

112TH CONGRESS
2D SESSION

H. R. 6591

To amend the Help America Vote Act of 2002 to require States to establish a minimum period of 15 days for early voting prior to the date of an election for Federal office and to ensure that no individual will be required to wait for longer than one hour to cast a ballot at a polling place in an election for Federal office.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2012

Mr. GEORGE MILLER of California (for himself, Mr. LEWIS of Georgia, Mr. BRADY of Pennsylvania, Mr. CONYERS, Ms. FUDGE, Mr. BLUMENAUER, Ms. BONAMICI, Mrs. CAPPS, Ms. CASTOR of Florida, Mr. CLEAVER, Mr. COSTA, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. DELAURO, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FILNER, Mr. GARAMENDI, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. HAHN, Mr. HONDA, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Ms. ZOE LOFGREN of California, Ms. MATSUI, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. STARK, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. WELCH, Mr. LUJÁN, Mr. HASTINGS of Florida, Ms. DEGETTE, Mr. COHEN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. TONKO, Mr. HIMES, and Mr. DINGELL) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Help America Vote Act of 2002 to require States to establish a minimum period of 15 days for early voting prior to the date of an election for Federal

office and to ensure that no individual will be required to wait for longer than one hour to cast a ballot at a polling place in an election for Federal office.

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 “Streamlined and Im-
 5 proved Methods at Polling Locations and Early Voting
 6 Act” or the “SIMPLE Voting Act”.

7 **SEC. 2. MINIMUM REQUIREMENTS FOR EARLY VOTING AND**
 8 **FOR REDUCING WAITING TIMES FOR VOTERS**
 9 **IN FEDERAL ELECTIONS.**

10 (a) REQUIREMENTS FOR STATES.—Subtitle A of title
 11 III of the Help America Vote Act of 2002 (42 U.S.C.
 12 15481 et seq.) is amended—

13 (1) by redesignating sections 304 and 305 as
 14 sections 306 and 307; and

15 (2) by inserting after section 303 the following
 16 new sections:

17 **“SEC. 304. EARLY VOTING.**

18 **“(a) IN GENERAL.—**Each State shall allow individ-
 19 uals to vote in an election for Federal office on each day
 20 occurring during the 15-day period which ends 2 days be-
 21 fore the date of the election, in the same manner as voting
 22 is allowed on such day.

1 “(b) MINIMUM EARLY VOTING REQUIREMENTS.—

2 Each polling place which allows voting prior to the date
3 of a Federal election pursuant to subsection (a) shall—

4 “(1) allow such voting for not less than 10
5 hours on each day; and

6 “(2) have uniform hours each day for which
7 such voting occurs.

8 “(c) LOCATION OF POLLING PLACES NEAR PUBLIC
9 TRANSPORTATION.—To the greatest extent practicable, a
10 State shall ensure that each polling place which allows vot-
11 ing prior to the date of a Federal election pursuant to
12 subsection (a) is located within reasonable walking dis-
13 tance of a stop on a public transportation route.

14 “(d) STANDARDS.—

15 “(1) IN GENERAL.—The Commission shall issue
16 standards for the administration of voting prior to
17 the date scheduled for a Federal election. Such
18 standards shall include the nondiscriminatory geo-
19 graphic placement of polling places at which such
20 voting occurs.

21 “(2) DEVIATION.—The standards described in
22 paragraph (1) shall permit States, upon providing
23 adequate public notice, to deviate from any require-
24 ment in the case of unforeseen circumstances such

1 as a natural disaster, terrorist attack, or a change
2 in voter turnout.

3 “(e) EFFECTIVE DATE.—This section shall apply
4 with respect to elections held on or after January 1, 2014.

5 **“SEC. 305. PREVENTING UNREASONABLE WAITING TIMES**
6 **FOR VOTERS.**

7 “(a) PREVENTING UNREASONABLE WAITING
8 TIMES.—

9 “(1) IN GENERAL.—Each State shall provide a
10 sufficient number of voting systems, poll workers,
11 and other election resources (including physical re-
12 sources) at a polling place used in any election for
13 Federal office, including a polling place at which in-
14 dividuals may cast ballots prior to the date of the
15 election, to ensure—

16 “(A) a fair and equitable waiting time for
17 all voters in the State; and

18 “(B) that no individual will be required to
19 wait longer than one hour to cast a ballot at the
20 polling place.

