



**For Immediate Release**  
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**Statement from Voting Rights Groups**  
**Regarding 11th Circuit Court Ruling in S.B. 90 Lawsuit**

*The appeals court reversed a lower court decision, leaving in place measures that will restrict access to the ballot box.*

ATLANTA — The following is a statement from the Legal Defense Fund (LDF), Common Cause Florida, Disability Rights Florida, and the NAACP of Florida in reaction to the [ruling](#) released today from the 11th Circuit Court of Appeals regarding S.B. 90, the suppressive voting law Florida passed in 2021:

“Today's decision is hugely disappointing and fails to protect Floridians from these calculated and discriminatory attempts to suppress people’s voting power. The voters in this state have had to navigate years of changing rules and confusing regulations because of the state legislature’s deliberate and discriminatory attempts to silence the voices of those who envision a more inclusive future for this state. Rather than focusing on growing voter engagement and turnout or championing access to the ballot box, Florida’s lawmakers are doing everything they can to stop eligible voters from casting their votes.

“There is only one silver lining. Despite the 11th Circuit allowing most of S.B. 90’s discriminatory provisions, the Court did strike down a portion of the law’s solicitation provision as unconstitutionally vague. We challenged this out of concern it would prevent non-partisan efforts to provide relief to voters waiting in Florida’s long lines at the polls. Although we are deeply disappointed in the 11th Circuit’s opinion, the Court was correct to strike down this unconstitutional provision.

“We challenged this law because it limits access to the ballot box – particularly for Black voters, voters with disabilities, and any Florida voter who relies on drop boxes. Despite this setback, the litigation is not over: The case has been remanded to the lower court for additional proceedings, and we are optimistic that the lower court will strike down these unlawful provisions of S.B. 90 for imposing unconstitutional burdens on the right to vote.”

*A link to the court’s opinion is [here](#).*

**Background:** Today's decision undoes almost all of a federal judge's March 2022 [ruling](#) that Florida's suppressive voting law, S.B. 90, violated Section 2 of the Voting Rights Act of 1965 and the First and Fourteenth Amendments to the United States Constitution. The lower court had also prevented Florida from enacting any law concerning drop boxes or line relief without permission from the court, known as pre-clearance. The case has now been remanded back to the trial court to consider additional claims challenging the constitutionality of the drop-box and registration-delivery provisions due to the unconstitutional burdens those provisions impose on the right to vote. The 11th Circuit affirmed one holding in the lower court ruling, finding that a portion of S.B. 90's solicitation provision was unconstitutionally vague. The litigation is ongoing and there remains an opportunity for the district court to strike down these provisions notwithstanding today's opinion.

In May 2021, on the same day Governor DeSantis signed S.B. 90 into law, the Legal Defense Fund (LDF), with co-counsel Covington and Burling LLP and Nellie L. King Office, filed a [lawsuit](#) on behalf of the Florida NAACP, Disability Rights Florida, and Common Cause challenging S.B. 90, arguing that it created barriers and burdens that disproportionately impacted the ability of Black voters, Latino voters, and voters with disabilities to cast their ballot. This case, along with three others, were consolidated under League of Women Voters of Florida, Inc. et. al. vs. Florida Secretary of State et. al.###

*Founded in 1940, the Legal Defense Fund (LDF) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.*