



Two Roads Diverge: 2026 Shows Republicans Secure the Vote While Democrats Rewrite the Rules



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This November, voters in five states will decide more than who governs for the next two or four years. They will decide what rules will govern the 2028 presidential election. Arizona, Michigan, Nevada, Pennsylvania, and Wisconsin are perennial presidential battlegrounds with 61 electoral votes between them. Each has divided government today but could become a Democrat trifecta on November 3rd. Virginia's experience in 2026 shows what comes next: Within months of taking full control in January, Democrats expanded ranked-choice voting, reinforced a law allowing mail ballots to arrive three days late, rammed an unconstitutional gerrymander through the legislature, and joined the National Popular Vote scheme to get around the Electoral College.

Across the country, 2026 state legislative sessions split along those same lines. Republican states moved to verify voter citizenship, make voter roll cleanups easier and more efficient, eliminate complex schemes like ranked-choice voting, and strengthen voter ID. Democratic states focused on tearing these safeguards down and stacking the deck for their own advantage. This November, voters in key states will decide which of these agendas sets the rules for 2028. The stakes could not be higher.



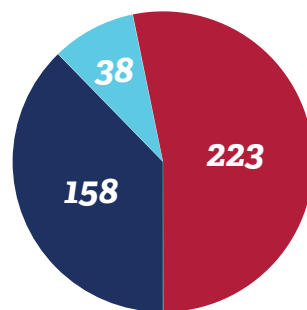
Virginia: what a new trifecta does in one session

Ranked-choice voting, late ballots, a gerrymander, and the popular-vote compact were only part of it. In the same session, Virginia Democrats expanded the state's voting rights act, restricted law enforcement at election sites, commissioned a study of opt-out automatic registration, and put a [constitutional amendment](#) on November's ballot to restore voting rights the moment a person leaves prison. It fits a long-running liberal push to expand the electorate with voting blocs more likely to back Democrats, from [lowering the voting age to 16](#) to [letting noncitizens vote in local elections, as D.C. now does](#).

2026 Overview

According to data from Ballotpedia, 44 states enacted 419 election-related bills by August 14th. Overall, Republican states continued to pass more election-related legislation, but Democratic states gained considerable ground. Democratic trifectas accounted for 37.7% of 2026 enactments, up sharply from 18.6% a year earlier, while Republican trifectas fell from 70.2% to 53.2%. The Democratic bills that accounted for this increase overwhelmingly followed a single agenda: rolling back election integrity.

ELECTION BILLS IN 2026, BY TRIFECTA STATUS



ENACTED BILLS
TOTAL: 419

Source: Ballotpedia data.

■ Republican trifecta
■ Democratic trifecta
■ Divided government

The divide, issue by issue

In the 223 bills they enacted, Republican trifectas continued to concentrate on the fundamentals of secure elections: verifying citizenship, cleaning voter rolls, strengthening voter ID, and banning ranked-choice voting.

Democratic trifectas moved in the opposite direction, and they moved fast. They enacted 158 election bills in 2026, an 82% jump since 2025 and the fastest growth of any bloc. Virginia lawmakers alone passed 31% of all the bills in the Democratic column, and the state serves as the clearest example of the Democratic agenda.

Each of the major Democratic priorities pushes the same way. State voting rights acts move election rules out of legislatures and into court. Automatic registration adds names to the rolls without a voter's request, and often without adequate verification to stop error or fraud. Mail balloting moves voting out of supervised settings and puts more ballots in the hands of the postal service. New limits on the use of citizenship data and fresh curbs on voter list maintenance create challenges for election officials. Democrats defend each move in isolation as improving "access," but together they add up to a coordinated anti-election integrity agenda designed to tilt the playing field for pure political advantage.

Citizen-only voting

Four states, [Florida](#), [Mississippi](#), [South Dakota](#), and [Utah](#), beefed up [citizenship verification](#) requirements in 2026, the most ever in a single year. No Democratic trifectas followed suit.

