

112TH CONGRESS
1ST SESSION

H. R. 3316

To prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2011

Mr. ELLISON (for himself and Ms. MOORE) introduced the following bill;
which was referred to the Committee on House Administration

A BILL

To prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, 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 “Voter Access Protec-
5 tion Act of 2011”.

1 **SEC. 2. PROHIBITING STATES FROM IMPOSING PHOTO**
2 **IDENTIFICATION REQUIREMENT FOR VOTING**
3 **OR REGISTERING TO VOTE IN FEDERAL**
4 **ELECTIONS.**

5 (a) PROHIBITION.—

6 (1) IN GENERAL.—Title III of the Help Amer-
7 ica Vote Act of 2002 (42 U.S.C. 15481 et seq.) is
8 amended by inserting after section 303 the following
9 new section:

10 **“SEC. 303A. PROHIBITING ELECTION OFFICIALS FROM RE-**
11 **QUIRING INDIVIDUALS TO PRESENT PHOTO**
12 **IDENTIFICATION.**

13 “(a) PHOTO IDENTIFICATION AS A CONDITION OF
14 VOTING.—Except to the extent permitted under section
15 303(b), a State or local election official may not—

16 “(1) require an individual to present a photo
17 identification (or, in the case of an individual who
18 desires to vote by mail, a copy of a photo identifica-
19 tion) as a condition of obtaining or casting a ballot
20 in an election for Federal office; or

21 “(2) require an individual to cast a provisional
22 ballot under section 302 solely on the grounds that
23 the individual does not present a photo identification
24 at the polling place.

25 “(b) PHOTO IDENTIFICATION AS A CONDITION OF
26 REGISTERING TO VOTE.—A State or local election official

1 may not require an individual to provide a photo identi-
2 fication (or, in the case of an individual who desires to
3 register to vote by mail or online, a copy or electronic copy
4 of a photo identification) as a condition of registering to
5 vote in an election for Federal office.”.

6 (2) CLERICAL AMENDMENT.—The table of con-
7 tents of such Act is amended by inserting after the
8 item relating to section 303 the following new item:

“Sec. 303A. Prohibiting election officials from requiring individuals to present
photo identification.”.

9 (b) CONFORMING AMENDMENT RELATING TO EN-
10 FORCEMENT.—Section 401 of such Act (42 U.S.C. 15511)
11 is amended by striking “and 303” and inserting “303, and
12 303A”.

13 **SEC. 3. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with
15 respect to elections occurring after the date of the enact-
16 ment of this Act.

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