

119TH CONGRESS
2D SESSION

H. R. 9873

To guarantee the right to vote for all citizens regardless of conviction of a criminal offense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2026

Ms. PRESSLEY (for herself, Mr. CLEAVER, Mr. JOHNSON of Georgia, Ms. LEE of Pennsylvania, Mr. MFUME, Ms. NORTON, Ms. OMAR, Mrs. RAMIREZ, Ms. SEWELL, Ms. SIMON, Mr. TONKO, Mr. THANEDAR, Mr. CASAR, and Ms. TLAIB) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To guarantee the right to vote for all citizens regardless of conviction of a criminal offense, 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 “Inclusive Democracy
5 Act of 2026”.

1 **SEC. 2. PROTECTING THE FUNDAMENTAL RIGHT TO VOTE.**

2 (a) PROTECTION OF RIGHT.—The right of citizens of
3 the United States to vote in a election for Federal office
4 shall not be denied or abridged by the United States or
5 by any State on account of conviction of a criminal of-
6 fense.

7 (b) APPLICATION.—Subsection (a) applies with re-
8 spect to convictions occurring before, on, or after the date
9 of the enactment of this Act.

10 **SEC. 3. ACCESS TO THE BALLOT.**

11 (a) NOTIFICATION OF VOTING RIGHTS.—

12 (1) STATE NOTIFICATION.—At the time an in-
13 dividual is convicted of a criminal offense under the
14 law of a State, the State shall notify the individual
15 in writing that the individual’s conviction of the of-
16 fense does not affect the individual’s right to vote in
17 an election for Federal office and that the individual
18 may register or remain registered to vote in an elec-
19 tion for Federal office if the individual is otherwise
20 eligible to vote in the election, notwithstanding the
21 individual’s conviction.

22 (2) FEDERAL NOTIFICATION.—At the time an
23 individual is convicted of a criminal offense under
24 Federal law, the court in which the individual is con-
25 victed shall notify the individual in writing that the
26 individual’s conviction of the offense does not affect

1 the individual's right to vote in an election for Fed-
2 eral office and that the individual may register or re-
3 main registered to vote in an election for Federal of-
4 fice if the individual is otherwise eligible to vote in
5 the election, notwithstanding the individual's convic-
6 tion.

7 (3) PERSONS ON PROBATION AND PAROLE.—
8 Not later than 90 days after the date of the enact-
9 ment of this Act, the head of each Federal, State,
10 and local probation or parole office shall provide
11 each individual on probation or parole under the ju-
12 risdiction of that office with written notification
13 about any changes made by this Act to voter eligi-
14 bility requirements in the applicable State.

15 (4) PERSONS IN CARCERAL SETTINGS.—Not
16 later than 90 days after the date of the enactment
17 of this Act, the head of each Federal, State, and
18 local carceral setting shall provide each individual in-
19 carcerated in their carceral setting with written noti-
20 fication that the individual's criminal conviction does
21 not affect the individual's right to vote in an election
22 for Federal office and that the individual may reg-
23 ister or remain registered to vote in an election for
24 Federal office if the individual is otherwise eligible

1 to vote in the election, notwithstanding the individ-
2 ual's conviction.

3 (5) PUBLIC NOTICE.—

4 (A) ROLE OF THE ELECTION ASSISTANCE
5 COMMISSION.—Not later than 180 days after
6 the date of the enactment of this Act, the Elec-
7 tion Assistance Commission shall conduct a na-
8 tional public service announcement campaign,
9 using newspapers, radio stations, social media
10 platforms, and network television, to inform the
11 public about the changes in voter eligibility pur-
12 suant to this Act.

