

NASS Overview of HR 1 / S1

NOTE: strikethrough text reflects language only included in HR1. Underlined text reflects language only included in S1.

| Voter Registration Modernization | Effective Date | Funding |
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| <p>Online Voter Registration: all states must provide the opportunity to register to vote and update voter registration information online. Requirements include:</p> <ul style="list-style-type: none"> • states must allow online submission of the National Mail Voter Registration Form • states must ensure an individual is registered to vote if a valid online registration form is submitted no later than the lesser of 28 days prior to the election, or the period provided by state law • states must accept an electronic signature with an online application if the individual's signature is not on file with a state agency • a person who is unable to meet the signature requirements for the online application must be allowed to provide a signature at the polling place or with a mail ballot • states must send a notice of disposition within a designated timeframe after accepting/rejecting an online registration application or online registration update • states must provide email delivery of voting information if an email address is included on the National Mail Voter Registration Form • states must implement a telephone system that offers the same services as the online voter registration systems. | <p>January 1st, 2022, unless states receive a waiver from the EAC to delay compliance until January 1st, 2024.</p> | <p>N/A</p> |
| <p>Application to Exempt States: applies requirements pertaining to online voter registration to states that are exempt from NVRA on the basis of same day registration.</p> | | |
| <p>SSN Requirements: prohibits requiring applicants to provide more than the last 4 SSN on the National Mail Voter Registration Form and applications submitted through the department of motor vehicles.</p> | | |
| <p>Report on Data Collection: requires DOJ to submit a report to Congress on local, state, and federal collection of personally identifiable information and the impact of a potential data breach on online voter registration systems.</p> | <p>N/A</p> | <p>N/A</p> |
| <p>Voter Registration Application as Absentee Ballot Request: requires that individuals who register to vote through motor vehicle agencies have the option for the registration application to serve as an absentee ballot request for the next and all subsequent federal elections.</p> | <p>N/A</p> | <p>N/A</p> |
| <p>Automatic Voter Registration: requires designated government agencies and institutions of higher education (contributing agencies) to inform applicants for services or assistance (who affirm U.S citizenship) that they will be registered to vote unless they decline. Within 30 days of informing the applicant, the contributing agency must transmit the relevant information to the state election official. Within 15 days of receiving the information from the contributing agency, the state must ensure that the individual is registered to vote. In addition to the ongoing process described above, no later than 6 months after the effective date of the bill, contributing agencies must transfer relevant information on individuals in existing records to the state election official for the purpose of voter registration. Based on that data, states</p> | <p>January 1st, 2023, unless states receive a waiver from the EAC to delay compliance until January 1, 2025.</p> | <p>\$500 million in grants to states for FY 2021; such sums as may be necessary for subsequent years.</p> |

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| <p>must send a notice to eligible individuals that they will be registered to vote unless they decline, and must ensure the individual is registered to vote no later than 45 days after sending the notice, unless the individual declines registration. Other requirements include:</p> <ul style="list-style-type: none"> • states may not consider a person ineligible because they are less than 18 years old, as long as the person was at least 16 when they provided information to the contributing agency • states may not publicly disclose certain identifying information (driver's license number, telephone number, email, or any portion of SSN) about individuals whose information was received from a contributing agency • states must make information on all changes to voter records publicly available for 2 years • states must allow an individual who is registered to vote to update or correct their voting information at the polling place and cast a regular ballot • NIST must establish standards governing comparison of data for voter registration and list maintenance purposes • NIST must develop privacy and security standards dealing with access to the statewide voter registration list. • states must file a timely certification that they are in compliance with the NIST privacy and security standards or they may not receive funding to implement the automatic voter registration provisions. | | |
| <p>Same Day Voter Registration: states must allow eligible voters to register to vote, or update their voter registration information, at the polling place on Election Day, or during early voting.</p> | November 2022 | N/A |
| <p>Interstate Cross Check: an interstate cross-check program must be completed no later than 6 months prior to the election. A state may not remove someone from the voter registration list based on information from an interstate cross check unless the state obtained the voter's full name, date of birth, and last 4 digits of SSN through the cross check, or the state obtained information from ERIC that the voter is no longer a resident of the state.</p> | 6 months after enactment | N/A |
| <p>Annual Report on Voter Registration Statistics: states must submit a report to Congress and the EAC no later than 90 after the end of each year with detailed voter registration statistics, including information on the number of voter application forms accepted or rejected and information on voter registration forms and change of address forms transmitted by motor vehicle agencies and voter registration agencies. <u>No later than 10 days after receiving the report the EAC must submit it to Congress.</u></p> | N/A | N/A |
| <p>NVRA Pre-Election Registration Deadline: changes the NVRA deadline for submitting a voter registration application from 30 days to 28 days.</p> | November 2022 | N/A |
| <p>USPS Change of Address Forms: requires USPS to update change of address forms (hardcopy only) to include a reminder to update voter registration information.</p> | 1 year after enactment | N/A |
| <p>Grants for Youth Election Activities: requires the EAC to provide grants to states for activities encouraging the involvement of young people in the electoral process.</p> | N/A | \$25 million in grants to states |

