

117TH CONGRESS  
1ST SESSION

# H. R. 4298

To clarify the disparate burden test, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2021

Mr. JONES (for himself, Mr. GALLEG0, and Ms. JACKSON LEE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To clarify the disparate burden test, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Inclusive Elections Act  
5 of 2021”.

6 **SEC. 2. DISPARATE BURDEN TEST.**

7 Section 2 of the Voting Rights Act of 1965 (52  
8 U.S.C. 10301) is amended by adding at the end the fol-  
9 lowing:

10 “(c) In determining whether members of a class of  
11 citizens have less opportunity than other members of the  
12 electorate to participate in the political process and to

1 elect representatives of their choice, a court shall consider  
2 whether—

3 “(1) the challenged standard, practice, or proce-  
4 dure imposes a disparate burden on members of a  
5 class of citizens protected by subsection (a); and

6 “(2) the disparate burden is in part caused by  
7 or related to social and historical conditions that  
8 produce or produced discrimination against members  
9 of the protected class.”.

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