurity experts, and representatives from the Illinois Emergency Management Agency.
- In 2021, former [Wisconsin](#) State Senator Kathy Bernier convened a Senate Elections Committee [hearing](#) featuring presentations from bipartisan county clerks and state election officials on their responsibilities in administering elections and the measures taken to ensure the integrity of the 2020 results.
- [Kansas](#) convened a Special Committee on Elections charged with studying election integrity topics and making recommendations for the 2024 regular legislative session.

Invite the chief election official to testify, pre- or postelection.

- In 2023, [Michigan](#) Secretary of State Jocelyn Benson testified in favor of two bills ([HB 4129](#) and [HB 4130](#)) increasing penalties for threats to election workers in response to increased reports of harassment and intimidation.
- After the 2020 election, the [Pennsylvania](#) State Senate convened a bipartisan Special Committee on Election Integrity and Reform. This committee invited both state and local election officials to testify in public hearings where they solicited their insight and recommendations for improving election administration. The committee also invited election officials from outside of Pennsylvania to share their perspectives.
- In Virginia, in response to changes in voter roll data management and the state Department of Elections' announce-

ment that the state was leaving the Electronic Registration Information Center, an interstate data-sharing organization, the Virginia House Elections Committee invited Elections Commissioner Susan Beal to [testify](#).

Request a state agency investigation or send letters of inquiry to agencies to request information about election incidents and disruptions.

- In response to reports that registered voters were left off the poll book and voting hours had to be extended for certain polling locations, members of the Pennsylvania State House of Representatives [wrote a letter](#) to the secretary of the commonwealth requesting that he investigate the matter and report his findings back to the General Assembly.

Communications and Public Leadership

Legislators can use their public platform to educate voters on election processes and help build trust in election systems, as evidenced by the following recommendations and examples.

Use press releases, social media, and traditional media (press conferences, press briefings, and op-eds) to share accurate information about elections and preempt election misinformation.

- Former Georgia State Representative Bee Nguyen posted a [video](#) explaining how to accurately fill out a mail-in ballot.
- Wisconsin State Senator Mark Spreitzer issued a [press release](#) responding to a suite of election bills that attempt to ban ballot drop boxes.

Raise visibility about efforts to undermine election security and pressure officials to act.

- The Minnesota Legislature's Inclusive Democracy Caucus [issued statements](#) in response to federal cuts to CISA, highlighting how the loss of federal coordination and investment threatens local election integrity.

Connect with constituents and community stakeholders such as grassroots organizations, faith leaders, and other civic groups to ensure broad dissemination of information.

- In [Colorado](#), state legislators held a town hall with local commissioners and their county clerk to discuss concerns and answer questions about election security and state election integrity protections.
- State legislators in [Michigan](#) and [Pennsylvania](#) held town halls with their state and local election officials for their constituents to attend and learn more about their elections.

Resources Available

- [A State Agenda for Election Security and Resiliency](#) | Brennan Center for Justice and R Street Institute
- [Preparing for Cyberattacks and Technical Failures: A Guide for Election Officials](#) | Brennan Center for Justice
- [Election Officials Under Attack](#) | Brennan Center for Justice
- [Pay-For Cybersecurity Services for Election Officials](#) | Center for Tech and Civic Life, Partnership for Large Election Jurisdictions, and Elections Group
- [Countdown to a State-Led Security Navigator Program to Help Local Election Offices](#) | Elections Group
- [Logic & Accuracy Testing](#) | Elections Group
- [Risk-Limiting Audits](#) | National Conference of State Legislatures