

116TH CONGRESS
2D SESSION

H. R. 6512

To amend the Help America Vote Act of 2002 to require State and local election officials to conduct public education campaigns to notify individuals of changes in the administration of elections for Federal office in response to emergencies affecting public health and safety, to require the websites of such officials to be fully accessible to individuals with disabilities and to meet best practices established by the National Institute for Science and Technology for ensuring the continuing operation of such websites in the event of emergencies affecting public health and safety, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2020

Mr. PHILLIPS (for himself, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. DEUTCH, Mr. MALINOWSKI, Mr. MOULTON, and Mr. ALLRED) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Help America Vote Act of 2002 to require State and local election officials to conduct public education campaigns to notify individuals of changes in the administration of elections for Federal office in response to emergencies affecting public health and safety, to require the websites of such officials to be fully accessible to individuals with disabilities and to meet best practices established by the National Institute for Science and

Technology for ensuring the continuing operation of such websites in the event of emergencies affecting public health and safety, 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 “Voter Notification of
 5 Timely Information about Changes in Elections Act” or
 6 the “Voter Notice Act”.

7 **SEC. 2. PUBLIC EDUCATION CAMPAIGNS IN EVENT OF**
 8 **CHANGES IN ELECTIONS IN RESPONSE TO**
 9 **EMERGENCIES.**

10 (a) REQUIREMENT FOR ELECTION OFFICIALS TO
 11 CONDUCT CAMPAIGNS.—Section 302 of the Help America
 12 Vote Act of 2002 (52 U.S.C. 21082) is amended—

13 (1) by redesignating subsection (d) as sub-
 14 section (e); and

15 (2) by inserting after subsection (c) the fol-
 16 lowing new subsection:

17 “(d) PUBLIC EDUCATION CAMPAIGNS IN EVENT OF
 18 CHANGES IN ELECTIONS IN RESPONSE TO EMER-
 19 GENCIES.—

20 “(1) REQUIREMENT.—If the administration of
 21 an election for Federal office, including the methods
 22 of voting or registering to vote in the election, is
 23 changed in response to an emergency affecting pub-

1 lic health and safety, the appropriate State or local
2 election official shall conduct a public education
3 campaign through at least one direct mailing to each
4 individual who is registered to vote in the election,
5 and through additional direct mailings, newspaper
6 advertisements, broadcasting (including through tel-
7 evision, radio, satellite, and the Internet), and social
8 media, to notify individuals who are eligible to vote
9 or to register to vote in the election of the changes.

10 “(2) FREQUENCY AND METHODS OF PROVIDING
11 INFORMATION.—The election official shall carry out
12 the public education campaign under this subsection
13 at such frequency, and using such methods, as will
14 have the greatest likelihood of providing timely
15 knowledge of the change in the administration of the
16 election to those individuals who will be most ad-
17 versely affected by the change.

18 “(3) LANGUAGE ACCESSIBILITY.—In the case
19 of a State or political subdivision that is a covered
20 State or political subdivision under section 203 of
21 the Voting Rights Act of 1965 (52 U.S.C. 10503),
22 the appropriate election official shall ensure that the
23 information disseminated under a public education
24 campaign conducted under this subsection is pro-
25 vided in the language of the applicable minority

1 group as well as in the English language, as re-
 2 quired by section 203 of such Act.

3 “(4) EFFECTIVE DATE.—This subsection shall
 4 apply with respect to the regularly scheduled general
 5 election for Federal office held in November 2020
 6 and each succeeding election for Federal office.”.

7 (b) CONFORMING AMENDMENT RELATING TO EF-
 8 FECTIVE DATE.—Section 302(e) of such Act (52 U.S.C.
 9 21082(e)), as redesignated by subsection (a), is amended
 10 by striking “Each State” and inserting “Except as pro-
 11 vided in subsection (d), each State”.

12 **SEC. 3. REQUIREMENTS FOR WEBSITES OF ELECTION OFFI-**
 13 **CIALS.**

14 (a) REQUIREMENTS.—Subtitle A of title III of the
 15 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.)
 16 is amended—

17 (1) by redesignating sections 304 and 305 as
 18 sections 305 and 306; and

19 (2) by inserting after section 303 the following
 20 new section:

21 **“SEC. 304. REQUIREMENTS FOR WEBSITES OF ELECTION**
 22 **OFFICIALS.**

23 “(a) ACCESSIBILITY.—Each State and local election
 24 official shall ensure that the official public website of the
 25 official is fully accessible for individuals with disabilities,

1 including the blind and visually impaired, in a manner
2 that provides the same opportunity for access and partici-
3 pation as the website provides for other individuals.

4 “(b) CONTINUING OPERATION IN CASE OF EMER-
5 GENCIES.—

6 “(1) ESTABLISHMENT OF BEST PRACTICES.—

7 “(A) IN GENERAL.—The Director of the
8 National Institute of Standards and Technology
9 shall establish and regularly update best prac-
10 tices for ensuring the continuing operation of
11 the official public websites of State and local
12 election officials during emergencies affecting
13 public health and safety.

14 “(B) DEADLINE.—The Director shall first
15 establish the best practices required under this
16 paragraph as soon as practicable after the date
17 of the enactment of this section, but in no case
18 later than August 15, 2020.

19 “(2) REQUIRING WEBSITES TO MEET BEST
20 PRACTICES.—Each State and local election official
21 shall ensure that the official public website of the of-
22 ficial is in compliance with the best practices estab-
23 lished by the Director of the National Institute of
24 Standards and Technology under paragraph (2).

