

115TH CONGRESS
1ST SESSION

H. R. 2854

To amend the Help America Vote Act of 2002 to permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by presenting a sworn written statement attesting to the individual's identification, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. LARSEN of Washington (for himself, Mr. VEASEY, Mr. SMITH of Washington, Mrs. BEATTY, Mr. THOMPSON of Mississippi, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mr. CARBAJAL, Ms. CASTOR of Florida, Mr. CLAY, Mr. COHEN, Mr. CRIST, Mr. CUMMINGS, Ms. DEGETTE, Ms. DELBENE, Mr. DEUTCH, Mr. GALLEG0, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. HASTINGS, Mr. HECK, Mr. HIMES, Ms. JACKSON LEE, Ms. KAPTUR, Mr. KILMER, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. MOULTON, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. PETERS, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Mr. RUSH, Mr. SEAN PATRICK MALONEY of New York, Ms. SLAUGHTER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. RYAN of Ohio, Ms. TITUS, Mrs. TORRES, Ms. TSONGAS, Mr. WELCH, Ms. WILSON of Florida, Ms. BARRAGÁN, Mr. JOHNSON of Georgia, Mr. KIND, Mr. ELLISON, Mr. BRADY of Pennsylvania, Mr. CÁRDENAS, Mr. SOTO, Ms. SCHAKOWSKY, Mr. O'ROURKE, Ms. CLARKE of New York, Mr. CLYBURN, Ms. BONAMICI, Mr. TONKO, Ms. SEWELL of Alabama, Mr. LAWSON of Florida, Mr. JEFFRIES, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. TED LIEU of California, Ms. FUDGE, Mr. KEATING, Ms. LEE, Mr. KENNEDY, Ms. ADAMS, Mr. BUTTERFIELD, Mr. RICHMOND, Mr. LEWIS of Georgia, Ms. DELAURO, Mr. DAVID SCOTT of Georgia, Mr. GRIJALVA, and Mr. PALLONE) 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 permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by presenting a sworn written statement attesting to the individual's identification, 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 “America Votes Act of
 5 2017”.

6 **SEC. 2. PERMITTING USE OF SWORN WRITTEN STATEMENT** 7 **TO MEET IDENTIFICATION REQUIREMENTS** 8 **FOR VOTING.**

9 (a) PERMITTING USE OF STATEMENT.—Title III of
 10 the Help America Vote Act of 2002 (52 U.S.C. 21081 et
 11 seq.) is amended by inserting after section 303 the fol-
 12 lowing new section:

13 **“SEC. 303A. PERMITTING USE OF SWORN WRITTEN STATE-** 14 **MENT TO MEET IDENTIFICATION REQUIRE-** 15 **MENTS.**

16 “(a) USE OF STATEMENT.—

17 “(1) IN GENERAL.—Except as provided in sub-
 18 section (c), if a State has in effect a requirement
 19 that an individual present identification as a condi-

1 tion of receiving and casting a ballot in an election
2 for Federal office, the State shall permit the indi-
3 vidual to meet the requirement—

4 “(A) in the case of an individual who de-
5 sires to vote in person, by presenting the appro-
6 priate State or local election official with a
7 sworn written statement, signed by the indi-
8 vidual under penalty of perjury, attesting to the
9 individual’s identification and attesting that the
10 individual is registered to vote in the election;
11 or

12 “(B) in the case of an individual who de-
13 sires to vote by mail, by submitting with the
14 ballot the statement described in subparagraph
15 (A).

16 “(2) PROVIDING PRE-PRINTED COPY OF STATE-
17 MENT.—A State which is subject to paragraph (1)
18 shall—

19 “(A) prepare a pre-printed version of the
20 statement described in paragraph (1)(A) which
21 includes a blank space for an individual to pro-
22 vide a name and signature;

23 “(B) make copies of the pre-printed
24 version available at polling places for election

1 officials to distribute to individuals who desire
 2 to vote in person; and

3 “(C) include a copy of the pre-printed
 4 version with each blank absentee or other ballot
 5 transmitted to an individual who desires to vote
 6 by mail.

7 “(b) REQUIRING USE OF REGULAR BALLOT.—A
 8 State may not require an individual who presents or sub-
 9 mits a sworn written statement in accordance with sub-
 10 section (a)(1) to cast a provisional ballot in the election
 11 under section 302.

12 “(c) EXCEPTION FOR FIRST-TIME VOTERS REG-
 13 ISTERING BY MAIL.—Subsections (a) and (b) do not apply
 14 with respect to any individual described in paragraph (1)
 15 of section 303(b) who is required to meet the requirements
 16 of paragraph (2) of such section.”.

17 (b) CONFORMING AMENDMENT RELATING TO EN-
 18 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
 19 is amended by striking “and 303” and inserting “303, and
 20 303A”.

21 (c) CLERICAL AMENDMENT.—The table of contents
 22 of such Act is amended by inserting after the item relating
 23 to section 303 the following new item:

“Sec. 303A. Permitting use of sworn written statement to meet identification
 requirements.”.

1 **SEC. 3. REQUIRING STATES TO INCLUDE INFORMATION ON**
2 **USE OF SWORN WRITTEN STATEMENT IN**
3 **VOTING INFORMATION MATERIAL POSTED AT**
4 **POLLING PLACES.**

5 Section 302(b)(2) of the Help America Vote Act of
6 2002 (52 U.S.C. 21082(b)(2)) is amended—

7 (1) by striking “and” at the end of subpara-
8 graph (E);

9 (2) by striking the period at the end of sub-
10 paragraph (F) and inserting “; and”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(G) in the case of a State that has in ef-
14 fect a requirement that an individual present
15 identification as a condition of receiving and
16 casting a ballot in an election for Federal office,
17 information on how an individual may meet
18 such requirement by presenting a sworn written
19 statement in accordance with section 303A.”.

20 **SEC. 4. EFFECTIVE DATE.**

21 The amendments made by this Act shall apply with
22 respect to elections occurring on or after the date of the
23 enactment of this Act.

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