

112TH CONGRESS
1ST SESSION

H. R. 3163

To amend the Help America Vote Act of 2002 to require any State offering an early voting period in elections for Federal office to make the period available for the entire 14-day period that precedes the date of the election, to prohibit States from imposing identification requirements on individuals who wish to vote or register to vote who are not otherwise required to provide identification under such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 2011

Ms. BROWN of Florida introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Help America Vote Act of 2002 to require any State offering an early voting period in elections for Federal office to make the period available for the entire 14-day period that precedes the date of the election, to prohibit States from imposing identification requirements on individuals who wish to vote or register to vote who are not otherwise required to provide identification under such Act, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Easy Voting Act of
3 2011”.

4 **SEC. 2. ESTABLISHING MINIMUM EARLY VOTING PERIOD**
5 **FOR JURISDICTIONS CONDUCTING EARLY**
6 **VOTING.**

7 (a) **MINIMUM PERIOD.**—Subtitle A of title III of the
8 Help America Vote Act of 2002 (42 U.S.C. 15481 et seq.)
9 is amended by inserting after section 303 the following
10 new section:

11 **“SEC. 303A. REQUIREMENTS FOR STATES PERMITTING**
12 **EARLY VOTING.**

13 “(a) **MINIMUM EARLY VOTING PERIOD.**—If a State
14 permits individuals to cast ballots in an election for Fed-
15 eral office during a period that occurs prior to the date
16 of the election in the same manner in which ballots are
17 cast on the date of the election, the State shall ensure
18 that such period includes the entire 14-day period (includ-
19 ing Saturdays and Sundays) which ends on the date of
20 the election.

21 “(b) **EFFECTIVE DATE.**—Each State shall be re-
22 quired to comply with the requirements of this section be-
23 ginning January 1, 2012.”.

24 (b) **CONFORMING AMENDMENT RELATING TO EN-**
25 **FORCEMENT.**—Section 401 of such Act (42 U.S.C. 15511)

1 is amended by striking “sections 301, 302, and 303” and
2 inserting “subtitle A of title III”.

3 (c) CLERICAL AMENDMENT.—The table of contents
4 of such Act is amended by inserting after the item relating
5 to section 303 the following new item:

“Sec. 303A. Requirements for States permitting early voting”.

6 **SEC. 3. PROHIBITING STATES FROM REQUIRING STATE-**
7 **ISSUED IDENTIFICATION AS CONDITION FOR**
8 **VOTING OR REGISTERING TO VOTE.**

9 (a) PROHIBITION.—Subtitle A of title III of the Help
10 America Vote Act of 2002 (42 U.S.C. 15481 et seq.), as
11 amended by section 2(a), is amended by inserting after
12 section 303A the following new section:

13 **“SEC. 303B. PROHIBITING STATES FROM REQUIRING**
14 **STATE-ISSUED IDENTIFICATION AS CONDI-**
15 **TION FOR VOTING OR REGISTERING TO**
16 **VOTE.**

17 “(a) PROHIBITION.—An election official may not re-
18 quire an individual to provide a State-issued identification
19 (including an identification issued by a unit of local gov-
20 ernment in the State) as a condition of receiving or casting
21 a ballot in any election for Federal office or of registering
22 to vote in any election for Federal office.

23 “(b) NO EFFECT ON REQUIREMENTS FOR CERTAIN
24 VOTERS WHO REGISTER BY MAIL.—Nothing in this sec-
25 tion shall be construed to affect any requirement under

1 section 303(b) that certain individuals who register to vote
 2 by mail present a form of identification as a condition of
 3 casting a ballot in an election.

4 “(c) EFFECTIVE DATE.—Each State shall be re-
 5 quired to comply with the requirements of this section be-
 6 ginning January 1, 2012.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
 8 of such Act, as amended by section 2(e), is amended by
 9 inserting after the item relating to section 303A the fol-
 10 lowing new item:

“Sec. 303B. Prohibiting States from requiring State-issued identification as
 condition for voting or registering to vote”.

