

113TH CONGRESS
1ST SESSION

H. R. 2168

To amend the Uniformed and Overseas Citizens Absentee Voting Act to promote the efficient delivery and receipt of absentee ballots and other voting materials to absent uniformed services voters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2013

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

A BILL

To amend the Uniformed and Overseas Citizens Absentee Voting Act to promote the efficient delivery and receipt of absentee ballots and other voting materials to absent uniformed services voters, 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 “Helping Heroes Vote
5 Act of 2013”.

1 **SEC. 2. PROVISION OF INFORMATION TO ELECTION OFFI-**
2 **CIALS ON DEPLOYMENTS OF ABSENT UNI-**
3 **FORMED SERVICES VOTERS.**

4 (a) **REQUIRING SECRETARY OF DEFENSE TO PRO-**
5 **VIDE INFORMATION.**—Section 101(b) of the Uniformed
6 and Overseas Citizens Absentee Voting Act (42 U.S.C.
7 1973ff(b)) is amended—

8 (1) by striking “and” at the end of paragraph
9 (10);

10 (2) by striking the period at the end of para-
11 graph (11) and inserting “; and”; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(12) to the greatest extent practicable, notify
15 the appropriate election official of the State in which
16 an absent uniformed services voter is registered to
17 vote of any change in the current mailing address of
18 the voter which results from the voter being de-
19 ployed on active duty for a period of more than 30
20 days from the voter’s permanent duty station or re-
21 deployed from such a deployment without first re-
22 turning to the voter’s permanent duty station.”.

23 (b) **EFFECTIVE DATE.**—The amendment made by
24 subsection (a) shall apply with respect to deployments or
25 redeployments occurring on or after the date of the enact-
26 ment of this Act.

1 **SEC. 3. REVISIONS TO 45-DAY ABSENTEE BALLOT TRANS-**
 2 **MISSION RULE.**

3 (a) REPEAL OF WAIVER AUTHORITY.—

4 (1) IN GENERAL.—Section 102 of the Uni-
 5 formed and Overseas Citizens Absentee Voting Act
 6 (42 U.S.C. 1973ff–1) is amended by striking sub-
 7 section (g).

8 (2) CONFORMING AMENDMENT.—Section
 9 102(a)(8)(A) of such Act (42 U.S.C. 1973ff–
 10 1(a)(8)(A)) is amended by striking “except as pro-
 11 vided in subsection (g),”.

12 (b) REQUIRING USE OF EXPRESS DELIVERY IN CASE
 13 OF FAILURE TO MEET REQUIREMENT.—Section 102 of
 14 such Act (42 U.S.C. 1973ff–1), as amended by subsection
 15 (a), is amended by inserting after subsection (f) the fol-
 16 lowing new subsection:

17 “(g) REQUIRING USE OF EXPRESS DELIVERY IN
 18 CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN
 19 DEADLINES.—

20 “(1) TRANSMISSION OF BALLOT BY EXPRESS
 21 DELIVERY.—If a State fails to meet the requirement
 22 of subsection (a)(8)(A) to transmit a validly re-
 23 quested absentee ballot to an absent uniformed serv-
 24 ices voter or overseas voter not later than 45 days
 25 before the election (in the case in which the request
 26 is received at least 45 days before the election)—

1 “(A) the State shall transmit the ballot to
2 the voter by express delivery; or

3 “(B) in the case of a voter who has des-
4 ignated that absentee ballots be transmitted
5 electronically in accordance with subsection
6 (f)(1), the State shall transmit the ballot to the
7 voter electronically.

8 “(2) SPECIAL RULE FOR TRANSMISSION FEWER
9 THAN 40 DAYS BEFORE THE ELECTION.—If, in car-
10 rying out paragraph (1), a State transmits an ab-
11 sentee ballot to an absent uniformed services voter
12 or overseas voter fewer than 40 days before the elec-
13 tion, the State shall enable the ballot to be returned
14 by the voter by express delivery, except that in the
15 case of an absentee ballot of an absent uniformed
16 services voter for a regularly scheduled general elec-
17 tion for Federal office, the State may satisfy the re-
18 quirement of this paragraph by notifying the voter
19 of the procedures for the collection and delivery of
20 such ballots under section 103A.”.

21 (c) CLARIFICATION OF TREATMENT OF WEEK-
22 ENDS.—Section 102(a)(8)(A) of such Act (42 U.S.C.
23 1973ff–1(a)(8)(A)) is amended by striking “the election;”
24 and inserting the following: “the election (or, if the 45th
25 day preceding the election is a weekend or legal public hol-

1 iday, not later than the most recent weekday which pre-
 2 cedes such 45th day and which is not a legal public holi-
 3 day, but only if the request is received by at least such
 4 most recent weekday);”.

5 (d) EFFECTIVE DATE.—The amendments made by
 6 this section shall apply with respect to elections occurring
 7 on or after January 1, 2014.

8 **SEC. 4. ESTABLISHMENT OF ALTERNATIVE PROCEDURES**
 9 **TO ACCEPT AND PROCESS ABSENTEE BAL-**
 10 **LOTS OF MILITARY VOTERS AND OVERSEAS**
 11 **CITIZENS IN EVENT OF MAJOR DISASTERS.**

12 (a) RESPONSIBILITIES OF STATE ELECTION OFFI-
 13 CIALS.—Section 102(a) of the Uniformed and Overseas
 14 Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)) is
 15 amended—

16 (1) by striking “and” at the end of paragraph
 17 (10);

18 (2) by striking the period at the end of para-
 19 graph (11) and inserting “; and”; and

20 (3) by adding at the end the following new
 21 paragraph:

22 “(12) establish procedures to ensure the effec-
 23 tive and timely acceptance and processing of absen-
 24 tee ballots transmitted by absent uniformed services
 25 voters and overseas voters in the event of a major

1 disaster (as defined in section 102 of the Robert T.
2 Stafford Disaster Relief and Emergency Assistance
3 Act (42 U.S.C. 5122)) in the State.”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 subsection (a) shall apply with respect to elections for
6 Federal office held on or after the date of the enactment
7 of this Act.

8 **SEC. 5. PROHIBITION OF REFUSAL TO ACCEPT VOTER REG-**
9 **ISTRATION AND ABSENTEE BALLOT APPLICA-**
10 **TIONS FROM OVERSEAS VOTERS ON**
11 **GROUNDS OF EARLY SUBMISSION.**

12 Section 104 of the Uniformed and Overseas Citizens
13 Absentee Voting Act (42 U.S.C. 1973ff–3) is amended—

14 (1) by inserting “or overseas voter” after “ab-

15 sent uniformed services voter”; and

16 (2) by striking “uniformed services.” and in-

17 serting “uniformed services or who do not reside

18 outside the United States.”.

19 **SEC. 6. ADDITIONAL FUNDING TO CARRY OUT UOCAVA.**

20 (a) FUNDING.—There are authorized to be appro-

21 priated to the Presidential designee under the Uniformed

22 and Overseas Citizens Absentee Voting Act \$25,000,000

23 to carry out the requirements of such Act.

1 (b) TREATMENT OF FUNDS.—Any amounts appro-
2 priated pursuant to the authorization under subsection
3 (a)—

4 (1) shall be in addition to any other amounts
5 appropriated to the Presidential designee under the
6 Uniformed and Overseas Citizens Absentee Voting
7 Act pursuant to any other authorization under law;
8 and

9 (2) shall remain available until expended.

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