

118TH CONGRESS
2D SESSION

H. R. 9144

To require States to permit unaffiliated voters to vote in primary elections
for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2024

Mr. FITZPATRICK (for himself, Mr. GOLDEN of Maine, Mr. GARBARINO, and
Ms. PEREZ) introduced the following bill; which was referred to the Com-
mittee 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 jurisdic-
tion of the committee concerned

A BILL

To require States to permit unaffiliated voters to vote in
primary 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 “Let America Vote
5 Act”.

1 **SEC. 2. REQUIRING STATES TO PERMIT UNAFFILIATED**
2 **VOTERS TO VOTE IN PRIMARY ELECTIONS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the right of a citizen of the United States to
5 vote in any taxpayer-funded election for public office shall
6 not be denied or abridged by the United States or by any
7 State on the grounds of political party affiliation or lack
8 thereof.

9 (b) REQUIREMENTS FOR ELECTIONS FOR FEDERAL
10 OFFICE.—

11 (1) ACCESS OF UNAFFILIATED VOTERS TO PRI-
12 MARYS.—Each State shall permit an unaffiliated
13 voter who is registered to vote in an election for
14 Federal office held in the State to vote in any pri-
15 mary election for such office held in the State, ex-
16 cept that the State shall not permit an unaffiliated
17 voter to vote in primary elections for such office of
18 more than one political party.

19 (2) RESTRICTIONS RELATING TO UNAFFILI-
20 ATED VOTERS.—

21 (A) RESTRICTIONS ON SHARING OF INFOR-
22 MATION.—A State shall not share information
23 relating to an unaffiliated voter in a primary
24 election for Federal office, including the voter's
25 name and contact information, with a political
26 party or with any other person who may rea-

sonably be expected to use the information for a political or politically-connected commercial purpose, including soliciting funds.

(B) RESTRICTIONS ON STATUS OF VOTER ON OFFICIAL REGISTRATION LIST.—For purposes of a State’s official voter registration list, a State shall not treat an individual who is an unaffiliated voter as a member of, or as an individual who is otherwise affiliated with, the political party who held the primary election in which the individual voted solely on the grounds that the individual voted in that primary election.

(c) ELECTIONS FOR STATE AND LOCAL OFFICE.—

Notwithstanding any other provision of law, a State may not use any funds provided by the Federal Government directly for election administration purposes unless the State certifies to the Election Assistance Commission that—

(1) the State permits an unaffiliated voter who is registered to vote in an election for State or local office held in the State to vote in any primary election for such office held in the State, except that the State shall not permit an unaffiliated voter to vote

1 in primary elections for such office of more than one
2 political party;

3 (2) the State applies the restrictions on sharing
4 information relating to unaffiliated voters in primary
5 elections for Federal office, as described in sub-
6 section (a)(2)(A), to information relating to unaffili-
7 ated voters in primary elections for State and local
8 office; and

9 (3) the State applies the restrictions on treating
10 unaffiliated voters in primary elections for Federal
11 office as members of, or as individuals who are oth-
12 erwise affiliated with, a political party, as described
13 in subsection (a)(2)(B), to unaffiliated voters in pri-
14 mary elections for State and local office.

15 (d) TRANSITION ASSISTANCE GRANTS.—

16 (1) PAYMENT OF GRANTS.—If a State certifies
17 to the Election Assistance Commission that the
18 State is in compliance with the requirements of this
19 section with respect to a fiscal year, the Commission
20 shall make a payment to the State during that fiscal
21 year and each of the 4 succeeding fiscal years in an
22 amount equal to 2 percent of the total amount of re-
23 quirements payments made to the State under sec-
24 tion 251 of the Help America Vote Act of 2002 (52
25 U.S.C. 21001).

1 (2) USE OF FUNDS.—A State shall use the pay-
2 ment received under this subsection to cover the
3 costs of permitting unaffiliated voters who are reg-
4 istered to vote in elections for Federal, State, or
5 local office held in the State to vote in any primary
6 election for such office held in the State.

7 (3) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated for fiscal
9 year 2025 and each succeeding fiscal year such sums
10 as may be necessary for grants under this sub-
11 section.

12 (e) DEFINITIONS.—For purposes of this section—

13 (1) the terms “election” and “Federal office”
14 have the meanings give such terms in section 301 of
15 the Federal Election Campaign Act of 1971 (52
16 U.S.C. 30101);

17 (2) the term “primary election” means an elec-
18 tion (including a primary election held for the ex-
19 pression of a preference for the nomination of indi-
20 viduals for election to the office of President) held
21 by any political party to nominate individuals who
22 would appear on a general election ballot as a can-
23 didate for election for Federal office, including a
24 convention or caucus of a political party which has
25 authority to nominate such a candidate;

1 (3) the term “State” has the meaning given
2 such term in section 901 of the Help America Vote
3 Act of 2002 (52 U.S.C. 21141); and

4 (4) the term “unaffiliated voter” means an in-
5 dividual who is not registered to vote as a member
6 of a political party or otherwise affiliated with a po-
7 litical party.

8 (f) EFFECTIVE DATE.—This Act shall apply with re-
9 spect to elections held after the date of the enactment of
10 this Act.

11 **SEC. 3. PROHIBITING NONCITIZENS FROM VOTING.**

12 (a) STATEMENT OF POLICY.—It is the policy of the
13 United States that no person who is not a citizen shall
14 be permitted or granted the right to vote in any taxpayer-
15 funded election for public office held by or in the United
16 States or any State.

17 (b) ELECTIONS FOR FEDERAL OFFICE.—No State
18 shall permit any person who is not a citizen of the United
19 States to vote in any election for Federal office held in
20 the State.

21 (c) ELECTIONS FOR STATE AND LOCAL OFFICE.—
22 Notwithstanding any other provision of law, a State may
23 not use any funds provided by the Federal Government
24 directly for election administration purposes unless the
25 State certifies to the Election Assistance Commission that

1 the State does not permit any person who is not a citizen
2 of the United States to vote in any election for State or
3 local office or any ballot initiative or referendum held in
4 the State.

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