The public overwhelmingly agrees that only citizens should vote in American elections, and every new voter ought to prove his or her citizenship. Federal law, however, lets a registrant who uses the National Mail Voter Registration Form simply check a box claiming citizenship under penalty of perjury. These registrants must be added to the rolls if they check that box, creating a pipeline for noncitizen voting.

Red states are attempting to limit the scope of this loophole. Utah's new law is an example of a strong approach that fits within current federal law: Require up-front proof-of-citizenship from anyone registering to vote using anything other than the federal form, and limit federal-form applicants whose citizenship cannot be verified to voting

only in federal races. Five states will also decide constitutional amendments in November explicitly barring noncitizen voting. These amendments strip the ambiguity that a handful of localities have seized upon to open municipal elections to foreign participation. Once again there is a clear divide: Republican legislatures in states like [West Virginia](#) and [Arizona](#) referred citizenship measures to the ballot, while Democratic officials fought them. In California, Attorney General Rob Bonta [rewrote the title of the Prop 39 voter ID measure](#), over its sponsors' objections, to read "Prohibits citizens from voting unless they present government-issued identification." In Michigan, Secretary of State Jocelyn Benson, who [called a proof-of-citizenship amendment cover "to gut Michiganders' voting rights," opposed the campaign's bid to force one onto the ballot.](#)

Clean voter rolls

Four Republican trifectas — [Iowa](#), [Louisiana](#), [New Hampshire](#), and [Tennessee](#) — enacted laws requiring or authorizing officials to check voters' citizenship against state or federal data, including the SAVE system; [Kansas](#) and [Kentucky](#) did the same over Democratic vetoes. Voter rolls do not clean themselves, and no election office can find a noncitizen without outside data. Republican states spent the year making sure officials have that data and use it for list maintenance.

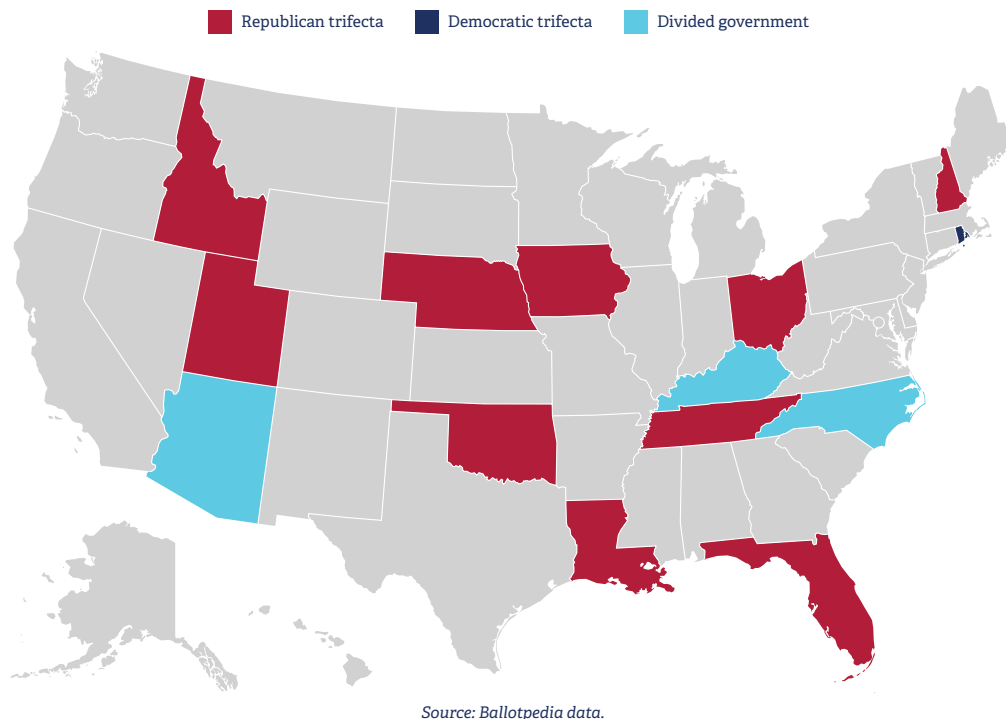
Democratic states, by contrast, maintained reckless policies that bloat voter rolls and make them harder to clean. Virginia lawmakers also enacted [HB 972](#), which bars officials from checking the entire voter roll against SAVE and from using a SAVE match as the sole basis for canceling a registration. [Virginia](#) passed a bill to study an [automatic voter registration](#) system, and [Hawaii](#) enacted one. AVR registers people to vote unless they affirmatively decline to register. AVR has repeatedly been shown to create serious issues for election officials and voters: wrong addresses, duplicate registrations, and ineligible voters added to the rolls. Case in point: earlier this year, New Jersey Governor Mikie Sherrill (D) [admitted](#) that [a software error under her predecessor](#) had automatically registered roughly 6,600 noncitizens, and approximately 400 of them voted.



