



Support HB 209 & SB 106: Protect State Sovereignty in Texas Elections

Members of the Texas Legislature are seeking to enact legislation that would be a good first step toward nullifying unconstitutional federal interference in state and local elections.

House Bill No. 209 ([HB 209](#)) is sponsored by Representative Mike Schofield (R-Katy), while Senate Bill No. 106 ([SB 106](#)) is sponsored by Senator Bob Hall (R-Edgewood). If enacted, they would separate federal elections from state and local elections, ensuring that any federal election-law changes that conflict with state law won't affect state and local elections.

[Article I, Section 4](#), of the U.S. Constitution only allows Congress to regulate elections for the U.S. House and Senate. Furthermore, authority over elections nationwide is [not an enumerated power](#) granted to Congress in [Article I, Section 8](#).

Furthermore, in [The Federalist, No. 59](#), Alexander Hamilton refuted the notion that Article I, Section 4, contained a broad delegation of power to Congress:

Suppose an article had been introduced into the Constitution, empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power, and as a premeditated engine for the destruction of the State governments?

HB 209 and SB 106 could be strengthened by explicitly [nullifying](#) every unconstitutional federal law, including the Motor Voter Act, Help America Vote Act, and the Uniformed and Overseas Citizens Absentee Voting Act. Under [Article VI](#), any law not "made in Pursuance" of the U.S. Constitution is not "the supreme Law of the Land." State officials, who take an oath "to support this Constitution," are duty-bound to nullify unconstitutional laws.

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However, **HB 209 and SB 106** are a great first step toward enforcing the Constitution and restoring the proper, constitutional balance of power between the states and the federal government.

Contact your state representative and senator, and urge them to support this bill.