

116TH CONGRESS
2D SESSION

H. R. 7118

To amend the Help America Vote Act of 2002 to require States to conduct elections for Federal office held in 2020 solely through the use of mail-in absentee ballots, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2020

Ms. WILSON of Florida (for herself, Mr. CICILLINE, and Mr. TAKANO) 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 States to conduct elections for Federal office held in 2020 solely through the use of mail-in absentee ballots, 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 “Vote From Home
5 America Act of 2020”.

1 **SEC. 2. REQUIRING STATES TO CONDUCT ELECTIONS IN**
2 **2020 SOLELY THROUGH USE OF MAIL-IN BAL-**
3 **LOTS.**

4 (a) REQUIREMENT.—Title III of the Help America
5 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended
6 by adding at the end the following new subtitle:

7 **“Subtitle C—Special Rules for**
8 **Elections Held in 2020**

9 **“SEC. 321. REQUIRING ELECTIONS TO BE CONDUCTED**
10 **SOLELY THROUGH USE OF MAIL-IN ABSEN-**
11 **TEE BALLOTS.**

12 “(a) REQUIREMENT.—In the case of any election for
13 Federal office held in a State during the period described
14 in subsection (b)—

15 “(1) the State may not operate any polling
16 place for the casting of ballots in the election; and

17 “(2) the State shall conduct the election solely
18 through the use of mail-in absentee ballots in ac-
19 cordance with the requirements of section 322.

20 “(b) PERIOD DESCRIBED.—

21 “(1) IN GENERAL.—The period described in
22 this subsection is the period which begins on the ex-
23 piration of the 30-day period which begins on the
24 date of the enactment of this subtitle and ends on
25 January 5, 2021.

1 “(2) APPLICATION TO PRIMARY ELECTIONS OC-
2 CURRING PRIOR TO PERIOD.—In the case of any
3 election for Federal office held in a State during the
4 30-day period which begins on the date of the enact-
5 ment of this Act—

6 “(A) the State may operate polling places
7 for the casting of ballots in the election; and

8 “(B) the State shall make a good-faith ef-
9 fort to conduct the election through the use of
10 mail-in absentee ballots in accordance with the
11 requirements of section 322.

12 **“SEC. 322. REQUIREMENTS FOR USE OF MAIL-IN ABSENTEE**
13 **BALLOTS.**

14 “(a) AUTOMATIC TRANSMISSION OF BALLOTS BY
15 ELECTION OFFICIALS.—

16 “(1) IN GENERAL.—The appropriate State or
17 local election official shall transmit an absentee bal-
18 lot for an election for Federal office held during the
19 period described in section 321(b) to each individual
20 who is registered to vote in the election, or, in the
21 case of any State that does not register voters, to
22 every individual who is eligible to vote in the elec-
23 tion.

24 “(2) LOCATION TO WHICH BALLOTS ARE
25 TRANSMITTED.—The official shall transmit the bal-

1 lot to an individual under this subsection to the
2 mailing address which is on file for the individual on
3 the list of registered voters in the election (or, in the
4 case of any State that does not register voters, the
5 mailing address for the individual on the official
6 record or other document used by the State to verify
7 the eligibility of the individual to vote in the elec-
8 tion), except that the official shall transmit the bal-
9 lot to an alternative mailing address provided to the
10 official by the individual (by telephone, by mail, or
11 by an online method), so long as the individual pro-
12 vides the alternative mailing address to the official
13 not later than the date that is 2 weeks before the
14 date of the election involved or such alternative date
15 as the State may establish, whichever is closer to the
16 date of the election.

17 “(3) DEADLINE FOR TRANSMISSION.—The offi-
18 cial shall transmit the ballot to an individual under
19 this section not later than 3 weeks before the date
20 of the election.

21 “(b) NO EXCUSE REQUIRED TO VOTE BY ABSENTEE
22 BALLOT.—If an individual in the State is eligible to cast
23 a vote in an election for Federal office, the State may not
24 impose any additional conditions or requirements on the

1 eligibility of the individual to cast the vote in such election
2 by an absentee ballot transmitted under this section.

3 “(c) DUE PROCESS REQUIREMENTS FOR SIGNATURE
4 VERIFICATION.—

5 “(1) NOTICE AND OPPORTUNITY TO CURE DIS-
6 CREPANCY.—If an individual submits an absentee
7 ballot in an election for Federal office during the pe-
8 riod described in section 321(b) and the appropriate
9 State or local election official determines that a dis-
10 crepancy exists between the signature on such ballot
11 and the signature of such individual on the official
12 list of registered voters in the State (or, in the case
13 of any State that does not register voters, on the of-
14 ficial record or other document used by the State to
15 verify the eligibility of the individual to vote in the
16 election), such election official, prior to making a
17 final determination as to the validity of such ballot,
18 shall make a good faith effort to immediately notify
19 such individual by mail, telephone, and (if available)
20 electronic mail that—

21 “(A) a discrepancy exists between the sig-
22 nature on such ballot and the signature of such
23 individual on the official list of registered voters
24 in the State (or, in the case of any State that
25 does not register voters, on the official record

1 or other document used by the State to verify
2 the eligibility of the individual to vote in the
3 election);

4 “(B) such individual may provide the offi-
5 cial with information to cure such discrepancy,
6 either in person, by telephone, or by electronic
7 methods; and

8 “(C) if such discrepancy is not cured prior
9 to the expiration of the 7-day period which be-
10 gins on the date of the election, such ballot will
11 not be counted.