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| Registration at Naturalization Ceremonies: requires DHS to implement procedures to allow the chief state election official to provide information about voter registration, including through displays or exhibits, after conclusion of a naturalization ceremony. | N/A | N/A |
| Voter Privacy Programs: requires each state to establish a privacy program to enable victims of domestic violence, dating violence, stalking, sexual assault, and trafficking to have personally identifiable voter registration information, including addresses, be kept confidential. Also requires each state to notify each resident of the state of the information state and local election officials maintain with respect to voter registration status; how that information is shared or sold and with whom, what information is automatically kept confidential, what information is needed to access voter information online, and the privacy programs that are available. | N/A | N/A |
| Voter Registration Information with Leases and Vouchers: requires the Bureau of Consumer and Financial Protection, in coordination with the EAC, to develop a uniform statement with information on how to register to vote and voting rights. Requires public housing agencies and owners of a dwelling unit assisted with federal project based rental assistance to provide a copy of the uniform statement to each lessee or assisted family or individual, as applicable. Also requires each creditor that receives a residential mortgage application to provide a copy of the uniform statement to the applicant. | N/A | N/A |
| Prohibiting Interference with Voter Registration: prohibits efforts to hinder, interfere with, or prevent voter registration. A violation is subject to criminal penalties. Requires the EAC develop recommendations no later than 180 days for states to deter and prevent violations. Election officials must post information on Election Day about how to report a violation. | Elections held after enactment | N/A |
| Voter Registration Efficiency Act: requires driver's license applicants to indicate their previous state of residence (if applicable) and whether the applicant intends for the current state to be their voting residence. If the applicant indicates that they intend for the current state to be their voting residence, the motor vehicle authority must notify its counterpart in the previous state of residence, who must notify the chief election official in that state. | Beginning with 2021 elections | N/A |
| Voter Registration Information to Secondary School Students: requires the EAC to establish a pilot program during the 1-year period after enactment for local education agencies to provide voter registration information to high school seniors. | N/A | Such sums as may be necessary |
| Voter Registration of Minors: prohibits states from rejecting a voter registration application on the grounds that the individual is under 18, as long as the individual is at least 16. | January 1, 2022 | N/A |
| Use of Requirements Payments: authorizes states to use existing HAVA requirements payments funds to carry out any of the above voter registration modernization provisions. | FY 2022 | N/A |
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| Voting Access for Individuals with Disabilities | | |
| Absentee Voting for Individuals with Disabilities: requires states to implement absentee voting measures for individuals with disabilities, including: | January 1, 2022 | N/A |

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| <ul style="list-style-type: none"> procedures to allow individuals with disabilities to request and receive voter registration and absentee ballot applications by mail or email procedures for transmitting blank absentee ballots by mail and electronically to individuals with disabilities sending absentee ballots to individuals with disabilities at least 45 days before the election, unless the state receives a waiver from the DOJ designating a single office for providing voter registration and absentee voting information for individuals with disabilities, <u>including relevant training materials and resources for election officials and poll workers</u> designating at least one means of electronic communication for transmitting voter registration and absentee voting materials to individuals with disabilities | | |
| <p>State Accessible Election Websites: <u>requires states to establish a single accessible website that provides voting information for individuals with disabilities and relevant training resources and guidance for election officials and poll workers. State election officials must work with technical organizations and a Committee of stakeholders in developing the accessible election website.</u></p> | <p><u>January 1, 2022</u></p> | <p><u>N/A</u></p> |
| <p>In-Person Voting Protections: <u>requires states to ensure all polling places are accessible and consider procedures to address wait times for individuals with disabilities and older individuals.</u></p> | <p><u>January 1, 2024</u></p> | <p><u>N/A</u></p> |
| <p>Protections for Individuals Subject to Guardianship: <u>prohibits states from determining that someone lacks the capacity to vote on the grounds that the person is subject to guardianship unless it is established by a court order.</u></p> | <p><u>January 1, 2022</u></p> | <p><u>N/A</u></p> |
| <p>EAC Board of Advisors: <u>expands the EAC Board of Advisors to include representatives 12 additional members from agencies and organization representing the interests of individuals with disabilities and older individuals.</u></p> | <p><u>January 1, 2022</u></p> | <p><u>N/A</u></p> |
| <p>HHS Grant Program: requires the HHS grants for assuring voting access for individual with disabilities, including absentee voting and polling place accessibility. Any unused funds after a 4-year period must be transferred to the EAC for reallocation to state and local government.</p> | <p>FY 2022 and each succeeding year</p> | <p>Such sums as may be necessary.</p> |
| <p>Pilot Program for Registration and Absentee Voting from Residence: requires the EAC to develop a pilot program for individuals with disabilities to use electronic means to register to vote and request/receive absentee ballots privately and independently from their own residence.</p> | <p>FY 2022</p> | <p>Subject to availability of appropriations</p> |
| <p>GAO Report on Voting Access: requires GAO to conduct an analysis after each election on voting access for individuals with disabilities and submit a report to Congress.</p> | <p>N/A</p> | <p>N/A</p> |
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| <p>Prohibiting Voter Caging</p> | | |
| <p>Prohibits voter caging and certain challenges, including:</p> <ul style="list-style-type: none"> prohibits election officials for preventing someone from registering or voting, or allowing a challenge to someone's eligibility, based on a voter caging document, an unverified match list, an immaterial error or omission | <p>N/A</p> | <p>N/A</p> |

