

118TH CONGRESS
2D SESSION

S. 3588

To amend the Help America Vote Act of 2002 to prohibit Federal funds for election administration for States misusing the Fourteenth Amendment for political purposes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 11, 2024

Mr. TILLIS (for himself, Mr. VANCE, Mr. SCOTT of Florida, Mr. BUDD, Ms. LUMMIS, and Mr. MULLIN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To amend the Help America Vote Act of 2002 to prohibit Federal funds for election administration for States misusing the Fourteenth Amendment for political purposes, 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 “Constitutional Election
5 Integrity Act”.

1 **SEC. 2. PROHIBITION ON FEDERAL FUNDS FOR ELECTION**
 2 **ADMINISTRATION FOR STATES MISUSING**
 3 **THE FOURTEENTH AMENDMENT FOR POLIT-**
 4 **ICAL PURPOSES.**

5 (a) IN GENERAL.—The Help America Vote Act of
 6 2002 (52 U.S.C. 20901 et seq.) is amended by adding at
 7 the end the following new section:

8 **“SEC. 901. PROHIBITION ON FEDERAL FUNDS FOR ELEC-**
 9 **TION ADMINISTRATION FOR STATES MIS-**
 10 **USING THE FOURTEENTH AMENDMENT FOR**
 11 **POLITICAL PURPOSES.**

12 “Notwithstanding any other provision of law, no Fed-
 13 eral funds may be used to administer any election for Fed-
 14 eral office in a State where the chief executive or any elect-
 15 ed or appointed executive officials prohibit, by executive
 16 order, decree, or other unilateral mechanism, that a can-
 17 didate for the Office of President of the United States who
 18 is otherwise eligible from appearing on the ballot for such
 19 Office using section 3 of the Fourteenth Amendment to
 20 the Constitution of the United States.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
 22 of such Act is amended by adding at the end the following
 23 new item:

“Sec. 901. Prohibition on Federal funds for election administration for States
 misusing the Fourteenth Amendment for political purposes.”.

1 **SEC. 3. JURISDICTION.**

2 (a) IN GENERAL.—The Federal district courts shall
3 have original and exclusive jurisdiction to adjudicate dis-
4 putes or questions of ballot eligibility for candidates for
5 the Office of President of the United States arising under
6 section 3 of the Fourteenth Amendment to the Constitu-
7 tion of the United States.

8 (b) LIMITATION.—No officer or court of any State
9 or territory shall have authority to adjudicate disputes or
10 questions of ballot eligibility for candidates for the Office
11 of President of the United States arising under section
12 3 of the Fourteenth Amendment to the Constitution of
13 the United States.

14 (c) 3-JUDGE COURT.—A Federal district court of 3
15 judges shall be convened when an action is filed in Federal
16 district court challenging the ballot eligibility of a can-
17 didate for the Office of President of the United States
18 arising under section 3 of the Fourteenth Amendment to
19 the Constitution of the United States. The 3-judge panel
20 shall make findings of fact, which shall be transmitted to
21 the Supreme Court of the United States. Upon receipt of
22 these findings of fact, the Supreme Court shall consider
23 the matter on an expedited basis before issuing a ruling
24 on the findings of law. The Supreme Court may consider
25 the findings of fact on a de novo basis.

1 (d) COMPOSITION AND PROCEDURE.—Any action
2 under subsection (c) shall be heard pursuant to section
3 2284 of title 28, United States Code.

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