12 “(2) OPPORTUNITY TO PROVIDE MISSING SIG-
13 NATURE.—If an individual submits an absentee bal-
14 lot without a signature, the State shall notify the in-
15 dividual and give the individual an opportunity to
16 provide the missing signature on a form proscribed
17 by the State.

18 “(3) OTHER REQUIREMENTS.—An election offi-
19 cial may not make a determination that a discrep-
20 ancy exists between the signature on an absentee
21 ballot and the signature of the individual who sub-
22 mits the ballot on the official list of registered voters
23 in the State (or, in the case of any State that does
24 not register voters, on the official record or other

1 document used by the State to verify the eligibility
2 of the individual to vote in the election), unless—

3 “(A) at least 2 election officials make the
4 determination; and

5 “(B) each official who makes the deter-
6 mination has received training in procedures
7 used to verify signatures.

8 “(d) ACCESSIBILITY FOR INDIVIDUALS WITH DIS-
9 ABILITIES.—The State shall ensure that all absentee bal-
10 lots and related voting materials transmitted under this
11 section are accessible to individuals with disabilities in a
12 manner that provides the same opportunity for access and
13 participation (including with privacy and independence) as
14 for other voters.

15 “(e) PAYMENT OF POSTAGE ON RETURN ENVE-
16 LOPES.—

17 “(1) PROVISION OF RETURN ENVELOPE.—The
18 appropriate State or local election official shall pro-
19 vide a self-sealing return envelope with each absen-
20 tee ballot transmitted under this section.

21 “(2) PREPAYMENT OF POSTAGE.—Consistent
22 with regulations of the United States Postal Service,
23 the State or the unit of local government responsible
24 for the administration of the election involved shall

1 prepay the postage on any envelope provided under
2 paragraph (1).

3 “(f) ASSISTANCE FOR CERTAIN VOTERS.—In the
4 case of an individual with a disability or a serious illness
5 or a language minority individual, the State shall permit
6 the individual to receive assistance from a person of the
7 individual’s choosing to complete and submit the ballot
8 transmitted under this section.

9 “(g) USE OF DROP-OFF BOXES TO COLLECT BAL-
10 LOTS.—The appropriate State or local election official
11 shall provide in-person, secured drop boxes on the grounds
12 outside of the official’s office, and on the grounds outside
13 of locations which served as polling places in the regularly
14 scheduled general elections for Federal office held in No-
15 vember 2018, to which individuals may drop off voted ab-
16 sentee ballot transmitted under this section.

17 **“SEC. 323. PAYMENTS TO ASSIST WITH COSTS OF COMPLI-**
18 **ANCE.**

19 “(a) AVAILABILITY OF PAYMENTS.—The Commis-
20 sion shall make a payment to each eligible State to assist
21 with the costs incurred in complying with the requirements
22 of this subtitle, including costs attributable to postage,
23 equipment such as high-speed ballot scanners and auto-
24 mated mail sorting systems, election personnel to process
25 absentee ballots and related materials, online voter reg-

1 istration systems, public education campaigns, and soft-
2 ware to track absentee ballots.

3 “(b) AMOUNT OF PAYMENT.—The amount of the
4 payment made to a State under this section shall be deter-
5 mined by the Commission on the basis of the information
6 provided by the State in its application under subsection
7 (c), except that the amount may not exceed the sum of—

8 “(1) the average of the costs incurred by the
9 State in administering the 3 most recent regularly
10 scheduled general elections for Federal office held in
11 the State; and

12 “(2) if a regularly scheduled primary election
13 for Federal office is held in the State during the pe-
14 riod described in section 321(b), the average of the
15 costs incurred by the State in administering the 3
16 most recent regularly scheduled primary elections for
17 Federal office held in the State.

18 “(c) ELIGIBILITY.—A State is eligible to receive a
19 payment under this section if the State submits an appli-
20 cation for the payment to the Commission at such time
21 and in such manner and containing such information as
22 the Commission shall require.

23 “(d) PASS-THROUGH OF FUNDS TO LOCAL JURIS-
24 DICTIONS.—

1 “(1) IN GENERAL.—If a State receives a pay-
2 ment under this section for costs that include costs
3 incurred by a local jurisdiction or Tribal government
4 within the State, the State shall pass through to
5 such local jurisdiction or Tribal government a por-
6 tion of such payment that is equal to the amount of
7 the costs incurred by such local jurisdiction or Trib-
8 al government.

9 “(2) TRIBAL GOVERNMENT DEFINED.—In this
10 subsection, the term ‘Tribal Government’ means the
11 recognized governing body of an Indian tribe (as de-
12 fined in section 4 of the Indian Self-Determination
13 and Education Assistance Act (25 U.S.C. 5304).

14 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated such sums as may be
16 necessary to carry out this section.

17 **“SEC. 324. COVERAGE OF NORTHERN MARIANA ISLANDS.**

18 “In this subtitle, the term ‘State’ includes the Com-
19 monwealth of the Northern Mariana Islands.”.

20 (b) CONFORMING AMENDMENT RELATING TO EN-
21 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
22 is amended by striking “and 303” and inserting “303, and
23 subtitle C of title III”.

1 (c) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended by adding at the end of the items
3 relating to title III the following:

“Subtitle C—Special Rules for Elections Held in 2020

“Sec. 321. Requiring elections to be conducted solely through use of mail-in absentee ballots.

“Sec. 322. Requirements for use of mail-in absentee ballots.

“Sec. 323. Payments to assist with costs of compliance.

“Sec. 324. Coverage of Northern Mariana Islands.”.

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