

109TH CONGRESS  
1ST SESSION

# H. R. 278

To amend the Help America Vote Act of 2002 to require voting systems to produce a verifiable paper record of each vote cast and to ensure the security of electronic data, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2005

Mr. KING of Iowa introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the Help America Vote Act of 2002 to require voting systems to produce a verifiable paper record of each vote cast and to ensure the security of electronic data, 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 “Know Your Vote

5       Counts Act of 2005”.

1 **SEC. 2. ADDITIONAL REQUIREMENTS FOR VOTING SYS-**2 **TEMS.**

3 (a) PRODUCTION OF PERMANENT, INDIVIDUALLY

4 VERIFIABLE PAPER RECORD OF EACH VOTE CAST.—Sec-

5 tion 301(a)(2)(B) of the Help America Vote Act of 2002

6 (42 U.S.C. 15481(a)(2)(B)) is amended—

7 (1) by redesignating clause (iii) as clause (iv);

8 and

9 (2) by striking clauses (i) and (ii) and inserting

10 the following:

11 “(i) After the voter enters a vote on  
12 the voting system, the system shall provide  
13 the voter with an auditable paper record  
14 showing how the vote will be recorded by  
15 the system, and the voter shall use such  
16 record to verify that the vote shown is the  
17 vote the voter intends to cast.18 “(ii) If the voter does not verify that  
19 the vote shown on a record provided under  
20 clause (i) is the vote the voter intends to  
21 cast, the system shall provide the voter  
22 with the opportunity to change the ballot  
23 and correct any error in the vote, and shall  
24 provide the voter with a new auditable  
25 paper record under such clause that re-

1                   flects the change or correction made by the  
2                   voter.

3                   “(iii) Once a voter verifies that the  
4                   vote shown on a paper record provided  
5                   under clause (i) is the vote the voter in-  
6                   tends to cast (whether verified as originally  
7                   entered or as changed and corrected as de-  
8                   scribed in clause (ii)), the vote shall be  
9                   final and the record shall serve as a per-  
10                   manent paper record of the vote.”.

11                   (b) PROHIBITING REMOVAL OF PAPER RECORD  
12                   FROM POLLING PLACE; CLARIFYING PURPOSES FOR  
13                   WHICH RECORD MAY BE USED.—Clause (iv) of section  
14                   301(a)(2)(B) of such Act (42 U.S.C. 15481(a)(2)(B)), as  
15                   redesignated by subsection (a)(1), is amended by striking  
16                   the period at the end and inserting the following: “, and  
17                   for such other official purposes as may be provided under  
18                   State law, and may be removed from the polling place by  
19                   and otherwise made available to an appropriate election  
20                   official for such purposes, but the record (including any  
21                   duplicate of the record or any photographic image of the  
22                   record) may not be removed from the polling place by any  
23                   other person or for any other purpose.”.

24                   (c) REQUIRING VOLUNTARY VOTING SYSTEM GUIDE-  
25                   LINES TO INCLUDE GUIDELINES TO ENSURE SECURITY

1 OF ELECTRONIC DATA.—Section 221(b)(1) of such Act  
2 (42 U.S.C. 15361(b)(1)) is amended by striking the period  
3 at the end and inserting the following: “, including guide-  
4 lines to ensure the security of any data which is trans-  
5 mitted or received electronically by voting systems”.

6 **SEC. 3. EFFECTIVE DATE.**

7 The amendments made by this Act shall take effect  
8 as if included in the enactment of the Help America Vote  
9 Act of 2002.

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