Voter ID and polling-place security

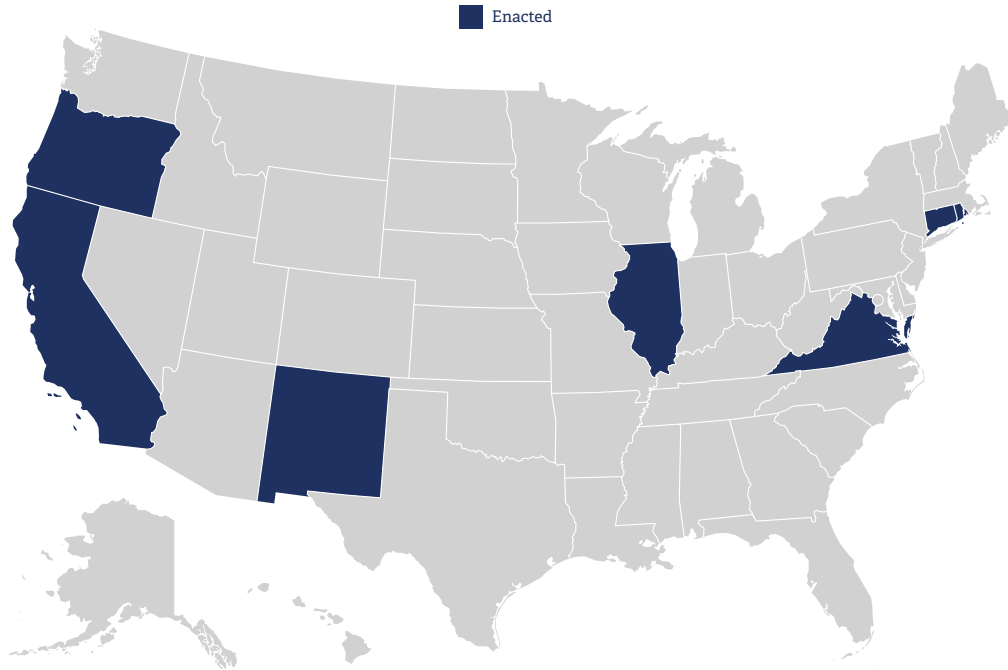
Every Republican state has a voter ID law, and they did most of the work to strengthen ID in 2026: of the 14 states that amended their ID laws, 10 were Republican trifectas. Most narrowed the list of acceptable documents or ended exceptions that let a voter cast a regular ballot without showing ID. [Ohio](#) and [Oklahoma](#) went further, referring their requirements to voters as constitutional amendments; Oklahoma voters ratified theirs 55%-45% in August and Ohio voters will have the chance to do the same this November. Lifting ID into a constitution puts it beyond the reach of a future legislature or a liberal court looking to read it out of existence.

VOTER ID LAW CHANGES ENACTED IN 2026



Democratic trifectas, meanwhile, moved to keep law enforcement away from the polls. [Seven states](#), all Democratic trifectas, enacted 12 bills or resolutions restricting the presence of law enforcement, National Guard members, or immigration authorities at or near election sites. Voter intimidation has been illegal under federal and state law for decades; not one of these bills was necessary. In several states the restriction is written to reach federal immigration authorities, purportedly transforming polling places into sanctuary zones and making election law an obstacle to immigration enforcement.

STATES ENACTING LAWS ON LAW ENFORCEMENT PRESENCE AT ELECTION SITES IN 2026



Source: Ballotpedia data.

