

114TH CONGRESS
2D SESSION

H. R. 5488

To amend the Help America Vote Act of 2002 to require States to meet standards for the location and operation of polling places used in elections for Federal office, including a standard requiring States to ensure that no individual waits for longer than one hour to cast a vote at a polling place, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2016

Mr. GRIJALVA (for himself, Mrs. KIRKPATRICK, Mr. GALLEGO, Mr. VEASEY, Ms. JACKSON LEE, Mr. TED LIEU of California, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. CONYERS, Mr. MEEKS, Mr. HIGGINS, Ms. WASSERMAN SCHULTZ, Mr. RICHMOND, Mr. VAN HOLLEN, Mr. SCOTT of Virginia, Mr. BLUMENAUER, and Ms. LEE) 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 meet standards for the location and operation of polling places used in elections for Federal office, including a standard requiring States to ensure that no individual waits for longer than one hour to cast a vote at a polling place, 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 “Voting Access Act”.

1 **SEC. 2. REQUIRING STATES TO MEET STANDARDS FOR LO-**
2 **CATION AND OPERATION OF POLLING**
3 **PLACES USED IN ELECTIONS FOR FEDERAL**
4 **OFFICE.**

5 (a) ESTABLISHMENT OF STANDARDS.—

6 (1) IN GENERAL.—Title III of the Help Amer-
7 ica Vote Act of 2002 (52 U.S.C. 21081 et seq.) is
8 amended by inserting after section 303 the following
9 new section:

10 **“SEC. 303A. COMPLIANCE WITH STANDARDS FOR LOCATION**
11 **AND OPERATION OF POLLING PLACES.**

12 “(a) COMPLIANCE.—Each State shall comply with
13 the standards established by the Commission under this
14 section for the location and operation of polling places
15 used in elections for Federal office.

16 “(b) ESTABLISHMENT OF STANDARDS.—

17 “(1) STANDARDS DESCRIBED.—In consultation
18 with the chief State election officials of the States,
19 the Commission shall establish national standards
20 for the location and operation of polling places used
21 in elections for Federal office (other than sites used
22 as polling places on dates other than the date of the
23 election), including the following:

24 “(A) A requirement that no individual
25 shall be required to wait for longer than one
26 hour in order to cast a vote at a polling place.

1 “(B) Standards for determining the num-
2 ber of polling places within a jurisdiction on the
3 basis of the voting age population of the juris-
4 diction, taking into consideration factors which
5 include the linguistic preferences of voters in
6 the jurisdiction, the availability of same-day
7 voter registration in the jurisdiction, and other
8 relevant factors.

9 “(C) Standards for the nondiscriminatory
10 placement and location of polling places within
11 a jurisdiction, including standards to ensure
12 that polling places are accessible to voters with
13 disabilities and voters using public transpor-
14 tation.

15 “(D) Standards for ensuring that each
16 polling place has sufficient resources, including
17 voting systems, ballots, and election officials, to
18 meet the requirement described in subpara-
19 graph (A).

20 “(E) Standards for ensuring that voters
21 are given timely, accurate, and current informa-
22 tion in clear and concise language regarding
23 ballot information and the location of polling
24 places.

1 “(F) Best practices for preventing viola-
2 tions of laws prohibiting the intimidation or
3 harassment of voters at polling places.

4 “(2) PROCESS FOR ESTABLISHMENT OF STAND-
5 ARDS.—The establishment of the standards under
6 this section shall be carried out by the Commission
7 in a manner that provides for each of the following:

8 “(A) Publication of notice of the proposed
9 standards in the Federal Register.

10 “(B) An opportunity for public comment
11 on the proposed standards.

12 “(C) Publication of the final standards in
13 the Federal Register.

14 “(c) DEADLINE; EFFECTIVE DATE.—The Commis-
15 sion shall establish the standards under this section not
16 later than 1 year after the date of the enactment of this
17 section, and each State shall comply with the standards
18 with respect to all elections for Federal office held on or
19 after the expiration of the 180-day period which begins
20 on the date the Commission establishes the standards.”.

21 (2) CLERICAL AMENDMENT.—The table of con-
22 tents of such Act is amended by inserting after the
23 item relating to section 303 the following new item:

 “Sec. 303A. Compliance with standards for location and operation of polling
 places.”.

1 (b) ENFORCEMENT.—Section 401 of such Act (52
2 U.S.C. 21111) is amended by striking “and 303” and in-
3 serting “303, and 303A”.

4 (c) FUNDING.—Section 257(a) of such Act (52
5 U.S.C. 21007(a)) is amended by adding at the end the
6 following new paragraph:

7 “(5) For the first fiscal year during which
8 States are subject to the requirements of section
9 303A (relating to standards established by the Com-
10 mission for the location and operation of polling
11 places), such sums as are necessary for requirements
12 payments to enable the States to meet the require-
13 ments of such section.”.

14 **SEC. 3. STUDY AND REPORT ON MISIDENTIFICATION OF IN-**
15 **DIVIDUAL POLITICAL PARTY REGISTRATION.**

16 (a) STUDY.—The Election Assistance Commission
17 shall conduct a study of instances of the misidentification
18 by election officials of the political party registration of
19 individuals attempting to vote in primary elections for
20 Federal office, including an analysis of the frequency of
21 such misidentification among various jurisdictions.

22 (b) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Commission shall submit
24 to Congress a report on the study conducted under sub-
25 section (a), and shall include in the report such rec-

1 ommendations as the Commission considers appropriate to
2 prevent and respond to the misidentification of an individ-
3 ual's political party registration, including recommenda-
4 tions to permit individuals to correct their political party
5 registration at the polling place on the date of voting.

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