

116TH CONGRESS
2D SESSION

H. R. 6882

To amend the Help America Vote Act of 2002 to prohibit payments under such Act to States which permit ballot harvesting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2020

Mr. RODNEY DAVIS of Illinois (for himself, Mr. MCCARTHY, Mr. SCALISE, Mr. NUNES, Mr. CALVERT, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. COOK, Mr. WALKER, and Mr. LOUDERMILK) 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 prohibit payments under such Act to States which permit ballot harvesting, 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 “Election Fraud Pre-
5 vention Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the right to vote is a fundamental right of
9 citizens of the United States;

1 (2) it is the responsibility of the State and Fed-
2 eral Governments to ensure that elections are con-
3 ducted with integrity;

4 (3) the Committee on House Administration of
5 the House of Representatives, which is charged with
6 investigating election irregularities, received reports
7 through its official Election Observer Program for
8 the 2018 general election that individuals other than
9 voters themselves were depositing large amounts of
10 absentee ballots at polling places throughout Cali-
11 fornia, a practice colloquially known as “ballot har-
12 vesting”;

13 (4) the practice of ballot harvesting in Cali-
14 fornia creates significant vulnerabilities in the chain-
15 of-custody of ballots because individuals collecting
16 ballots are not required to be registered voters and
17 are not required to identify themselves at a voter’s
18 home, and the State does not track how many bal-
19 lots are harvested in an election;

20 (5) in North Carolina, a congressional election
21 was invalidated due to fraud associated with ballot
22 harvesting committed by a political operative, and it
23 is unlikely such activity would have been detected
24 were it not for the prohibition against ballot har-
25 vesting in the State; and

1 (6) ballot harvesting invites electioneering activ-
2 ity at home and creates the possibility of undue in-
3 fluence over voters by political operatives.

4 **SEC. 3. PROHIBITION ON PAYMENTS TO STATES ALLOWING**
5 **COLLECTION AND TRANSMISSION OF BAL-**
6 **LOTS BY CERTAIN THIRD PARTIES.**

7 (a) IN GENERAL.—Subtitle D of title II of the Help
8 America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is
9 amended by adding at the end the following new part:

10 **“PART 7—PROHIBITION ON PAYMENTS TO**
11 **STATES ALLOWING COLLECTION AND**
12 **TRANSMISSION OF BALLOTS BY CERTAIN**
13 **THIRD PARTIES**

14 **“SEC. 297. ELIGIBILITY FOR PAYMENTS OF STATES ALLOW-**
15 **ING COLLECTION AND TRANSMISSION OF**
16 **BALLOTS BY CERTAIN THIRD PARTIES.**

17 “(a) IN GENERAL.—A State is not eligible to receive
18 funds under this Act unless the State has in effect a law
19 that prohibits an individual from the knowing collection
20 and transmission of a ballot in an election for Federal of-
21 fice that was mailed to another person, other than an indi-
22 vidual described as follows:

23 “(1) An election official while engaged in offi-
24 cial duties as authorized by law.

1 “(2) An employee of the United States Postal
2 Service while engaged in official duties as authorized
3 by law.

4 “(3) Any other individual who is allowed by law
5 to collect and transmit United States mail, while en-
6 gaged in official duties as authorized by law.

7 “(4) A family member, household member, or
8 caregiver of the person to whom the ballot was
9 mailed.

10 “(b) DEFINITIONS.—For purposes of this section,
11 with respect to a person to whom the ballot was mailed:

12 “(1) The term ‘caregiver’ means an individual
13 who provides medical or health care assistance to
14 such person in a residence, nursing care institution,
15 hospice facility, assisted living center, assisted living
16 facility, assisted living home, residential care institu-
17 tion, adult day health care facility, or adult foster
18 care home.

19 “(2) The term ‘family member’ means an indi-
20 vidual who is related to such person by blood, mar-
21 riage, adoption or legal guardianship.

22 “(3) The term ‘household member’ means an
23 individual who resides at the same residence as such
24 person.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended by inserting after the item relating
3 to section 296 the following new item:

“PART 7—PROHIBITION ON PAYMENTS TO STATES ALLOWING COLLECTION
AND TRANSMISSION OF BALLOTS BY CERTAIN THIRD PARTIES

“Sec. 297. Eligibility for payments of States allowing collection and trans-
mission of ballots by certain third parties.”.

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