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Page 1 of 2

**Alabama Attorney General Steve Marshall Leads 18-State Coalition  
Defending the Power of State Legislatures over Conducting Elections**

*Alabama-led Amicus Brief Supports Arizona's Right under the U.S. Constitution to  
Set the "Time, Places and Manner" of Holding Elections*

(MONTGOMERY) – Attorney General Steve Marshall announced the State of Alabama is leading an 18-state coalition in defense of state legislatures' constitutional authority to set requirements for elections. The Alabama-led amicus brief was filed today in the U.S. Court of Appeals for the 9th Circuit in support of the State of Arizona in the case of *Arizona Democratic Party v. Hobbs*.

"The U.S. Constitution is unambiguous about the right of state legislatures to determine the manner of holding elections within their respective states," said Attorney General Marshall. "Article 1, Section 4 states that 'the times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof.' Accordingly, state legislatures, not federal courts, are vested with the legal authority to determine state election laws. Court attempts to micromanage election laws duly passed by state legislatures conflict with our constitutional structure and legal precedent."

In the case, *Arizona Democratic Party v. Hobbs*, a district court ruled unconstitutional Arizona's statutory requirement that voters who fail to sign their mail-in ballots must do so by 7 p.m. on Election Day. While acknowledging that the signature requirement represents a minimal burden on voters – 99.9 percent of mail-in voters manage to sign their envelopes – the district court nevertheless ordered the state to extend the deadline for voters to correct their ballots by an extra five days after Election Day. In September, the State of Arizona filed a motion to stay the district court's ruling, and the State of Alabama led a multistate coalition in support of that effort. The U.S. Court of Appeals for the 9th Circuit granted Arizona's stay. The case is now on appeal before that court.

"In addition to being constitutionally empowered to set their own election laws, states have an important interest in having their election results certified quickly in order to promote confidence in the integrity of the election," Attorney General Marshall said. "That interest was demonstrated beyond doubt in the recent election. But the district court infringed on that interest when it required Arizona to allow mail-in ballots to be signed five days after the election was over. That decision must be reversed."



The states joining Alabama in support of Arizona in the case include Arkansas, Georgia, Idaho, Indiana, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas and West Virginia.

*The Alabama-led amicus brief can be viewed [online](#).*