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| <p>on voting materials, or other evidence designated by the EAC, unless the official has independent evidence of ineligibility</p> <ul style="list-style-type: none"> prohibits anyone other than an election official from challenging someone’s eligibility to register or vote unless the challenge is supported by personal knowledge and documented in writing prohibits anyone other than an election official from challenging someone’s eligibility to register or vote less than 10 days before the election unless the individual is registered less than 20 days before the election a violation of the above provisions is subject to criminal penalties | | |
| <p>Best Practices to Prevent Voter Caging: requires the EAC to develop recommendations no later than 180 days after enactment for best practices to deter and prevent violation of voter caging prohibitions.</p> | N/A | N/A |
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| <p>Prohibiting Deceptive Practices and Preventing Voter Intimidation</p> | | |
| <p>Prohibits false election statements and other efforts to intimidate voters, including:</p> <ul style="list-style-type: none"> prohibits within 60 days of an election the communication of false information about an election or an endorsement that is intended to prevent or impede someone from voting prohibits intentionally hindering, interfering, or preventing someone from registering or voting violations of the above provisions are subject to criminal penalties and a private right of action | N/A | N/A |
| <p>DOJ Corrective Action: authorizes the DOJ to take action to correct any materially false information if it determines that election officials have not taken adequate steps to correct the information. DOJ must develop procedures no later than 180 days after enactment for how corrective action will be taken.</p> | N/A | Such sums as may be necessary |
| <p>DOJ Report to Congress: requires DOJ to submit a report to Congress no later than 180 days after each election with a compilation of allegations received about deceptive practices.</p> | N/A | N/A |
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| <p>Democracy Restoration</p> | | |
| <p>Establishes measures for the restoration of voting rights, including:</p> <ul style="list-style-type: none"> prohibits denying the right to vote to someone convicted of a crime unless the individual is serving a felony sentence at the time of the election. A violation may be reported to the chief state election official, and if not corrected the individual may bring a civil action for relief. Requires state or federal officials (depending on the violation) to notify individuals who are released from custody or sentenced to probation of the right to register and vote. | Elections held after enactment | N/A |
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| <p>Voter Verified Permanent Paper Ballot</p> | | |

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| <p>Requires all voting systems use a voter verified paper ballot that is marked by the voter or a ballot marking device and counted by hand, optical scanner, or other counting device. The system must provide the voter with an opportunity to inspect and verify the ballot and correct any errors before it is cast and counted, and the paper ballots must be preserved and counted by hand in any recount or audit for federal office. Individuals with disabilities must be given an equivalent opportunity to vote in a manner that produces a voter verified paper ballot. The requirement may be met through the use of a sufficient number, but at least one accessible voting system as determined by the EAC at each polling place that allows the voter to privately and independently verify and cast the paper ballot without having to manually handle the ballot.</p> | <p>Beginning with 2022 elections (unless eligible for delay – see below)</p> | <p>See Voting System Security Improvement Grants.</p> |
| <p>Allows jurisdictions to delay implementation of the voting system requirements in the following circumstances:</p> <ul style="list-style-type: none"> jurisdictions that use DRE or other voting systems that produce a paper record of the vote may delay implementation of the paper ballot voting system requirement until 2024, but the jurisdiction must provide voters with an opportunity to cast a paper ballot. if a jurisdiction uses a non-tabulating marking device that deposits the ballot into a privacy sleeve, it may delay implementation of the accessible voting machine requirement until 2024. | <p>Beginning with 2024 elections (if eligible for delay)</p> | <p>-----</p> |
| <p>Study on Accessible Paper Ballot Verification Mechanisms Voting Options: EAC must make grants to at least 3 eligible entities to study, test, and develop accessible and secure remote voting systems and voting, verification, and casting devices to enhance accessibility for individuals with disabilities NIST must make grants available to at least 3 eligible entities to study and develop accessible paper ballot voting, verification, and casting mechanisms and best practices.</p> | <p>N/A</p> | <p>\$10 million to NIST for grants</p> |
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| Provisional Ballots | | |
| <p>Requires election officials to count each provisional ballot, regardless of where the ballot was cast in the state. States must also establish uniform standards for issuing, handling, and counting provisional ballots.</p> | <p>January 1, 2022</p> | <p>N/A</p> |
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| Early Voting | | |
| <p>Requires each state to allow early voting during the 15 consecutive days prior to the election (including weekends) in the same manner as voting on Election Day. Requirements include:</p> <ul style="list-style-type: none"> each early voting polling place must allow at least 10 hours of voting each day and have uniform hours each day of early voting state must ensure that early voting polling places are available in rural areas and college campuses the EAC must issue standards for the administration of early voting states must begin processing and scanning early ballots at least 14 days before the election | <p>January 1, 2022</p> | <p>N/A</p> |

