

116TH CONGRESS  
1ST SESSION

# H. R. 1513

To amend the Help America Vote Act of 2002 to enhance enforcement  
of the Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2019

Ms. DAVIDS of Kansas 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 enhance  
enforcement of the Act, 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 “Count the Vote Act”.

**5 SEC. 2. ENHANCEMENT OF ENFORCEMENT OF HELP AMER-**

**6           ICA VOTE ACT OF 2002.**

7       (a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT  
8       OF ACTION.—Section 401 of the Help America Vote Act  
9       of 2002 (52 U.S.C. 21111) is amended—

4 (2) by adding at the end the following new sub-  
5 sections:

6        "(b) FILING OF COMPLAINTS BY AGGRIEVED PER-  
7    SONS.—

“(1) IN GENERAL.—A person who is aggrieved by a violation of title III which has occurred, is occurring, or is about to occur may file a written, signed, notarized complaint with the Attorney General describing the violation and requesting the Attorney General to take appropriate action under this section. The Attorney General shall immediately provide a copy of a complaint filed under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

19                   “(2) RESPONSE BY ATTORNEY GENERAL.—The  
20                   Attorney General shall respond to each complaint  
21                   filed under paragraph (1), in accordance with proce-  
22                   dures established by the Attorney General that re-  
23                   quire responses and determinations to be made with-  
24                   in the same (or shorter) deadlines which apply to a  
25                   State under the State-based administrative com-

1       plaint procedures described in section 402(a)(2).  
2       The Attorney General shall immediately provide a  
3       copy of the response made under the previous sen-  
4       tence to the entity responsible for administering the  
5       State-based administrative complaint procedures de-  
6       scribed in section 402(a) for the State involved.

7       “(c) AVAILABILITY OF PRIVATE RIGHT OF AC-  
8       TION.—Any person who is authorized to file a complaint  
9       under subsection (b)(1) (including any individual who  
10      seeks to enforce the individual’s right to a voter-verified  
11      paper ballot, the right to have the voter-verified paper bal-  
12      lot counted in accordance with this Act, or any other right  
13      under title III) may file an action under section 1979 of  
14      the Revised Statutes of the United States (42 U.S.C.  
15      1983) to enforce the uniform and nondiscriminatory elec-  
16      tion technology and administration requirements under  
17      subtitle A of title III.

18       “(d) NO EFFECT ON STATE PROCEDURES.—Nothing  
19      in this section may be construed to affect the availability  
20      of the State-based administrative complaint procedures re-  
21      quired under section 402 to any person filing a complaint  
22      under this subsection.”.

23       (b) EFFECTIVE DATE.—The amendments made by  
24      this Act shall apply with respect to violations occurring

- 1 with respect to elections for Federal office held in 2020
- 2 or any succeeding year.

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