Ranked-choice voting

Republican trifectas are banning ranked-choice voting. Virginia's Democrats are entrenching it. [Indiana](#) and [Ohio](#) banned it in 2026, pushing the number of states that ban or restrict it to 19, 17 of them Republican trifectas. In Virginia, SB 176 makes ranked-choice voting a permanent option for any local election and repeals the 2031 sunset that would have ended it. States keep rejecting RCV because it corrodes the things integrity depends on: ballots that do not rank enough candidates are thrown out, tabulation is centralized in a black-box process, and results drag on for days.

Foreign money

Republican states are shutting foreign money out of ballot campaigns. Federal law bars foreign nationals from giving to candidates but does not reach ballot-measure campaigns, which are treated as issue advocacy. A foreign national cannot give a dollar to a political candidate, but he can bankroll a campaign to rewrite a state's constitution or change the rules of elections themselves.

Two states this year ([Iowa](#) and [Nebraska](#)) passed foreign-funding bans based on model legislation developed by the Honest Elections Project. In total, 11 states have passed these bans since 2024. While 25 states have some restrictions on [foreign money in ballot measures](#), those 11 do the real work. What separates these laws from the rest is their focus on *indirect* funds—foreign donations given to a pass-through that then spends on ballot measure campaigns.

One example of this indirect foreign spending is the left-wing [Sixteen Thirty Fund](#), a nonprofit that has simultaneously raised roughly \$280 million from Swiss billionaire Hansjörg Wyss while spending \$130 million on ballot measure campaigns in 26 states. Another surfaced in May 2026, when [Americans for Public Trust](#) asked Missouri's Attorney General to investigate whether the ACLU Foundation violated the state's law by taking a \$2 million grant from the Switzerland-based Oak Foundation, then dumping \$500,000 into a Missouri ballot committee.

Eleven states have closed the door on direct and indirect foreign money in ballot measure campaigns since 2024.

Mail voting and deadlines

Voters [overwhelmingly](#) want mail ballots in by Election Day. Republicans are passing laws to do that, while Democrats are committed to widespread mail voting, late deadlines, and delayed results. [Four states](#) — Kansas (over a veto of the Democratic governor), North Dakota, Ohio, and Utah — restored Election Day receipt deadlines and now require ballots in hand by the time polls close. This policy avoids unnecessary delays and situations where election results flip as late ballots continue to arrive.

Democratic states, by contrast, remain firmly committed to widespread mail voting and lax deadlines. For example, Virginia enacted HB 82 and SB 58 pushing the arrival window to 5 p.m. on the third day after Election Day and giving voters longer to fix defective ballots.

[Connecticut](#) became the 29th state to allow any voter to cast a mail ballot without an excuse, leaving Delaware as the only Democratic trifecta that still requires a reason. A mailed ballot sits outside an election office's custody for days, yet the states widening mail voting have not added the identity checks, tracking, or chain-of-custody rules that would offset the risk.

In June, the Supreme Court held in [Watson v. RNC](#) that federal law does not bar states from counting late-arriving ballots. But what the law allows and what is responsible are two different things, and there is only one responsible choice: ballots in by Election Day.



The map wars Democrats started

Democrats started the map wars. Democratic states routinely enact extreme gerrymanders and Democrat-aligned groups have long used the courts to compel Republican states to create additional Democrat seats under the guise of protecting majority-minority districts. The left redoubled these efforts after the 2020 census. Illinois Democrats carved out a 14-3 delegation, giving 82% of the state's Congressional representation to Democrats in a state Joe Biden carried by just 17 points. New York's map was so lopsided the state's highest court threw it out, and a [Maryland judge struck down that state's map](#). Liberal groups also poured millions of dollars—including foreign-tied funds—into an [Ohio ballot measure](#) in 2024 that aimed to seize control of redistricting before the state redrew maps ahead of 2026. When Texas, Missouri, and North Carolina [redrew mid-decade in 2025](#), Democrats cried foul, but they had pioneered the tactic: New York Democrats [sued their way to a court-ordered redraw in 2023](#), Democratic-aligned litigators forced new maps on [Alabama](#) and [Louisiana](#), and California answered within months with [Prop 50](#), one more Democratic gerrymander.