13 (B) ROLE OF THE DEPARTMENT OF JUS-
14 TICE.—Not later than 60 days after the date of
15 the enactment of this Act, the Attorney General
16 shall publish updated information on voting
17 rights for individuals with criminal records and
18 guidance on developing voting practices for such
19 individuals. Such information shall be—

20 (i) made publicly available on the De-
21 partment of Justice's website;

22 (ii) made publicly available on the
23 Election Assistance Commission's website;
24 and

(iii) provided to the Federal Bureau of Prisons, the Office of U.S. Probation and Pretrial Services, and the chief State election official and the head of the department of corrections in each State.

(b) REGISTRATION.—

(1) ACCESS TO REGISTRATION.—The head of each carceral setting shall offer an individual who is incarcerated at the carceral setting the opportunity to register to vote in an election for Federal office by providing the individual with the mail voter registration application form described in section 9(a)(2) of the National Voter Registration Act of 1993 (52 U.S.C. 20508(a)(2)) at the time of the individual's incarceration at the carceral setting and upon the individual's request.

(2) TRANSMISSION OF VOTER REGISTRATION APPLICATIONS BY CARCERAL SETTING.—

(A) IN GENERAL.—Not later than 10 days after an individual who is incarcerated in a carceral setting provides an employee of the carceral setting with the individual's completed voter registration application form, the head of the carceral setting shall mail or otherwise transmit the form to the chief State election of-

1 ficial of the State in which the individual has
2 applied to register to vote.

3 (B) EXPEDITED TRANSMISSION WITHIN 5
4 DAYS OF ELECTION.—If an individual provides
5 an employee of the carceral setting with a com-
6 pleted voter registration application form within
7 5 days before the deadline for registering to
8 vote in an election for Federal office for which
9 the individual seeks to register, the head of the
10 carceral setting shall—

11 (i) transmit to the chief State election
12 official of the State in which the individual
13 seeks to register to vote the individual's
14 application form electronically on the day
15 on which the head of the carceral setting
16 receives the form from the individual; or

17 (ii) shall ensure that the form is
18 mailed to the chief State election official of
19 the State in which the individual seeks to
20 register to vote and is postmarked within
21 2 days of receiving the form from the indi-
22 vidual.

23 (3) ACCEPTANCE OF FORMS BY ELECTION OF-
24 FICIALS.—

1 (A) DEADLINE FOR ACCEPTANCE.—A
2 State may not refuse to accept or process a
3 voter registration application form submitted on
4 behalf of an individual under this subsection
5 with respect to an election for Federal office in
6 the State on the grounds that the individual did
7 not meet a deadline for returning the form to
8 the appropriate State or local election official if
9 the form is postmarked or otherwise indicated
10 by the United States Postal Service to have
11 been mailed within 2 days of the deadline for
12 receipt of the form under State law.

13 (B) REQUIRING ACCEPTANCE IN ELEC-
14 TRONIC FORM.—A State may not refuse to ac-
15 cept or process a voter registration application
16 form submitted on behalf of an individual under
17 this subsection with respect to an election for
18 Federal office in the State on the grounds that
19 the individual submitted the form electronically,
20 including by fax or email, or that the individual
21 submitted the form by mail.

22 (4) ADDRESS FOR PURPOSES OF VOTER REG-
23 ISTRATION.—

24 (A) CHOICE OF ADDRESS.—An incarcer-
25 ated individual may register to vote in an elec-

tion for Federal office in accordance with this section by using either the individual's last known address or the address of the carceral setting.

(B) PROVIDING SAME ABILITY TO CHANGE ADDRESS BETWEEN ELECTIONS AS REGISTRANTS NOT INCARCERATED.—To the extent that a State permits an individual who is not incarcerated to use a different address to register to vote in elections for the same Federal office, including primary, general, and runoff elections for that office, the State shall permit an incarcerated individual to use either the individual's last known address or the address of the carceral setting to register to vote in elections for the same Federal office.

(5) EXCEPTION.—Nothing in this section shall be construed as requiring an incarcerated individual to register to vote if the individual's address under paragraph (4)(A) is located in a jurisdiction that does not require voter registration as a prerequisite to voting in an election for Federal office.