11 **SEC. 4. REQUIRING STATES TO MAKE SAME-DAY VOTER**
 12 **REGISTRATION AND CHANGE OF ADDRESS**
 13 **SERVICE AVAILABLE.**

14 (a) REQUIREMENT.—

15 (1) IN GENERAL.—Subtitle A of title III of the
 16 Help America Vote Act of 2002 (42 U.S.C. 15481
 17 et seq.), as amended by section 3(a), is amended by
 18 inserting after section 303B the following new sec-
 19 tion:

20 **“SEC. 303C. ELECTION DAY REGISTRATION AND CHANGE**
 21 **OF ADDRESS SERVICE.**

22 “(a) IN GENERAL.—

23 “(1) REGISTRATION.—Notwithstanding section
 24 8(a)(1)(D) of the National Voter Registration Act of

1 1993 (42 U.S.C. 1973gg-6), each State shall permit
2 any individual on the day of an election for Federal
3 office—

4 “(A) to register to vote in such election at
5 the polling place using a form that meets the
6 requirements of section 9(b) of the National
7 Voter Registration Act of 1993; and

8 “(B) if, on the basis of registering to vote
9 under subparagraph (A), the individual is quali-
10 fied to vote in such election, to cast a vote in
11 such election.

12 “(2) CHANGE OF ADDRESS SERVICE FOR REG-
13 ISTERED VOTERS.—If an individual who is a reg-
14 istered voter in a State moves to a new address in
15 the State but does not provide the appropriate State
16 election official with information on the new address
17 prior to appearing at a polling place to cast a vote
18 in an election for Federal office, the State shall per-
19 mit the individual—

20 “(A) to provide such information at the
21 polling place using a change of address form
22 developed by the State; and

23 “(B) notwithstanding section 302(a), to
24 cast a regular ballot instead of a provisional
25 ballot for the election.

1 “(3) EXCEPTION.—The requirements under
2 paragraphs (1) and (2) shall not apply to a State in
3 which, under a State law in effect continuously on
4 and after the date of the enactment of this Act,
5 there is no voter registration requirement for indi-
6 viduals in the State with respect to elections for
7 Federal office.

8 “(b) TRANSMITTAL OF FORMS TO STATE ELECTION
9 OFFICIALS.—The appropriate election official at the poll-
10 ing place shall transmit a voter registration form provided
11 by an individual at the polling place under subsection
12 (a)(1) or a change of address form provided by an indi-
13 vidual at the polling place under subsection (a)(2) to the
14 appropriate State election official at the time the official
15 transmits the ballots cast in the election.

16 “(c) EFFECTIVE DATE.—Each State shall be re-
17 quired to comply with the requirements of this section be-
18 ginning January 1, 2012.”.

19 (2) CLERICAL AMENDMENT.—The table of con-
20 tents of such Act, as amended by section 3(b), is
21 amended by inserting after the item relating to sec-
22 tion 303B the following new item:

“Sec. 303C. Election Day registration and change of address service”.

23 (b) APPLICATION TO EARLY VOTING SITES.—Section
24 303A of such Act, as added by section 2(a), is amended—

1 (1) by redesignating subsection (b) as sub-
2 section (c); and

3 (2) by inserting after subsection (a) the fol-
4 lowing new subsection:

5 “(b) APPLICATION OF ELECTION DAY REGISTRATION
6 AND CHANGE OF ADDRESS SERVICE TO EARLY VOT-
7 ING.—At each polling place in a State which allows voting
8 prior to the day of a Federal election (as described in sub-
9 section (a)), the State shall permit individuals to register
10 to vote in the same manner as the State is required to
11 permit individuals to register to vote and vote on the day
12 of the election under section 303C(a)(1), and shall provide
13 change of address service in the same manner as the State
14 is required to provide such service under section
15 303C(a)(2).”.

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