| Voting by Mail | | |
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| <p>Allowing Vote by Mail: if an individual is eligible to vote, states may not impose any additional requirements on the person’s eligibility to vote by mail, other than reasonable deadlines for requesting and returning the ballot, and signature verification requirements. States are prohibited from requiring someone to provide identification to obtain an absentee ballot, or from requiring a notarization, witness signature, or other formal authentication other than attestation. States must provide the option for voters to have an absentee ballot application serve as an application to vote by mail in all subsequent elections.</p> | November 2022 | N/A |
| <p>Signature Verification: state may not impose a signature verification requirement for absentee ballots unless it meets certain requirements, including:</p> <ul style="list-style-type: none"> • if there is a discrepancy between the signature on the absentee ballot and the signature in the voter registration list or other record, or the absentee ballot is submitted without a signature or has another defect, election officials must make a good faith effort to notify the individual that the issue must be corrected within 10 days for the ballot to be counted • election officials may not determine that a signature discrepancy exists unless the determination is made by at least 2 election officials with training in signature verification procedures, and 1 official represents the party that received the most votes in the most recent statewide election for federal office, and the other represents the party that received the second most votes. | November 2022 | N/A |
| <p>Report to Congress: state election officials must submit a report to Congress and the EAC no later than 120 days after each federal election with details on the number of ballots rejected due to a discrepancy, the number of ballots validated through the cure process, and efforts to contact voters about the discrepancy. <u>The EAC must submit to Congress no later than 10 days after receiving it.</u></p> | N/A | N/A |
| <p>Automatic Transmission of Absentee Ballot Applications: requires election official to transmit an absentee ballot application to each registered voter no later than 60 days before an election, unless the state transmits absentee ballots automatically without requiring an application.</p> | November 2022 | N/A |
| <p>Online and Phone-Based Absentee Ballot Request: states must allow people to submit an absentee ballot request online and through an automated phone-based system.</p> | November 2022 | N/A |
| <p>Absentee Ballot Accessibility: states must ensure that all absentee ballot applications and absentee ballots are accessible to individuals with disabilities.</p> | November 2022 | N/A |
| <p>Acceptance of Mailed Ballots: states may not refuse to accept a mail ballot on the grounds that it did not meet the return deadline if the ballot is postmarked or otherwise indicated by USPS that it was mailed on or before Election Day, or has been signed by the voter on or before Election Day, and it is received by election officials within 10 days after the election.</p> | November 2022 | N/A |

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| Return of Mailed Ballots: states must allow voters to deliver a mail ballot to any polling place during the voting period, as well as a designated ballot drop off location, tribally designated building, or state or local election office. States must also permit voters to designate another person to return a voted and sealed absentee ballot to the post office, drop off location, tribally designated building, or election office provided the person does not receive compensation based on the number of ballots returned. States may not put any limits on how many absentee ballots may be returned by a designated person. | November 2022 | N/A |
| Mail Ballot Processing: states must begin processing mail ballots at least 14 days before the election. | November 2022 | N/A |
| Providing Applications: states may not prohibit anyone from providing an absentee ballot application to someone who is eligible to vote, and may not prohibit election official from providing unsolicited application to eligible voters. | November 2022 | N/A |
| Alternative Verification: NIST must develop standards for the use of alternative verification methods that could be used in place of signature verification for absentee ballots. The standards must be published no later than 1 year after enactment. | N/A | N/A |
| Absentee Ballot Tracking: states must develop a program to allow voters to track and confirm the receipt of absentee ballots and whether it was accepted, and if rejected the reasons why. Jurisdiction without an internet site may meet the requirement through a telephone system. The EAC must make payments to states to reimburse costs of establishing the program. Payments may not exceed \$3,000 for each jurisdiction in the state operating the program. | November 2022 | Such sums as may be necessary. |
| Voting Materials Postage: requires election officials to provide a prepaid, self-sealing return envelope with voter registration and absentee ballot applications and absentee ballots. | 90 days after enactment | N/A |
| USPS Service: requires USPS to carry voter registration and absentee ballot materials by first-class mail, regardless of the class of postage prepaid. Prohibits USPS from making operational changes impacting delivery of voting mail during the 120-day period before an election. Requires USPS to appoint an Election Mail Coordinator in each postal area and district. | N/A | N/A |
| Ballot Envelopes/Barcode: any ballot envelope must contain a USPS barcode or other marking that enables tracking of the ballot; include the official election mail logo, and satisfy requirements that USPS may promulgate by regulation. | Elections held after enactment. | N/A |
| EAC Study on Vote by Mail: requires the EAC to conduct a study on the 2020 election and compile recommendations to help states transition to vote by mail and improve current vote by mail systems. The report must be submitted to Congress by January 1, 2022. | N/A | N/A |
| USPS Postmark: requires ballots carried by USPS to indicate the date it was mailed and indicate through a postmark or otherwise that it was carried by USPS. | N/A <u>January 1, 2022</u> | N/A |
| Ballot Visibility: requires state or local election officials to use Tag 191 for any tray or sack of mail ballots; use the official election mail logo to designate election mail; and ensure the specific ballot service type identifier is visible if an intelligent mail barcode is utilized. | <u>January 1, 2022</u> | <u>N/A</u> |

