

Minors Voting in Municipal Elections

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Issue

What states authorize minors to vote in municipal elections? Under what authority have municipalities implemented these provisions? Has Connecticut considered any recent legislation that would lower the voting age?

Summary

Generally, the law requires voters to be at least 18 years old in order to vote in federal, state, or municipal elections. However, federal law does not prohibit states from lowering the voting age for state or municipal elections. As a result, we have identified at least nine municipalities in four states (California, Maryland, New Jersey, and Vermont) that authorize 16- and 17-year-olds to vote in municipal elections.

Federal Law

Federal law does not prohibit states from lowering the voting age for state or local elections. [The U.S. Constitution](#) generally gives states the power to conduct certain aspects of federal elections, unless Congress chooses to establish its own requirements ([Art. I, § 4](#)). Until 1868, there was no official federal voting age, thus allowing states to set the voting age. When the [14th Amendment to the U.S. Constitution](#) was adopted, 21 became the official federal voting age (for male voters, in addition to other restrictions that were in effect at the time).

Two states, Georgia (1943) and Kentucky (1955), would later lower their voting age to 18. When Alaska and Hawaii joined the union in 1959, they set the voting age at 19 and 20, respectively, in each of their state constitutions. Congress attempted to lower the voting age for all elections in

1970, but the U.S. Supreme Court struck down the measure as unconstitutional only as it applied to state and local elections.

In response, states convened and adopted the [26th Amendment to the U.S. Constitution](#) in 1971, establishing 18 as the new voting age for all elections. This prohibits states from raising the voting age above 18, but not expressly from lowering it. However, federal law still assumes that voters are 18 years of age or older. For example, federal law requires registrants to note on a voter registration form whether they will be 18 years of age on or before election day ([52 U.S.C. § 21083\(b\)\(4\)\(A\)\(ii\)](#)).

State Law

Both the Connecticut constitution (Amendment [Art. IX, Sec. 1](#)) and statutes ([CGS § 9-12](#)) require that voters be at least 18 to be an elector. A person who is 17 years old, but will turn 18 by the time of the general election, may register as an elector and vote in a primary election ([CGS § 9-431](#)). [According to NCSL](#), 17 other states have also implemented this policy; 17-year-olds in four additional states (Alaska, Hawaii, North Dakota, and Wyoming) may also vote, but only in Democrat primaries.

However, Connecticut law prohibits municipalities from amending their charters or adopting municipal ordinances concerning the qualification and admission of electors ([CGS § 7-192a](#)). The law also requires that municipal elections be held and conducted in the same manner as state elections, unless otherwise provided by law ([CGS § 9-228](#)).

Voting Age in Other States

All states currently set the voting age for state and federal elections at 18. However, we identified at least nine towns in four states (California, Maryland, New Jersey, and Vermont) that have lowered the voting age to 16 for municipal elections.

California

Two California municipalities, Berkeley and Oakland, have adopted, but not implemented, measures that allow 16- and 17-year-olds to vote in school board elections. These municipalities appear to have adopted these measures under their local authority, rather than under state law.

Maryland

Five Maryland towns (Greenbelt, Hyattsville, Mount Rainier, Riverdale Park, and Takoma Park) have lowered the voting age to 16. The Maryland Court of Appeals (the highest state court) has determined that the state constitutional requirement for voting qualifications under [Md. Const. Art. I, § 1](#) only applies to federal, state, and Baltimore municipal elections (*Smith v. Stephan*, 66 Md. 381, 7A. 561 (1887)). The Maryland legislature has also expressly given municipalities the statutory authority to regulate municipal elections, including voting qualifications, and in doing so, authorizing municipalities to lower the voting age for municipal elections ([Md. Code, Elec. Law, § 2-202](#)).

New Jersey

The city of Newark, New Jersey authorized residents 16 to 18 years of age to vote in school board elections through local ordinance ([Ord. No. 6PSF-C, 01-10-2024](#)). In the ordinance, the city cited the state constitution ([N.J. Const. Art. IV § VII, 11](#)), the state’s home rule act ([N.J. Rev. Stat. § 40:42-4](#)), and the optional municipal charter law ([N.J. Rev. Stat. § 40:69a-30](#)) as the authority for Newark to adopt these provisions. These provisions generally direct that municipal power should be liberally construed or confer the greatest power consistent with the state constitution.

Vermont

Brattleboro, Vermont lowered the voting age for municipal elections to 16. The town submitted this change to the state legislature for approval. (Under Vermont law, the Vermont General Assembly must approve amendments to town charters ([17 V.S.A. § 2645](#)). In 2023, the General Assembly approved the amendment and overrode the governor’s veto.)

The town established, through state legislation specific to Brattleboro, a category of voters known as “youth voters” who were eligible to vote in certain local elections as well as serve in those offices ([24 App. V.S.A ch. 107](#)). These voters must be between 16 and 18 years of age and otherwise eligible to vote under state law ([17 V.S.A. ch. 43, subch. 1](#)). Prior case law interpreted that the constitutional requirements on voter qualifications did not apply to municipal elections, but only applied to state and federal elections (*State v. Marsh*, N. Chip. 28, 1789 WL 103 (Vt.), and *Woodcock v. Bolster*, 35 Vt. 632 (1863)).

Legislative History

The Connecticut legislature has introduced [H.B. 5883](#) (2021) and [H.B. 6672](#) (2019) that would have allowed municipalities to lower the voting age for municipal offices and local questions to 16. Each bill had a public hearing, but neither advanced out of the Government Administration and

Elections Committee. Additional measures have been proposed, but did not have a hearing ([H.J. 19](#) in 2023 and [H.B. 5946](#) in 2017).

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