(c) ABSENTEE VOTING.—

(1) IN GENERAL.—An individual who is incarcerated in a carceral setting and who is registered

1 to vote in an election for Federal office shall have
2 the right to vote in the election by mail by absentee
3 ballot.

4 (2) ABSENTEE BALLOT APPLICATIONS.—

5 (A) PROVISION OF APPLICATIONS.—If an
6 individual who is incarcerated in a carceral set-
7 ting is registered to vote in an election for Fed-
8 eral office, the head of the carceral setting shall
9 provide the individual with an application to
10 vote by absentee ballot in the election upon re-
11 quest.

12 (B) TRANSMISSION OF APPLICATIONS.—

13 Not later than 2 days after an incarcerated in-
14 dividual provides an employee of the carceral
15 setting with a completed application to vote by
16 absentee ballot, the head of the carceral setting
17 shall mail or otherwise transmit the application
18 to the chief State election official of the State
19 in which the individual is registered to vote in
20 the election.

21 (C) ACCEPTANCE OF APPLICATIONS.—

22 (i) DEADLINE.—A State may not
23 refuse to accept or process an application
24 to vote by absentee ballot submitted on be-
25 half of an individual under this subsection

1 with respect to an election for Federal of-
2 fice in the State on the grounds that the
3 individual did not meet a deadline for re-
4 turning the application to the appropriate
5 State or local election official if the form is
6 postmarked or otherwise indicated by the
7 United States Postal Service to have been
8 mailed within 2 days of the deadline for
9 the receipt of the application under State
10 law.

11 (ii) REQUIRING ACCEPTANCE IN ELEC-
12 TRONIC FORM.—A State may not refuse to
13 accept or process an application to vote by
14 absentee ballot submitted on behalf of an
15 individual under this subsection with re-
16 spect to an election for Federal office in
17 the State on the grounds that the indi-
18 vidual submitted the application electroni-
19 cally, including by fax or email, or that the
20 individual submitted the application by
21 mail.

22 (D) REQUIREMENTS FOR STATES TRANS-
23 MITTING APPLICATIONS WITHOUT REQUEST
24 FROM REGISTRANT.—A State which transmits
25 applications to vote by absentee ballot in an

1 election for Federal office to each individual
2 who is registered to vote in the election, without
3 regard to whether the individual requests the
4 application, shall ensure that applications are
5 transmitted to individuals who are incarcerated
6 in a carceral setting and who are registered to
7 vote in the election in the same manner as ap-
8 plications are transmitted to other individuals
9 who are registered to vote in the election.

10 (3) ABSENTEE BALLOTS.—

11 (A) PROVISION OF ABSENTEE BALLOTS.—

12 (i) ELECTION MAIL.—An absentee
13 ballot that is mailed to an incarcerated in-
14 dividual under this subsection shall be
15 treated and marked as election mail for
16 purposes of title 39, United States Code.

17 (ii) EXPEDITED PROCESSING.—The
18 head of a carceral setting shall ensure that
19 any election mail is made available to an
20 incarcerated individual to whom it is ad-
21 dressed not later than 24 hours after such
22 mail is received at the carceral setting.

23 (B) PROVISIONAL BALLOTS.—

24 (i) RIGHT TO CAST PROVISIONAL AB-
25 SENTEE BALLOT.—If an incarcerated indi-

1 vidual declares that such individual is a
2 registered voter in the jurisdiction in which
3 the individual desires to vote and that the
4 individual is eligible to vote in an election
5 for Federal office, but the name of the in-
6 dividual does not appear on the official list
7 of eligible voters for the election or an elec-
8 tion official asserts that the individual is
9 not eligible to vote, such individual shall be
10 permitted to cast a provisional absentee
11 ballot in the election, notwithstanding the
12 failure of the individual to request an ab-
13 sentee ballot prior to the deadline for sub-
14 mitting a request for the ballot under the
15 law of the State in which the individual
16 seeks to vote.