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| Report on Voter Disenfranchisement: requires DOJ to submit a report to Congress no later than 1 year after enactment on the impact of mail voting on the ability of active duty military servicemember to vote. | N/A | N/A |
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| UOCAVA Voters and Ballot Transmission to Other Voters | | |
| <p>UOCAVA Ballot Reporting: requires states to submit reports to the DOJ, EAC, and DOD on UOCAVA ballots, including:</p> <ul style="list-style-type: none"> No later than 55 days before the election states must submit a report certifying that UOCAVA ballots will be available for transmission no later than 45 days before the election. No later than 43 days before the election states must submit a report certifying whether all absentee ballots were transmitted to UOCAVA voters by the deadline. No later than 90 days after the election states must submit a report on the number of ballots transmitted to UOCAVA voters, and the number of UOCAVA ballots returned and cast. | January 1, 2022 | N/A |
| DOJ Enforcement and Private Right of Action: authorizes DOJ to bring a civil action against states for violations of UOCAVA and impose penalties for each violation. Authorizes an individual to bring a civil action against states for violations of UOCAVA. | After enactment | N/A |
| Waiver Repeal: repeals the waiver provision in the MOVE Act. | January 1, 2022 | N/A |
| Express Delivery: requires states to transmit a UOCAVA ballot by express delivery or electronically if it fails to send the ballot 45 days before the election. | January 1, 2022 | N/A |
| Use of the FPCA: allows voters to request an FPCA be considered an application for absentee ballots for each election through the next regularly scheduled general election. Requires states to accept the FPCA or similar application at any time during the calendar year in which a federal election is held. | After enactment | N/A |
| Voting Residency for Military Families: requires that the spouse or dependent accompanying an absent uniformed services voter must not lose voting residency in a state solely because of that absence. | January 1, 2022 | N/A |
| <p>Blank Ballot Transmission to Non-UOCAVA Voters: requires states to transmit blank absentee ballots to qualified individuals in the same manner that ballots are electronically transmitted to UOCAVA voters. Electronic return of the ballot is prohibited. A qualified individual is someone who:</p> <ul style="list-style-type: none"> has requested but has not received an absentee ballot at least 2 days before the election; has not requested an absentee ballot and resides in an area of the state where an emergency has been declared within 5 days of the election expects to be absent on the day of the election due to professional or volunteer service in response to an emergency or natural disaster is hospitalized or expects to be hospitalized on Election Day | Beginning with November 2022 elections | N/A |

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| <ul style="list-style-type: none"> has a disability and the state does not offer the ability to use secure and accessible ballot marking | | |
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| Poll Worker Recruitment and Training | | |
| Requires the EAC to provide grants to states for poll worker recruitment and training. Grant recipients must use the manual prepared by the EAC on successful poll worker practices in carrying out grant activities, and must and develop training with assistance from experts in adult learning. | N/A | Subject to availability of appropriations |
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| Enhancement of Enforcement | | |
| HAVA Title III Complaints: authorizes a complaint process (filed with DOJ) and a private right of action for violations of Title III of HAVA (election technology and administration requirements). | Beginning with 2022 elections. | N/A |
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| Federal Election Integrity | | |
| Prohibits campaign activity by chief state election officials, including taking an active part in political management, or a political campaign, with respect to an election that the official has supervisory authority. The prohibition does not apply to an election in which the official or an immediate family member is a candidate, if the official recuses themselves from all official responsibilities for administration of the election. | Beginning with elections in 2021. | N/A |
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| Promoting Voter Access Through Election Administration Improvements | | |
| Designation: designates institutions of higher education as voter registration agencies if they have a program participation agreement with the Secretary of Education, unless they are treated as a contributing agency (covered) under the automatic voter registration provisions. An institution of higher education is covered under the automatic voter registration provisions if it has a program participation agreement in effect with the Secretary of Education; requests in its normal course of operations that each in-state student enrolling in the institution affirms whether or not they are a U.S. citizen; and is located in a state that is not exempt from NVRA. | January 1, 2022 N/A | N/A |
| Voter Registration Responsibilities: requires institutions of higher education to <u>make every reasonable effort to conduct voter registration and voter outreach activities, including providing voter registration applications and voting information to students periodically and within designated timeframes designating a campus vote coordinator to provide voting information biannually (beginning 2021) to students. If the institution requires students to affirm citizenship upon enrollment, the institution must comply with the requirements for a contributing agency under the automatic voter</u> | | |

