

110TH CONGRESS  
1ST SESSION

# H. R. 302

To amend the Help America Vote Act of 2002 to prohibit a State receiving payments under such Act from using the payments for public communications which promote or oppose a candidate for public office or political party.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2007

Mr. PEARCE 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 prohibit a State receiving payments under such Act from using the payments for public communications which promote or oppose a candidate for public office or political party.

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 “Fair Voter Education  
5 Act of 2007”.

1 **SEC. 2. PROHIBITING USE OF ELECTION ADMINISTRATION**  
2 **FUNDS FOR PUBLIC COMMUNICATIONS PRO-**  
3 **MOTING OR OPPOSING CANDIDATES OR PO-**  
4 **LITICAL PARTIES.**

5 (a) PROHIBITING USE OF FUNDS.—

6 (1) INITIAL PAYMENTS TO IMPROVE ADMINIS-  
7 TRATION OF ELECTIONS.—Section 101(b)(2) of the  
8 Help America Vote Act of 2002 (42 U.S.C.  
9 15301(a)(2)) is amended—

10 (A) by striking “or” at the end of subpara-  
11 graph (A);

12 (B) by striking the period at the end of  
13 subparagraph (B) and inserting “; or”; and

14 (C) by adding at the end the following new  
15 subparagraph:

16 “(C) to disseminate any communication to  
17 educate voters concerning voting procedures,  
18 voting rights, or voting technology which di-  
19 rectly or indirectly promotes or opposes a can-  
20 didate for public office or a political party, in-  
21 cluding a communication with images, symbols,  
22 or other content which emphasizes a particular  
23 candidate or party (such as pointing to a spe-  
24 cific name or party on a ballot), except that a  
25 communication shall not be considered to pro-  
26 mote a candidate or party under this subpara-

1 graph solely because it includes the name of an  
2 election official who is also a candidate for pub-  
3 lic office.”.

4 (2) REQUIREMENTS PAYMENTS FOR VOTING IN-  
5 FORMATION.—Section 251(f) of such Act (42 U.S.C.  
6 15401(f)) is amended—

7 (A) by striking “or” at the end of para-  
8 graph (1);

9 (B) by striking the period at the end of  
10 paragraph (2) and inserting “; or”; and

11 (C) by adding at the end the following new  
12 paragraph:

13 “(3) to disseminate any voting information de-  
14 scribed in section 302(b)(2) (without regard to the  
15 date on which the information is disseminated)  
16 which directly or indirectly promotes or opposes a  
17 candidate for public office or a political party, in-  
18 cluding information with images, symbols, or other  
19 content which emphasizes a particular candidate or  
20 party (such as pointing to a specific name or party  
21 on a ballot), except that a piece of voting informa-  
22 tion shall not be considered to promote a candidate  
23 or party under this paragraph solely because it in-  
24 cludes the name of an election official who is also a  
25 candidate for public office.”.

1 **SEC. 3. EFFECTIVE DATE.**

2       The amendments made by this Act shall apply with  
3 respect to communications and information disseminated  
4 on or after the date of the enactment of this Act.

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