17 (ii) PROCESS.—Section 302(a) of the
18 Help America Vote Act of 2002 (52 U.S.C.
19 21082(a)) shall apply with respect to a
20 provisional absentee ballot cast by an in-
21 carcerated individual under this subsection
22 in the same manner as such section applies
23 to a provisional ballot cast by a voter.

24 (C) PRE-PAID POSTAGE.—Consistent with
25 regulations of the United States Postal Service,

1 the State or the unit of local government re-
2 sponsible for the administration of the election
3 for Federal office involved shall prepay the
4 postage on any envelope provided to an incar-
5 cerated individual under this Act.

6 (D) TRANSMISSION OF BALLOTS.—The
7 head of a carceral setting shall mail or other-
8 wise transmit a ballot on behalf of an incarcer-
9 ated individual under this subsection to the ap-
10 propriate election official on the same day on
11 which an incarcerated individual submits the
12 ballot to an employee of the carceral setting, or,
13 if the individual submits the ballot to an em-
14 ployee of the carceral setting after business
15 hours, not later than 24 hours after the indi-
16 vidual submits the ballot to the employee.

17 (E) ACCEPTANCE OF BALLOTS.—A State
18 may not refuse to accept or process an absentee
19 ballot submitted on behalf of an individual
20 under this subsection with respect to an election
21 for Federal office in the State—

22 (i) on the grounds that the individual
23 did not meet a deadline for returning the
24 ballot to the appropriate State or local
25 election official if the ballot is postmarked

1 or otherwise indicated by the United States
2 Postal Service to have been mailed on or
3 before the date of the election; or

4 (ii) on the grounds that the individual
5 did not include with the ballot a copy of a
6 form of identification otherwise required
7 under State law.

8 (F) NOTICE AND OPPORTUNITY TO CURE
9 MISSING SIGNATURE OR OTHER DEFECT.—If an
10 incarcerated individual submits a ballot under
11 this subsection without a signature or submits
12 a ballot with another defect (other than a defect
13 consisting of the failure of a ballot to meet the
14 applicable deadline for the acceptance of the
15 ballot) which, if left uncured, would cause the
16 ballot to not be counted, the appropriate State
17 or local election official, prior to making a final
18 determination as to the validity of the ballot,
19 shall—

20 (i) make a good faith effort to imme-
21 diately notify the individual by mail, tele-
22 phone, and (if available) text message and
23 electronic mail that—

1 (I) the ballot did not include a
2 signature or has some other defect;
3 and

4 (II) if the individual does not
5 provide the missing signature or cure
6 the other defect prior to the expira-
7 tion of the 10-day period which begins
8 on the date the official notifies the in-
9 dividual that the ballot did not include
10 a signature or has some other defect,
11 such ballot will not be counted; and

12 (ii) count the ballot if, prior to the ex-
13 piration of the 10-day period described in
14 clause (i)(II), the individual provides the
15 official with the missing signature on a
16 form proscribed by the State or cures the
17 other defect.

18 (G) REQUIREMENTS FOR STATES TRANS-
19 MITTING APPLICATIONS WITHOUT REQUEST
20 FROM REGISTRANT.—A State which transmits
21 absentee ballots in an election for Federal office
22 to each individual who is registered to vote in
23 the election, without regard to whether the indi-
24 vidual requests the absentee ballot, shall ensure
25 that absentee ballots are transmitted to individ-

1 uals who are incarcerated in a carceral setting
2 and who are registered to vote in the election
3 in the same manner as absentee ballots are
4 transmitted to other individuals who are reg-
5 istered to vote in the election.