21 “(2) CRITERIA.—In determining the number of
22 voting systems, poll workers, and other election re-
23 sources provided at a polling place for purposes of
24 paragraph (1), the State shall take into account the
25 following factors:

1 “(A) The voting age population.

2 “(B) Voter turnout in past elections.

3 “(C) The number of voters registered.

4 “(D) The number of voters who have reg-
5 istered since the most recent Federal election.

6 “(E) Census data for the population served
7 by such voting site, such as the proportion of
8 the voting-age population who are under 25
9 years of age or who are naturalized citizens.

10 “(F) The educational levels and socio-eco-
11 nomic factors of the population served by such
12 voting site.

13 “(G) The needs and numbers of voters
14 with disabilities and voters with limited English
15 proficiency.

16 “(H) The type of voting systems used.

17 “(I) The length and complexity of initia-
18 tives, referenda, and other questions on the bal-
19 lot.

20 “(J) Such other factors as the State con-
21 siderers appropriate.

22 “(3) GUIDELINES.—Not later than 180 days
23 after the date of the enactment of this section, the
24 Commission shall establish and publish guidelines to

1 assist States in meeting the requirements of this
2 subsection.

3 “(4) RULE OF CONSTRUCTION.—Nothing in
4 this subsection may be construed to authorize a
5 State to meet the requirements of this subsection by
6 closing any polling place, prohibiting an individual
7 from entering a line at a polling place, or refusing
8 to permit an individual who has arrived at a polling
9 place prior to closing time from voting at the polling
10 place.

11 “(b) DEVELOPMENT AND IMPLEMENTATION OF CON-
12 TINGENCY PLANS.—

13 “(1) IN GENERAL.—Each State shall develop,
14 and implement to the greatest extent practicable, a
15 contingency plan under which the State shall provide
16 additional poll workers, machines, ballots, and other
17 equipment and supplies (as the case may be) on the
18 date of the election to any polling place used in an
19 election for Federal office, including a polling place
20 at which individuals may cast ballots prior to the
21 date of the election, at which waiting times exceed
22 one hour.

23 “(2) APPROVAL OF PLAN BY COMMISSION.—
24 The State shall ensure that the contingency plan de-
25 veloped under paragraph (1) is approved by the

1 Commission prior to the date of the election in-
 2 volved, in accordance with such procedures as the
 3 Commission may establish.

4 “(c) EFFECTIVE DATE.—This section shall apply
 5 with respect to elections held on or after January 1,
 6 2014.”.

7 (b) CONFORMING AMENDMENT RELATING TO EN-
 8 FORCEMENT.—Section 401 of such Act (42 U.S.C. 15511)
 9 is amended by striking “sections 301, 302, and 303” and
 10 inserting “subtitle A of title III”.

11 (c) CLERICAL AMENDMENT.—The table of contents
 12 of such Act is amended—

13 (1) by redesignating the items relating to sec-
 14 tions 304 and 305 as relating to sections 306 and
 15 307; and

16 (2) by inserting after the item relating to sec-
 17 tion 303 the following new items:

“Sec. 304. Early voting.

“Sec. 305. Preventing unreasonable waiting times for voters.”.

18 **SEC. 3. NO EFFECT ON AUTHORITY OF STATE TO PROVIDE**
 19 **FOR LONGER PERIODS OF EARLY VOTING OR**
 20 **GREATER AMOUNT OF RESOURCES AT POLL-**
 21 **ING PLACES.**

22 Nothing in this Act or in any amendment made by
 23 this Act may be construed to prohibit a State, with respect
 24 to any election for Federal office—

1 (1) from providing (in an equitable and non-
2 discriminatory manner) a longer period for early vot-
3 ing than the minimum period required under section
4 304 of the Help America Vote Act of 2002 (as
5 added by section 2(a)); or

6 (2) from providing (in an equitable and non-
7 discriminatory manner) a greater number of sys-
8 tems, poll workers, and other election resources at
9 any polling place than the minimum number re-
10 quired under section 305 of such Act (as added by
11 section 2(a)).

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