

107TH CONGRESS
1ST SESSION

H. R. 1559

To require that general Federal elections be held over the 48-hour period that begins with the first Saturday in November, to prohibit States from preventing citizens who are registered to vote from voting in Federal elections and from carrying out certain law enforcement activities which have the effect of intimidating individuals from voting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2001

Mr. HILLIARD (for himself, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. FILNER, Mr. RANGEL, Mr. WYNN, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. MCKINNEY, Mrs. CHRISTENSEN, and Mr. JACKSON of Illinois) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require that general Federal elections be held over the 48-hour period that begins with the first Saturday in November, to prohibit States from preventing citizens who are registered to vote from voting in Federal elections and from carrying out certain law enforcement activities which have the effect of intimidating individuals from voting, 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 “National Voter Anti-
5 Intimidation and Anti-Fraud Election Act of 2001”.

6 **SEC. 2. HOLDING GENERAL ELECTIONS FOR FEDERAL OF-**
7 **FICE OVER THE 48-HOUR PERIOD BEGINNING**
8 **WITH THE FIRST SATURDAY IN NOVEMBER.**

9 (a) ELECTION FOR PRESIDENT AND VICE PRESI-
10 DENT.—Section 1 of title 3, United States Code, is
11 amended by striking “on the Tuesday next after the first
12 Monday in November” and inserting “on the first Satur-
13 day in November and the next day”.

14 (b) ELECTION OF SENATORS AND MEMBERS OF THE
15 HOUSE OF REPRESENTATIVES.—Section 25 of the Re-
16 vised Statutes (2 U.S.C. 7) is amended—

17 (1) by striking “The Tuesday next after the 1st
18 Monday in November” and inserting “The first Sat-
19 urday in November and the next day”; and

20 (2) by striking “is established as the day” and
21 inserting “are established as the days”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to elections occurring
24 after January 2002.

1 **SEC. 3. PROHIBITING STATES FROM PREVENTING REG-**
2 **ISTERED CITIZENS FROM VOTING IN FED-**
3 **ERAL ELECTIONS.**

4 No State may prohibit any individual from voting in
5 an election for Federal office if the individual—

6 (1) is a citizen of the United States;

7 (2) is registered to vote with respect to the elec-
8 tion in the jurisdiction for which the individual seeks
9 to cast a ballot; and

10 (3) is not incarcerated for the entire period dur-
11 ing which polls for the election are open in the
12 State.

13 **SEC. 4. TREATMENT OF CERTAIN LAW ENFORCEMENT AC-**
14 **TIVITIES AS INTERFERENCE WITH ELECTION.**

15 Section 595 of title 18, United States Code, is
16 amended—

17 (1) by striking “Whoever” and inserting “(a)
18 Whoever”;

19 (2) by striking “This section” and inserting
20 “(c) This section”; and

21 (3) by inserting after the first paragraph the
22 following:

23 “(b) For purposes of subsection (a), if a law enforce-
24 ment officer of a State or local government carries out
25 any of the following activities on the date of an election
26 for Federal office, the officer shall be considered to be

1 using official authority for the purpose of interfering with
2 the nomination or election of a candidate described in such
3 subsection:

4 “(1) Attendance at any polling place for any
5 reason other than voting, responding to a request
6 from an official conducting the election at the poll-
7 ing place, or responding to a threat of violence or
8 harm directed at any person or property at the poll-
9 ing place.

10 “(2) The arrest of any individual on the
11 grounds that the individual has any outstanding
12 misdemeanor warrants.

13 “(3) The establishment of any traffic roadblock
14 unless a felony has been committed within the pre-
15 vious 24 hours (or is in the process of being com-
16 mitted) and the roadblock is necessary to prevent
17 the alleged felon from escaping.”.

18 **SEC. 5. EFFECTIVE DATE.**

19 Except as otherwise provided, this Act and the
20 amendments made by this Act shall apply with respect to
21 elections occurring after the date of the enactment of this
22 Act.

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