6 (d) ACCESS TO SERVICES AND INFORMATION ON
7 ELECTIONS.—

8 (1) ONLINE SERVICES.—If a carceral setting
9 provides the individuals who are incarcerated in the
10 carceral setting with access to computers, tablets, or
11 other electronic devices with internet access, the
12 carceral setting shall permit an incarcerated indi-
13 vidual who is eligible to vote in an election for Fed-
14 eral office with access to the internet and such de-
15 vices free of charge for the purpose of researching
16 candidates in the election, political campaigns, and
17 procedures for registration and voting.

18 (2) DISTRIBUTION OF INFORMATION BY CAN-
19 DIDATES, CAMPAIGNS, AND NONPARTISAN
20 GROUPS.—A carceral setting shall permit candidates,
21 political campaigns, and non-partisan groups that
22 register individuals to vote and distribute voter edu-
23 cational materials and information on an election for
24 Federal office and voting, candidates, and political

1 campaigns involved with the election to distribute
2 such materials inside the carceral setting—

3 (A) in the case of a candidate, political
4 campaign, or nonpartisan group that distributes
5 such materials and information on elections for
6 Federal office held in the State in which the
7 carceral setting is located, for not fewer than
8 60 days before the date of any election for Fed-
9 eral office held in the State; or

10 (B) in the case of a candidate, political
11 campaign, or nonpartisan group that distributes
12 such materials and information on elections for
13 Federal office which are not held in that State,
14 at least once a year.

15 (3) POSTING OF INFORMATION IN CARCERAL
16 SETTING.—The head of a carceral setting shall en-
17 sure that information on registering to vote in elec-
18 tions for Federal office, requesting an absentee bal-
19 lot in such elections, and voting in elections for Fed-
20 eral office is posted prominently in an area of the
21 carceral setting that is commonly accessible and visi-
22 ble to the incarcerated individuals.

23 (e) ACCESS FOR THIRD PARTIES TO PROVIDE VOTER
24 REGISTRATION SERVICES.—

1 (1) ACCESS REQUIRED.—The head of a carceral
2 setting shall permit a nonpartisan entity that pro-
3 vides non-partisan voter registration services to
4 enter the carceral setting and provide such services
5 to individuals who are incarcerated in the carceral
6 setting.

7 (2) PROHIBITING RESTRICTIONS ON ACCESS OF
8 CERTAIN INDIVIDUALS.—The head of a carceral set-
9 ting may not place restrictions on an individual's
10 ability to enter a carceral setting as a representative
11 of a nonpartisan entity described in paragraph (1)
12 on the grounds that the individual was formerly in-
13 carcerated or that the individual is on the visitors
14 list of an individual who is currently incarcerated.

15 (f) GUIDANCE ON PROSECUTION.—No incarcerated
16 individual who is registered to vote in an election for Fed-
17 eral office and who is provided a ballot that includes an
18 election for a non-Federal office, ballot initiative, or ref-
19 erendum for which the individual is not registered to vote
20 may be prosecuted under any law on the grounds that the
21 individual voted in that election for a non-Federal office,
22 ballot initiative, or referendum.

23 (g) EFFECTIVE DATE.—This section shall apply with
24 respect to the regularly scheduled general elections for

1 Federal office in November 2026 and each succeeding
2 election for Federal office.

3 **SEC. 4. ENFORCEMENT.**

4 (a) ATTORNEY GENERAL.—The Attorney General
5 may, in a civil action, obtain such declaratory or injunctive
6 relief as is necessary to remedy a violation of this Act.

7 (b) PRIVATE RIGHT OF ACTION.—

8 (1) IN GENERAL.—A person who is aggrieved
9 by a violation of this Act may provide written notice
10 of the violation to the chief State election official of
11 the State involved, or, if the violation is alleged to
12 be committed by an officer or employee of the Fed-
13 eral Government, to the Attorney General.

14 (2) RELIEF.—Except as provided in paragraph
15 (3), if the violation is not corrected within 30 days
16 after receipt of a notice under paragraph (1), or
17 within 10 days after receipt of the notice if the viola-
18 tion occurred within 120 days before the date of an
19 election for Federal office, the aggrieved person
20 may, in a civil action, obtain declaratory or injunc-
21 tive relief with respect to the violation.