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| <p>registration provisions of the bill. Otherwise, the institution must comply with the requirements for a voter registration agency in the state. These provisions do not apply to an institution in a state that is exempt from NVRA.</p> | | |
| <p>Authorizes the Secretary of Education to award grants to institutions of higher education for efforts to register students to vote.</p> | N/A | Such sums as may be necessary. |
| <p>Polling Place Notification: if a state assigns a voter to a new polling place it must notify the voter of the new location no later than 7 days before the election. If a previous polling place location is not used for that purpose in the next election, states must ensure signs are posted at the location during early voting and on Election Day with information about finding the new polling location.</p> | January 1, 2021 | N/A |
| <p>Sworn Statements to Meet Voter ID Requirements: if a state requires someone to provide identification in order to vote in person or by mail, the state must allow the individual to meet the requirement by providing a sworn written statement attesting to the individual's identification and eligibility to vote, <u>or by presenting a student identification card</u>. The EAC must develop a pre-printed version of the sworn statement that states must make available at polling places and include with mail ballot materials.</p> | Elections held after enactment. | N/A |
| <p>Requires accommodations for voters residing in Indian Lands, including:</p> <ul style="list-style-type: none"> • Authorizes an Indian Tribe to designate a building on Indian Lands for ballot pickup and collection. Requires election officials to collect ballots from those locations and provide the Indian Tribe with accurate precinct maps for Indian Lands within 60 days of an election. • Requires election officials to provide mail and absentee ballot to registered voters on Indian Lands without requiring a residential address or ballot request form. Allows the address of a designated ballot pickup and collection location, or other tribally designated building, to serve as the residential address for voters on Indian Lands. • Authorizes the DOJ to bring a civil action against a state to carry out the above requirements. Authorizes a person to notify the state election official of a violation of the above requirements, and file a civil action if the violation is not corrected. | November 2022 | N/A |
| <p>Bilingual Election Requirements: requires states or jurisdiction covered under Section 203 of the Voting Rights Act to provide absentee or mail voting materials in the language of the applicable minority group, as well as bilingual voting assistance and translations of all voting materials. Also revises the exceptions under Section 203 with regard to translation of election materials for unwritten or oral languages.</p> | November 2022 | N/A |
| <p>Voter Information Response System and Voter Hotline: requires the DOJ to establish a state-based response system to provide immediate, same day assistance to voting related questions or complaints. The system must provide state-specific information on voter registration, polling place locations, and absentee voting, as well as assistance with voting problems. Also requires the DOJ, in consultation with election officials, to establish a toll-free hotline that allows people to connect to the relevant state-based response system, obtain voting information, and report voting problems to the DOJ. Requires the DOJ to coordinate the collection of information on state election laws and procedures, including information on the</p> | N/A | Such sums as may be necessary for FY 2021 and each succeeding year |

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| state voter registration list, to provide individuals with an immediate response. On Election Day the DOJ must forward any voting complaints reported to the hotline to the relevant state or local jurisdiction. Requires DOJ to develop a Voter Hotline Task Force to provide ongoing analysis and assessment of the voter hotline. | | |
| Equitable and Efficient Operation of Polling Place: requires state to provide a sufficient number of polling places to ensure that no individual waits longer than 30 minutes to vote. States must consider a variety of criteria in determining the number of polling places, including voting age population, past voter turnout, number of registered voters, and length of ballot questions. The EAC must develop guidelines to assist states no later than 180 days after enactment. | 180 days after enactment | N/A |
| Limited Variation of Polling Places: requires states to establish polling place hours that ensure no polling place operates more than 2 hours longer than any other polling place. The provision does not apply where variations in polling place hours based on the overall population or voting age population of the local jurisdiction. Provides an exception where polling place hours are established by local jurisdictions. Also requires each state to establish polling place hours on Election Day so that no polling place is open for less than 4 hours outside of the hours between 9am and 5pm. | N/A | N/A |
| Study on Enforcement of Wait Times: requires EAC and GAO to submit a report to Congress no later than 18 months after enactment on the effectiveness of methods of enforcing the provisions requiring fair and equitable polling place wait times. | N/A | N/A |
| Drop Box Requirements: requires each county election jurisdiction in a state to provide at least one drop box beginning 45 days before an election. The number of drop boxes in counties election jurisdictions with more than 20,000 people must be based on the number of registered voters divided by 20,000, rounded to the nearest whole number. States may provide for security of drop boxes through remote or electronic surveillance. | November 2022 | N/A |
| Election Day as a Holiday: designates Election Day (first Tuesday after first Monday in November of even numbered years) as a legal public holiday. | November 2022 | N/A |
| Curbside Voting: states may not prohibit jurisdictions from utilizing curbside voting or imposing restrictions to exclude voters from using curbside voting. | November 2022 | N/A |
| Requires GAO to conduct the following studies: <ul style="list-style-type: none"> • GAO must conduct a study on voter turnout rates by age in states and localities that permit voters to participate in elections before reaching the age of 18, with a focus on localities that permit voting on reaching the age of 16. • GAO must conduct a study on the implementation and impact of ranked choice voting in state and localities, with a focus on how to best implement a model for federal election nationwide, and must submit a report to Congress no later than 1 year after enactment with any recommendations. | N/A | N/A |
| Election Contingency Plans: requires states and local jurisdiction to develop contingency plans within 90 days of enactment that enable people to vote during a state of emergency, public healthy emergency, or national emergency as a result of a natural disaster or infections disease. The plans must include efforts to protect poll workers and voters and | November 2022 | N/A |

