

117TH CONGRESS
2D SESSION

S. 4887

To amend the Help America Vote Act of 2002 to require States to provide for same day voter registration.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2022

Ms. KLOBUCHAR (for herself, Mr. WYDEN, Mr. MARKEY, Ms. CORTEZ MASTO, Mr. MERKLEY, Mr. BENNET, Ms. WARREN, Mr. CASEY, Ms. SMITH, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. HIRONO, Mr. BOOKER, Mr. SANDERS, Mr. MURPHY, Mr. KAINE, Mr. MENENDEZ, Mr. KING, Mr. DURBIN, Mrs. FEINSTEIN, Mr. BROWN, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To amend the Help America Vote Act of 2002 to require States to provide for same day voter registration.

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 “Same Day Registration
5 Act”.

6 **SEC. 2. SAME DAY REGISTRATION.**

7 (a) IN GENERAL.—Title III of the Help America
8 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

1 (1) by redesignating sections 304 and 305 as
2 sections 305 and 306, respectively; and

3 (2) by inserting after section 303 the following
4 new section:

5 **“SEC. 304. SAME DAY REGISTRATION.**

6 “(a) IN GENERAL.—

7 “(1) REGISTRATION.—Each State shall permit
8 any eligible individual on the day of a Federal elec-
9 tion and on any day when voting, including early
10 voting, is permitted for a Federal election—

11 “(A) to register to vote in such election at
12 the polling place using a form that meets the
13 requirements under section 9(b) of the National
14 Voter Registration Act of 1993 (or, if the indi-
15 vidual is already registered to vote, to revise
16 any of the individual’s voter registration infor-
17 mation); and

18 “(B) to cast a vote in such election.

19 “(2) EXCEPTION.—The requirements under
20 paragraph (1) shall not apply to a State in which,
21 under a State law in effect continuously on and after
22 the date of the enactment of this section, there is no
23 voter registration requirement for individuals in the
24 State with respect to elections for Federal office.

1 “(b) ELIGIBLE INDIVIDUAL.—For purposes of this
 2 section, the term ‘eligible individual’ means, with respect
 3 to any election for Federal office, an individual who is oth-
 4 erwise qualified to vote in that election.

5 “(c) ENSURING AVAILABILITY OF FORMS.—The
 6 State shall ensure that each polling place has copies of
 7 any forms an individual may be required to complete in
 8 order to register to vote or revise the individual’s voter
 9 registration information under this section.

10 “(d) EFFECTIVE DATE.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
 12 each State shall be required to comply with the re-
 13 quirements of this section for the regularly sched-
 14 uled general election for Federal office occurring in
 15 November 2024 and for any subsequent election for
 16 Federal office.

17 “(2) SPECIAL RULES FOR ELECTIONS BEFORE
 18 NOVEMBER 2028.—

19 “(A) ELECTIONS PRIOR TO NOVEMBER
 20 2026 GENERAL ELECTION.—A State shall be
 21 deemed to be in compliance with the require-
 22 ments of this section for the regularly scheduled
 23 general election for Federal office occurring in
 24 November 2024 and subsequent elections for
 25 Federal office occurring before the regularly

1 scheduled general election for Federal office in
2 November 2026 if at least one location for each
3 15,000 registered voters in each jurisdiction in
4 the State meets such requirements, and such lo-
5 cation is reasonably located to serve voting pop-
6 ulations equitably across the jurisdiction.

7 “(B) ADDITIONAL ELECTIONS PRIOR TO
8 NOVEMBER 2028 GENERAL ELECTION.—If a
9 State certifies to the Commission not later than
10 November 3, 2026, that the State will not be in
11 compliance with the requirements of this section
12 for the regularly scheduled general election for
13 Federal office occurring in November 2026 be-
14 cause it would be impracticable to do so and in-
15 cludes in the certification the reasons for the
16 failure to meet such requirements, the State
17 shall be deemed to be in compliance with the re-
18 quirements of this section for the regularly
19 scheduled general election for Federal office in
20 November 2026 and subsequent elections for
21 Federal office occurring before the regularly
22 scheduled general election for Federal office in
23 November 2028, if at least one location for each
24 15,000 registered voters in each jurisdiction in
25 the State meets such requirements, and such lo-

1 cation is reasonably located to serve voting pop-
2 ulations equitably across the jurisdiction.”.

3 (b) CONFORMING AMENDMENT RELATING TO EN-
4 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
5 is amended by striking “sections 301, 302, and 303” and
6 inserting “subtitle A of title III”.

7 (c) CLERICAL AMENDMENTS.—The table of contents
8 of such Act is amended—

9 (1) by redesignating the items relating to sec-
10 tions 304 and 305 as relating to sections 305 and
11 306, respectively; and

12 (2) by inserting after the item relating to sec-
13 tion 303 the following new item:

“Sec. 304. Same day registration.”.

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