

118TH CONGRESS
1ST SESSION

H. R. 4650

To amend the Help America Vote Act of 2002 to establish certain requirements for casting a provisional ballot in a District of Columbia election, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2023

Mr. LOUDERMILK 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 establish certain requirements for casting a provisional ballot in a District of Columbia election, 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 “American Confidence
5 in Elections: District of Columbia Provisional Ballot Re-
6 form Act”.

1 **SEC. 2. REQUIREMENTS FOR PROVISIONAL BALLOTS WITH**
2 **RESPECT TO DISTRICT OF COLUMBIA ELEC-**
3 **TIONS.**

4 (a) REQUIREMENTS.—Title III of the Help America
5 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

6 (1) by redesignating sections 304 and 305 as
7 sections 305 and 306, respectively; and

8 (2) by inserting after section 303 the following
9 new section:

10 **“SEC. 304. REQUIREMENTS WITH RESPECT TO PROVI-**
11 **SIONAL BALLOTS IN A DISTRICT OF**
12 **COLUMBIA ELECTION.**

13 “(a) IN GENERAL.—Except as provided in subsection
14 (b), the District of Columbia shall permit an individual
15 to cast a provisional ballot pursuant to section 302 if—

16 “(1) the individual declares that such individual
17 is a registered voter in the District of Columbia and
18 is eligible to vote in a District of Columbia election
19 but the name of the individual does not appear on
20 the official list of eligible voters for the polling place
21 or an election official asserts that the individual is
22 not eligible to vote; or

23 “(2) the individual declares that such individual
24 is a registered voter in the District of Columbia and
25 is eligible to vote in a District of Columbia election
26 but does not provide a valid identification, except

1 that the individual’s provisional ballot shall not be
2 counted in the election unless the individual provides
3 such identification to the chief State election official
4 of the District of Columbia not later than 5:00 pm
5 on the second day which begins after the date of the
6 election.

7 “(b) REQUIREMENTS WITH RESPECT TO COUNTING
8 PROVISIONAL BALLOTS IN CERTAIN CASES.—If the name
9 of an individual who is a registered voter in the District
10 of Columbia and eligible to vote in a District of Columbia
11 election appears on the official list of eligible voters for
12 a polling place in the District of Columbia, such individual
13 may cast a provisional ballot pursuant to section 302 for
14 such election at a polling place other than the polling place
15 with respect to which the name of the individual appears
16 on the official list of eligible voters, except that the individ-
17 ual’s provisional ballot shall not be counted in the election
18 unless the individual demonstrates pursuant to the re-
19 quirements under section 302 that the individual is a reg-
20 istered voter in the jurisdiction of the polling place at
21 which the individual cast such ballot.

22 “(c) DISTRICT OF COLUMBIA ELECTION DEFINED.—
23 In this section, the term ‘District of Columbia election’
24 means any election for public office in the District of Co-

1 lumbia, including an election for Federal office, and any
2 ballot initiative or referendum.”.

3 (b) CONFORMING AMENDMENT RELATING TO EN-
4 FORCEMENT.—Section 401 of the Help America Vote Act
5 of 2002 (52 U.S.C. 21111) is amended by striking “and
6 303” and inserting “303, and 304”.

7 (c) CLERICAL AMENDMENT.—The table of contents
8 of such Act is amended—

9 (1) by redesignating the items relating to sec-
10 tions 304 and 305 as relating to sections 305 and
11 306, respectively; and

12 (2) by inserting after the item relating to sec-
13 tion 303 the following new item:

“Sec. 304. Requirements with respect to provisional ballots in a District of
Columbia election.”.

○