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| recruit poll workers. Provides the DOJ with enforcement authority and authorizes a private right of action for violations of the provisions. | | |
| Post-Election Survey Participation: requires each state to provide the EAC with information required for conducting any post-election survey of states. | November 2022 | N/A |
| EAC Improvements: requires the EAC to conduct an assessment of its information technology systems and conduct a review of the effectiveness of the state-based administration complaint procedure under HAVA. | N/A | N/A |
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| Clarification on Exemption | | |
| Exemption for States without Voter Registration: clarifies that provisions under Title I of the Act pertaining to voter registration do not apply to any state that does not require voter registration. | N/A | N/A |
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| Voter Notice | | |
| Public Education Campaign for Emergency Changes: if election procedures change as a result of an emergency affecting public health and safety, state or local election officials must conduct a public education campaign through at least one direct mailing to each registered voter, and through additional direct mailings, newspaper advertisements, broadcasting, and social media, to notify people the public of the changes. | | |
| Election Official Website Requirements: <ul style="list-style-type: none"> ● requires that the website of each state and local election official be fully accessible for individuals with disabilities. ● requires NIST to establish best practices for ensuring the continuing operation of election official websites during emergencies affecting public health by August 15, 2021. Requires each state and local election official ensure their website is in compliance with the NIST best practices. ● requires the EAC to adopt voluntary guidance for the election official website requirements no later than August 15, 2021. | November 2020 | Such sums as may be necessary for FY 2022 through FY 2025. |
| Payments to States for Compliance: requires the EAC to make payments to eligible states for costs involved with meeting the requirements relating to public education campaigns in the event of election changes due to emergencies, and the requirements regarding the websites of election officials. | N/A | |
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| Election Integrity | | |

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| <p>Removal of Voters from the Registration List: prohibits states from removing someone from the voter registration list unless the state verifies the person is ineligible based on objective and reliable evidence. Failure to vote in any election, failure to respond to a notice under NVRA (unless returned undeliverable), and failure to take any other action with respect to voting are not considered objective and reliable evidence. States must send a notice to anyone removed from the registration list within 48 hours of removal, unless the person provided written confirmation of ineligibility or the person is deceased. States must notify the public within 48 hours of conducting any general program to remove ineligible voter from the registration list.</p> | Date of enactment | N/A |
| Election Security | | |
| <p>Voting System Security Improvement Grants: requires the EAC to make grants to states for the following activities:</p> <ul style="list-style-type: none"> replacing voting systems that do not meet the requirements of the Voter Confidence and Increased Accessibility Act with systems that do meet the requirements for use in the 2022 election; or replacing systems that are not in compliance with the most recent VVSG prior to the 2022 election with systems that are in compliance with the guidelines to carry out voting system security improvements, and to implement and model best practices for ballot design, ballot instructions, and the testing of ballots. <p>States are eligible for a grant if they describe how they will use the funding and certify that they will carry out risk limiting audits within 5 years of receiving the grant. The EAC must determine the appropriate grant amount, which must not be less than the product of \$1 and the average number of individuals who cast vote in any of the two most recent election for federal office in the state. Eligible voting system security improvements include enhancing the cybersecurity of voter registration systems and IT infrastructure, risk and vulnerability assessments, maintenance of election infrastructure, and acquisition of goods and services from a qualified election infrastructure vendor. Requires that a qualified election infrastructure vendor meet requirements established by the EAC and DHS, which must include restrictions on foreign ownership, notification of cybersecurity incidents, and compliance with relevant best practices issued by CISA.</p> | N/A | \$1 billion for FY 2021 and \$175 million for FY 2022, 2024, 2026, and 2028. |
| <p>Use of Requirements Payments: allows states to use requirements payments for election security related activities if they update the state plan accordingly.</p> | N/A | N/A |
| <p>EAC Duties: adds “the security of election infrastructure” to the scope of EAC duties and requires the EAC to develop, maintain, and disseminate cybersecurity guidelines.</p> | N/A | N/A |
| <p>EAC Advisor: requires the EAC to appoint a Senior Cyber Policy Advisor to serve as the primary advisor to the EAC on matters of cybersecurity for elections.</p> | N/A | N/A |
| <p>Grants for Risk Limiting Audits: requires the EAC to make grants to states for conducting risk limiting audits beginning with the November 2022 election. Describes a risk limiting audit as a process where, if the reported outcome of the election is incorrect, there is at least a predetermined percentage change that the audit will replace the incorrect outcome</p> | N/A | \$20 million for FY 2021 |

