

110TH CONGRESS
2D SESSION

H. R. 7040

To amend the Help America Vote Act of 2002 to ensure that individuals who reside in a jurisdiction in a residence subject to foreclosure proceedings may continue to vote in elections for Federal office held in the jurisdiction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2008

Mr. KUCINICH (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCGOVERN, Ms. LEE, Mrs. CHRISTENSEN, Mr. GRIJALVA, and Mr. GONZALEZ) 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 ensure that individuals who reside in a jurisdiction in a residence subject to foreclosure proceedings may continue to vote in elections for Federal office held in the jurisdiction, 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 “Protecting Voters in
5 Foreclosure Act of 2008”.

1 **SEC. 2. RIGHTS OF INDIVIDUALS RESIDING IN PROPERTY**
2 **SUBJECT TO FORECLOSURE PROCEEDINGS**
3 **TO CONTINUE VOTING IN JURISDICTION.**

4 (a) IN GENERAL.—Subtitle A of title III of the Help
5 America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is
6 amended by inserting after section 303 the following new
7 section:

8 **“SEC. 303A. RIGHTS OF INDIVIDUALS RESIDING IN PROP-**
9 **ERTY SUBJECT TO FORECLOSURE PRO-**
10 **CEEDINGS TO CONTINUE VOTING IN JURIS-**
11 **DICTION.**

12 **“(a) PROTECTIONS FOR INDIVIDUALS AFFECTED BY**
13 **FORECLOSURE.—**

14 **“(1) IN GENERAL.—**With respect to any juris-
15 diction in which an election for Federal office is
16 held, an individual who resides in a household which
17 is located in the jurisdiction and which is subject to
18 foreclosure proceedings at the time of election, or
19 who resided in a household which was located in the
20 jurisdiction and which was subject to such pro-
21 ceedings at any time during the 3-year period ending
22 on the date of the election, shall be considered to re-
23 side in the jurisdiction for purposes of determining
24 the individual’s eligibility to vote in the election in
25 the jurisdiction and shall be permitted to cast a non-
26 provisional ballot in the election.