Virginia shows how far a new Democratic trifecta will go. Its signature item in 2026 was the combination of [HJR 4](#) and [HB 1384](#), a special election to amend the state constitution and immediately adopt a 10-1 map intended to flip four seats to Democrats. To get there, Democrats ran roughshod over numerous procedural and constitutional requirements. Virginia requires constitutional amendments to pass in two separate legislative sessions with an election in between. Democrats first passed this one in 2025, after that year's election had already begun, then again in January 2026. Voters narrowly approved the amendment in April, 51.7% to 48.3%, but [on May 8](#) the Supreme Court of Virginia [voided both the amendment and the referendum, 4-3](#), because the legislature's first vote came after early voting in the 2025 election had already begun. When the rules stood between Virginia Democrats and four more seats, they simply changed the rules.

That trend continued after the U.S. Supreme Court decision in [Louisiana v. Callais](#) put an end to racial discrimination in redistricting. Democrats responded by demanding new and enhanced state voting rights acts to protect race-based redistricting and further shift control over elections from lawmakers to litigators. Three states — [Delaware](#), [Maryland](#), and [New Jersey](#) — enacted new [state-level voting rights acts](#) in 2026, while [Virginia](#) and [Washington](#) expanded existing ones. All 12 of these laws were enacted by Democratic trifectas. The operative provision is the private right of action: advocacy groups can sue a county over its maps, at-large seats, polling-place decisions, or language access on thresholds lower than federal law requires. Many counties simply settle, which gives an organized and partisan litigation network the power to write local election rules that elected representatives are essentially powerless to control.

All 12 state-level voting rights acts in the country were enacted by Democratic trifectas.

The Electoral College end-run

The National Popular Vote may be one of the biggest issues at stake this November, with the potential to radically upset presidential elections as soon as 2028. On April 13, Gov. Abigail Spanberger (D) signed a measure to bring Virginia into the [National Popular Vote Interstate Compact](#), whose members pledge to award their presidential electors to the winner of the national popular vote rather than their own state's result. Virginia's 13 electoral votes brought the compact to 18 states plus the District of Columbia, worth 222 electoral votes. Every member state is a Democratic-leaning jurisdiction, and every governor who has signed it into law has been a Democrat.

The compact purportedly takes effect at 270, so its members need just 48 more electoral votes. New Democratic trifectas in Pennsylvania, Michigan, and Arizona alone — all at risk in November— could carry the compact to 267. Either Wisconsin or Nevada would finish the job before the 2028 presidential election.

The compact is built to neutralize the Electoral College without properly amending the Constitution. Supporters call it a step toward “one person, one vote”; in truth, it would permanently weight presidential elections in favor of the biggest states and heavily liberal metropolitan areas. Any attempt to activate the compact would draw an immediate court challenge, throwing the election into chaos. It is a bid to rig the presidential election by sidestepping the Constitution itself.

What's on the ballot

The pattern is not subtle. One side spent the year making it harder to cast an ineligible ballot and easier to keep the rolls clean. The other spent it dismantling those protections and enlarging the electorate on terms of its own choosing. The tally: 158 bills, 12 litigation-ready voting rights acts, zero Democratic trifectas requiring proof of citizenship. That is the blueprint of a party eager to rewrite the rules to hold power the moment they gain it.

November decides where that blueprint goes next. With 36 governorships and 88 legislative chambers on the ballot, a single flipped seat can hand a trifecta to the other side or break one apart. And the agenda is not finished: Delaware needs only a second vote to erase its mail-voting excuse requirement, and the National Popular Vote compact needs only a few new Democratic trifectas to cross the finish line. In divided states like Arizona, Michigan, Nevada, Pennsylvania, or Wisconsin, a Democratic victory would mean California- and Virginia-style voting “reforms” adopted almost overnight. When voters head to the polls this November they will be voting for more than governors and senators—they may well decide the future of free and fair elections in America.

Source: Bill and enactment data from Ballotpedia. Figures current as of Aug. 14, 2026.