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| with the correct outcome as determined by a full hand tabulation of the votes cast. Requires that a risk limiting audit be conducted in accordance with rules and procedures established by the state election official, and establishes certain elements that must be included in the rules and procedures. States are eligible to receive a grant if they certify to the EAC they will conduct risk limiting audits within 5 years of receiving the grant. | | |
| Election Infrastructure Innovation Grant Program: requires DHS to establish a competitive grant program for eligible entities to conduct research and development that has the potential to improve the security of election infrastructure. | N/A | \$20 million for FY 2021 through FY 2029 |
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| Security Measures | | |
| Election Infrastructure Designation: amends the Homeland Security Act to define “election infrastructure” and include election infrastructure as part of the government facilities critical infrastructure sector. | N/A | N/A |
| Security Clearance for Election Officials: authorizes DHS to expedite and sponsor a security clearance for the state election official and designated personnel, and facilitate a temporary clearance for those officials to receive classified information as determined by DHS. | N/A | N/A |
| Risk and Vulnerability Assissments: DHS must, to the extent practicable, provide security risk and vulnerability assessment on election infrastructure within 90 days of a written request from the state election official. | N/A | N/A |
| DHS Reports to Congress: requires DHS submit reports to Congress on the status of security clearance assistance to state election officials and efforts to carry out risk and vulnerability assessment for state election officials. DHS must also submit a report to Congress after each fiscal year on foreign threats to elections. The DNI must submit a pre-election threat report no later than 180 days before each election to state election officials and Congressional committees with an assessment of threats to election infrastructure. | N/A | N/A |
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| Enhancing Protection for United States Democratic Institutions | | |
| National Strategy to Protect U.S. Democratic Institutions: no later than 1 year after enactment the President must issue a national strategy to protect election against cyber-attacks and other activities that could undermine the security and integrity of democratic institutions. No later than 90 days after issuing the national strategy the President must issue a plan for federal implementation of the strategy. | N/A | N/A |
| Establishes a 10-member National Commission to Protect United States Democratic Institutions to counter efforts to undermine U.S. democratic institutions. The commission must issue a report with findings and recommendation for strengthening protections for democratic institutions no later than 18 months after its first meeting. | N/A | N/A |
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| Promoting Cybersecurity Through Improvements in Election Administration | | |
| Compliance Testing of Voting Systems: no later than 9 months before an election the EAC must provide for testing by an accredited laboratory of the voting system hardware and software certified for use in the most recent election based on the VVSG and cybersecurity guidelines issued under the bill. Any hardware or software that does not meet the VVSG must be decertified. | November 2022 | N/A |
| TGDC CISA Guidelines: no later than 6 months after enactment the TGDC must issue election cybersecurity guidelines with standards and best practices for preventing and deter cybersecurity incidents. | | |
| Blockchain Study: requires the EAC to submit a report to Congress no later than 90 days after enactment on the use of blockchain technology to enhance voter security | N/A | N/A |
| E-Poll Book Treatment: amends HAVA to provide a definition of electronic poll books and treat electronic poll books as part of a voting system. | January 1, 2022 | N/A |
| Pre-Election Voting System Usage Reports: requires that no later than 120 days before each election the state election official submit a report to the EAC with a detailed voting system usage plan for each jurisdiction in the state and a detailed plan for usage of e-pollbooks. | Beginning with the 2022 election. | N/A |
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| Preventing Election Hacking | | |
| Bug Bounty Program: requires DHS to establish the Election Security Bug Bounty Program no later than 1 year after enactment to improve the cybersecurity of voting systems by facilitating and encouraging assessments of election cybersecurity vulnerabilities by independent technical experts. | N/A | N/A |
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| Election Security Grants Advisory Committee | | |
| Creates a 15-member advisory committee to assist the EAC with the award of election grants to states under the bill for election security purposes. The committee must review grant applications and make recommendations to the EAC. | 1 year after enactment. | N/A |
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| Voting Machine Manufacturers | | |
| Manufactured in US: States must seek to ensure that any voting machine used in the 2024 election and subsequent elections is manufactured in the United States. | November 2024 | N/A |
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| Study and Report on Bots | | |

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| EAC Task Force: requires the EAC to establish a task force to carry out a study on the impact of automated accounts on social media, public discourse, and elections. | N/A | N/A |
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