1 “(c) EFFECTIVE DATE.—This section shall apply
2 with respect to the regularly scheduled general election for
3 Federal office held in November 2020 and each succeeding
4 election for Federal office.”.

5 (b) CONFORMING AMENDMENT RELATING TO ADOPT-
6 TION OF VOLUNTARY GUIDANCE BY ELECTION ASSIST-
7 ANCE COMMISSION.—Section 311(b) of such Act (52
8 U.S.C. 21101(b)) is amended—

9 (1) by striking “and” at the end of paragraph
10 (2);

11 (2) by striking the period at the end of para-
12 graph (3) and inserting “; and”; and

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

15 “(4) in the case of the recommendations with
16 respect to section 304, as soon as practicable after
17 the date of the enactment of this paragraph, but in
18 no case later than August 15, 2020.”.

19 (c) CONFORMING AMENDMENT RELATING TO EN-
20 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
21 is amended by striking “sections 301, 302, and 303” and
22 inserting “subtitle A of title III”.

23 (d) CLERICAL AMENDMENT.—The table of contents
24 of such Act is amended—

1 (1) by redesignating the items relating to sec-
 2 tions 304 and 305 as relating to sections 305 and
 3 306; and

4 (2) by inserting after the item relating to sec-
 5 tion 303 the following new item:

“Sec. 304. Requirements for websites of election officials.”.

6 **SEC. 4. PAYMENTS BY ELECTION ASSISTANCE COMMISSION**
 7 **TO STATES FOR COSTS OF COMPLIANCE.**

8 (a) AVAILABILITY OF PAYMENTS.—Subtitle D of title
 9 II of the Help America Vote Act of 2002 (52 U.S.C.
 10 21001 et seq.) is amended by adding at the end the fol-
 11 lowing new part:

12 **“PART 7—PAYMENTS FOR COSTS OF COMPLI-**
 13 **ANCE WITH CERTAIN REQUIREMENTS RE-**
 14 **LATING TO PUBLIC NOTIFICATION**

15 **“SEC. 297. PAYMENTS.**

16 “(a) AVAILABILITY AND USE OF PAYMENTS.—The
 17 Commission shall make a payment to each eligible State
 18 to cover the costs the State incurs or expects to incur in
 19 meeting the requirements of section 302(d) (relating to
 20 public education campaigns in event of changes in elec-
 21 tions in response to emergencies) and section 304 (relating
 22 to requirements for the websites of election officials).

23 “(b) SCHEDULE OF PAYMENTS.—As soon as prac-
 24 ticable after the date of the enactment of this part, and
 25 not less frequently than once each calendar year there-

1 after, the Commission shall make payments under this
2 part.

3 “(c) ADMINISTRATION OF PAYMENTS.—The chief
4 State election official of the State shall receive the pay-
5 ment made to a State under this part, and may use the
6 payment for the purposes set forth in this part without
7 intervening action by the legislature of the State.

8 **“SEC. 297A. AMOUNT OF PAYMENT.**

9 “(a) IN GENERAL.—The amount of a payment made
10 to an eligible State for a year under this part shall be
11 determined by the Commission on the basis of the infor-
12 mation provided by the State in its application under sec-
13 tion 297B.

14 “(b) CONTINUING AVAILABILITY OF FUNDS AFTER
15 APPROPRIATION.—A payment made to an eligible State
16 under this part shall be available without fiscal year limi-
17 tation.

18 **“SEC. 297B. REQUIREMENTS FOR ELIGIBILITY.**

19 “(a) APPLICATION.—Each State that desires to re-
20 ceive a payment under this part for a fiscal year shall sub-
21 mit an application for the payment to the Commission at
22 such time and in such manner and containing such infor-
23 mation as the Commission shall require.

24 “(b) CONTENTS OF APPLICATION.—Each application
25 submitted under subsection (a) shall—

1 “(1) describe the activities for which assistance
2 under this part is sought; and

3 “(2) provide an estimate of the costs the State
4 has incurred or expects to incur in carrying out the
5 provisions described in section 297, together with
6 such additional information and certifications as the
7 Commission determines to be essential to ensure
8 compliance with the requirements of this part.

9 **“SEC. 297C. AUTHORIZATION OF APPROPRIATIONS.**

10 “‘There are authorized to be appropriated for pay-
11 ments under this part such sums as may be necessary for
12 each of the fiscal years 2020 through 2023.

13 **“SEC. 297D. REPORTS.**

14 “(a) **REPORTS BY RECIPIENTS.**—Not later than the
15 6 months after the end of each fiscal year for which an
16 eligible State received a payment under this part, the
17 State shall submit a report to the Commission on the ac-
18 tivities conducted with the funds provided during the year.

19 “(b) **REPORTS BY COMMISSION TO COMMITTEES.**—
20 With respect to each fiscal year for which the Commission
21 makes payments under this part, the Commission shall
22 submit a report on the activities carried out under this
23 part to the Committee on House Administration of the
24 House of Representatives and the Committee on Rules
25 and Administration of the Senate.”.

- 1 (b) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended by adding at the end of the items
3 relating to subtitle D of title II the following:

“PART 7—PAYMENTS FOR COSTS OF COMPLIANCE WITH CERTAIN
REQUIREMENTS RELATING TO PUBLIC NOTIFICATION

- “Sec. 297. Payments.
“Sec. 297A. Amount of payment.
“Sec. 297B. Requirements for eligibility.
“Sec. 297C. Authorization of appropriations.
“Sec. 297D. Reports.”.

