

117TH CONGRESS
1ST SESSION

H. R. 1070

To amend the Help America Vote Act of 2002 to prohibit States from using proprietary voting system hardware or software in the administration of an election for Federal office which prevents the system from meeting the voluntary voting system guidelines for interoperability and auditability issued by the Election Assistance Commission under such Act.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2021

Mr. POSEY 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 States from using proprietary voting system hardware or software in the administration of an election for Federal office which prevents the system from meeting the voluntary voting system guidelines for interoperability and auditability issued by the Election Assistance Commission under such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Election Audit Trans-
3 parency Act”.

4 **SEC. 2. PROHIBITING USE OF PROPRIETARY VOTING SYS-**
5 **TEM HARDWARE OR SOFTWARE NOT ENA-**
6 **BLING AUDITS.**

7 (a) PROHIBITION.—Section 301(a) of the Help Amer-
8 ica Vote Act of 2002 (52 U.S.C. 21081(a)) is amended
9 by adding at the end the following new paragraph:

10 “(7) PROHIBITING USE OF PROPRIETARY HARD-
11 WARE OR SOFTWARE NOT MEETING VOLUNTARY
12 GUIDANCE FOR INTEROPERABILITY AND
13 AUDITABILITY.—The voting system may not use any
14 proprietary hardware or software unless the manu-
15 facturer of the hardware or software provides the
16 appropriate election official with such information
17 and assistance as the official may require to enable
18 the voting system to be interoperable and auditable
19 in accordance with the most recent voluntary voting
20 system guidelines issued by the Commission under
21 this title.”.

22 (b) EFFECTIVE DATE.—Section 301(d) of such Act
23 (52 U.S.C. 21081(d)) is amended by striking the period
24 at the end and inserting the following: “, or, in the case

1 of the requirements of paragraph (7) of subsection (a),
2 on and after January 1, 2022.”.

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