

119TH CONGRESS
2D SESSION

S. 5001

To amend the Help America Vote Act of 2002 to require ballots in elections for Federal office to be received by the close of the polls on the date of election.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2026

Mrs. MOODY 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 ballots in elections for Federal office to be received by the close of the polls on the date of election.

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 “Ballots by Election
5 Day Act”.

6 **SEC. 2. DEADLINE FOR RECEIPT OF BALLOTS.**

7 (a) IN GENERAL.—Title III of the Help America
8 Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended—

1 (1) by redesignating sections 305 and 306 as
2 sections 306 and 307, respectively; and

3 (2) by inserting after section 304 the following
4 new section:

5 **“SEC. 305. DEADLINE FOR RECEIPT OF BALLOTS.**

6 “(a) IN GENERAL.—To be considered validly cast and
7 eligible to be counted in any election for Federal office,
8 including a primary, runoff, or special election, all ballots
9 (including absentee and mail-in ballots) must be received
10 by the appropriate election official no later than the time
11 polls close on the date of the election and, in the case of
12 a general election for Federal office, no later than the time
13 polls close on the date established under section 25 of the
14 Revised Statutes of the United States (2 U.S.C. 7) for
15 each general election for Federal office.

16 “(b) UNTIMELY BALLOT.—No State may accept for
17 tabulation any ballot (including an absentee or mail-in bal-
18 lot) that is received by the appropriate election official fol-
19 lowing the time polls close on the date of the election.

20 “(c) EXCEPTION.—The deadline described in sub-
21 section (a) shall not apply with respect to ballots cast by
22 absent uniformed services voters or overseas voters, as de-
23 fined in section 107 of the Uniformed and Overseas Citi-
24 zens Absentee Voting Act (52 U.S.C. 20310).

1 “(d) EFFECTIVE DATE.—This section shall apply
2 with respect to elections for Federal office held in 2027
3 or any succeeding year.”.

4 (b) ENFORCEMENT.—Section 401 of the Help Amer-
5 ica Vote Act of 2002 (52 U.S.C. 2111) is amended by
6 striking “and 304” and inserting “304, and 305”.

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

9 (1) by redesignating the items relating to sec-
10 tions 305 and 306 as relating to sections 306 and
11 307, respectively; and

12 (2) by inserting after the item relating to sec-
13 tion 304 the following new item:

“Sec. 305. Deadline for receipt of ballots.”.

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