

116TH CONGRESS  
1ST SESSION

# S. 958

To amend the National Voter Registration Act of 1993 to save eligible voters from voter purging, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 28, 2019

Mr. MERKLEY introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To amend the National Voter Registration Act of 1993 to save eligible voters from voter purging, 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 “Stop Automatically  
5       Voiding Eligible Voters Off Their Enlisted Rolls in States  
6       Act” or the “SAVE VOTERS Act”.

1 **SEC. 2. INDIVIDUAL AND PUBLIC NOTICE OF REMOVALS**  
2 **FROM VOTING ROLLS; CONDITIONS FOR RE-**  
3 **MOVAL OF VOTERS FROM LIST OF REG-**  
4 **ISTERED VOTERS.**

5 (a) IN GENERAL.—Section 8 of the National Voter  
6 Registration Act of 1993 (52 U.S.C. 20507) is amended  
7 by adding at the end the following new subsection:

8       “(k) INDIVIDUAL AND PUBLIC NOTICE OF REMOV-  
9 ALS FROM THE VOTING ROLLS.—

10       “(1) IN GENERAL.—

11           “(A) INDIVIDUALIZED NOTICE.—After a  
12 State or political subdivision removes the name  
13 of a registrant from the official list of eligible  
14 voters for any reason, the State or registrar  
15 shall send the former registrant notice of the  
16 removal, the grounds for the removal, and in-  
17 formation on how to contest the removal or be  
18 reinstated, including a contact phone number.  
19 Such individualized notice is not required in in-  
20 stances where the State or political subdivision  
21 has received written confirmation from the reg-  
22 istrant that the registrant is no longer eligible  
23 to vote in the jurisdiction in which the reg-  
24 istrant is registered.

25           “(B) PUBLIC NOTICE.—After a State or  
26 political subdivision completes any systematic

1           program to remove the names of registrants  
2           from the official list of eligible voters for any  
3           reason, the State or registrar shall provide rea-  
4           sonable public notice, for example, in a news-  
5           paper of wide circulation or on the Internet  
6           website of the registrar and the chief State elec-  
7           tion official, that list maintenance is taking  
8           place and that voters should check their reg-  
9           istration status to ensure no errors or mistakes  
10           have been made. The public notice under this  
11           subparagraph, in such publication or on the  
12           Internet, shall be in a format that is reasonably  
13           convenient and accessible to voters with disabil-  
14           ties, including voters who have low vision or  
15           are blind.

16           “(2) DEADLINE FOR NOTICE.—A State or polit-  
17           ical subdivision shall provide the notice required  
18           under subparagraph (A) or (B) of paragraph (1) not  
19           later than 48 hours after the removal described in  
20           such subparagraph (A) or (B) took place.”.

21           (b) CONDITIONS DESCRIBED.—The National Voter  
22           Registration Act of 1993 (52 U.S.C. 20501 et seq.) is  
23           amended by inserting after section 8 the following new  
24           section:

1   **“SEC. 8A. CONDITIONS FOR REMOVAL OF VOTERS FROM**  
2                   **OFFICIAL LIST OF REGISTERED VOTERS.**

3       “(a) VERIFICATION ON BASIS OF OBJECTIVE AND  
4 RELIABLE EVIDENCE OF INELIGIBILITY.—Notwith-  
5 standing any other provision of this Act, a State may not  
6 remove any registrant from the official list of voters eligi-  
7 ble to vote in elections for Federal office in the State un-  
8 less the State verifies, on the basis of objective and reliable  
9 evidence, that the registrant is ineligible to vote in such  
10 elections.

11       “(b) SENDING OF NOTICES.—A State may not send  
12 a notice described in paragraph (2) of section 8(d) unless  
13 the State first obtains objective and reliable evidence that  
14 a voter has changed residence to a place outside the reg-  
15 istrar’s jurisdiction in which the registrant is registered.

16       “(c) FACTORS NOT CONSIDERED AS OBJECTIVE AND  
17 RELIABLE EVIDENCE OF INELIGIBILITY.—For purposes  
18 of subsection (a), the following factors, or any combination  
19 thereof, shall not be treated as objective and reliable evi-  
20 dence of a registrant’s ineligibility to vote:

21               “(1) The failure of the registrant to vote in any  
22 election.

23               “(2) The failure of the registrant to respond to  
24 any notice sent under section 8(d), unless such no-  
25 tice has been returned as undeliverable.

1           “(3) The failure of the registrant to take any  
2       other action.”.

3           (c) CONFORMING AMENDMENTS.—

4           (1) NATIONAL VOTER REGISTRATION ACT OF  
5       1993.—Section 8 of such Act (52 U.S.C. 20507) is  
6       amended—

7           (A) in subsection (a)—

8           (i) in paragraph (3), by striking “pro-  
9       vide” and inserting “subject to section 8A,  
10      provide”; and

11           (ii) in paragraph (4), by striking  
12       “conduct” and inserting “subject to sec-  
13       tion 8A, conduct”; and

14           (B) in subsection (d)(2), by striking “A  
15       notice” and inserting “Subject to section 8A(b),  
16       a notice”.

17           (2) HELP AMERICA VOTE ACT OF 2002.—Section  
18       303(a) of the Help America Vote Act of 2002 (52  
19       U.S.C. 21083(a)) is amended—

20           (A) in paragraph (2)(A)(i), by striking “of  
21       such Act” and inserting “of such Act, and sec-  
22       tion 8A of such Act”; and

23           (B) in paragraph (4)(A), by striking “,  
24       registrants” and inserting “, and subject to sec-  
25       tion 8A of such Act, registrants”.

1       (d) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on the date of the enactment  
3 of this Act.

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