

116TH CONGRESS
1ST SESSION

H. R. 1513

To amend the Help America Vote Act of 2002 to enhance enforcement of the Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2019

Ms. DAVIDS of Kansas 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 enhance enforcement of the Act, 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 “Count the Vote Act”.

5 **SEC. 2. ENHANCEMENT OF ENFORCEMENT OF HELP AMER-**
6 **ICA VOTE ACT OF 2002.**

7 (a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT
8 OF ACTION.—Section 401 of the Help America Vote Act
9 of 2002 (52 U.S.C. 21111) is amended—

1 (1) by striking “The Attorney General” and in-
2 serting “(a) IN GENERAL.—The Attorney General”;
3 and

4 (2) by adding at the end the following new sub-
5 sections:

6 “(b) FILING OF COMPLAINTS BY AGGRIEVED PER-
7 SONS.—

8 “(1) IN GENERAL.—A person who is aggrieved
9 by a violation of title III which has occurred, is oc-
10 curring, or is about to occur may file a written,
11 signed, notarized complaint with the Attorney Gen-
12 eral describing the violation and requesting the At-
13 torney General to take appropriate action under this
14 section. The Attorney General shall immediately pro-
15 vide a copy of a complaint filed under the previous
16 sentence to the entity responsible for administering
17 the State-based administrative complaint procedures
18 described in section 402(a) for the State involved.

19 “(2) RESPONSE BY ATTORNEY GENERAL.—The
20 Attorney General shall respond to each complaint
21 filed under paragraph (1), in accordance with proce-
22 dures established by the Attorney General that re-
23 quire responses and determinations to be made with-
24 in the same (or shorter) deadlines which apply to a
25 State under the State-based administrative com-

1 plaint procedures described in section 402(a)(2).
2 The Attorney General shall immediately provide a
3 copy of the response made under the previous sen-
4 tence to the entity responsible for administering the
5 State-based administrative complaint procedures de-
6 scribed in section 402(a) for the State involved.

7 “(c) AVAILABILITY OF PRIVATE RIGHT OF AC-
8 TION.—Any person who is authorized to file a complaint
9 under subsection (b)(1) (including any individual who
10 seeks to enforce the individual’s right to a voter-verified
11 paper ballot, the right to have the voter-verified paper bal-
12 lot counted in accordance with this Act, or any other right
13 under title III) may file an action under section 1979 of
14 the Revised Statutes of the United States (42 U.S.C.
15 1983) to enforce the uniform and nondiscriminatory elec-
16 tion technology and administration requirements under
17 subtitle A of title III.

18 “(d) NO EFFECT ON STATE PROCEDURES.—Nothing
19 in this section may be construed to affect the availability
20 of the State-based administrative complaint procedures re-
21 quired under section 402 to any person filing a complaint
22 under this subsection.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this Act shall apply with respect to violations occurring

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- 1 with respect to elections for Federal office held in 2020
- 2 or any succeeding year.

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