22 (3) EXCEPTIONS.—Notwithstanding paragraphs
23 (1) and (2), a civil action to obtain declaratory or
24 injunctive relief with respect to a violation of this

1 Act may be immediately brought by an incarcerated
2 individual—

3 (A) who requested the opportunity to reg-
4 ister to vote in an election for Federal office
5 and did not receive a voter registration applica-
6 tion, or who submitted a voter registration ap-
7 plication that was not properly transmitted or
8 processed, within 30 days of the State’s voter
9 registration deadline; and

10 (B) who is registered to vote in an election
11 for Federal office and who—

12 (i) is denied access to an absentee bal-
13 lot application;

14 (ii) has their request for an absentee
15 ballot improperly denied;

16 (iii) is not supplied with an absentee
17 ballot after properly requesting one;

18 (iv) does not have their voted ballot
19 properly transmitted to the appropriate
20 election official; or

21 (v) is otherwise denied the right to re-
22 ceive or cast an absentee ballot.

23 **SEC. 5. DEFINITIONS.**

24 For purposes of this Act:

1 (1) CARCERAL SETTING.—The term “carceral
2 setting” means any prison, penitentiary, jail, or
3 other institution or facility that confines individuals
4 charged with or convicted of criminal offenses,
5 whether publicly or privately operated, except that
6 such term does not include any residential commu-
7 nity treatment center (or similar public or private
8 facility).

9 (2) CHIEF STATE ELECTION OFFICIAL.—The
10 term “chief State election official” means the indi-
11 vidual designated by a State under section 10 of the
12 National Voter Registration Act of 1993 (52 U.S.C.
13 20509) to be responsible for the coordination of
14 State responsibilities under such Act.

15 (3) ELECTION.—The term “election” means—

16 (A) a general, special, primary, or runoff
17 election;

18 (B) a convention or caucus of a political
19 party held to nominate a candidate;

20 (C) a primary election held for the selec-
21 tion of delegates to a national nominating con-
22 vention of a political party; or

23 (D) a primary election held for the expres-
24 sion of a preference for the nomination of per-
25 sons for election to the office of President.

1 (4) FEDERAL OFFICE.—The term “Federal of-
2 fice” means the office of President or Vice President
3 of the United States, or of Senator or Representa-
4 tive in, or Delegate or Resident Commissioner to,
5 the Congress.

6 **SEC. 6. RELATION TO OTHER LAWS.**

7 (a) STATE LAWS RELATING TO VOTING RIGHTS.—
8 Nothing in this Act shall be construed to prohibit a State
9 from enacting any law which affords the right to vote or
10 the right to register to vote in any election for Federal,
11 State, or local office on terms less restrictive than those
12 established by this Act.

13 (b) CERTAIN FEDERAL ACTS.—The rights and rem-
14 edies established by this Act are in addition to all other
15 rights and remedies provided by law, and neither rights
16 and remedies established by this Act shall supersede, re-
17 strict, or limit the application of the Voting Rights Act
18 of 1965 (52 U.S.C. 10301 et seq.), the National Voter
19 Registration Act of 1993 (52 U.S.C. 20501 et seq.), or
20 the Help America Vote Act of 2002 (52 U.S.C. 20901 et
21 seq.).

1 **SEC. 7. INTERPRETATIONS FAVORABLE TO THE PERSON**
2 **SEEKING TO REGISTER OR VOTE.**

3 If a provision of this Act is susceptible to differing
4 interpretations, it shall be construed in favor of the person
5 seeking to register or vote.

6 **SEC. 8. SEVERABILITY.**

7 If any provision of this Act or the application of any
8 provision thereof to any person or circumstance is judi-
9 cially determined to be invalid, the remainder of this Act
10 or the application of such provision to other persons or
11 circumstances shall not be affected by such determination.

○