

§ 20105. Enforcement

(a) Action for declaratory or injunctive relief

If a State or political subdivision does not comply with this chapter, the United States Attorney General or a person who is personally aggrieved by the noncompliance may bring an action for declaratory or injunctive relief in the appropriate district court.

(b) Prerequisite notice of noncompliance

An action may be brought under this section only if the plaintiff notifies the chief election officer of the State of the noncompliance and a period of 45 days has elapsed since the date of notification.

(c) Attorney fees

Notwithstanding any other provision of law, no award of attorney fees may be made with respect to an action under this section, except in any action brought to enforce the original judgment of the court.

(Pub. L. 98-435, § 6, Sept. 28, 1984, 98 Stat. 1679.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1973ee-4 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1985, see section 9 of Pub. L. 98-435, set out as a note under section 20101 of this title.

§ 20106. Relationship to Voting Rights Act of 1965

This chapter shall not be construed to impair any right guaranteed by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) [now 52 U.S.C. 10301 et seq.].

(Pub. L. 98-435, § 7, Sept. 28, 1984, 98 Stat. 1679.)

Editorial Notes

REFERENCES IN TEXT

The Voting Rights Act of 1965, referred to in text, is Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437, which is classified generally to chapters 103 (§10301 et seq.), 105 (§10501 et seq.), and 107 (§10701 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 1973ee-5 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1985, see section 9 of Pub. L. 98-435, set out as a note under section 20101 of this title.

§ 20107. Definitions

As used in this chapter, the term—

- (1) “accessible” means accessible to handicapped and elderly individuals for the purpose of voting or registration, as determined under

guidelines established by the chief election officer of the State involved;

- (2) “elderly” means 65 years of age or older;

(3) “Federal election” means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress;

(4) “handicapped” means having a temporary or permanent physical disability; and

(5) “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession¹ of the United States.

(Pub. L. 98-435, § 8, Sept. 28, 1984, 98 Stat. 1679.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1973ee-6 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1985, see section 9 of Pub. L. 98-435, set out as a note under section 20101 of this title.

CHAPTER 203—REGISTRATION AND VOTING BY ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS IN ELECTIONS FOR FEDERAL OFFICE

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Editorial Notes

PRIOR PROVISIONS

Provisions similar to this chapter were contained in subchapters I-D and I-E (1973cc et seq. and 1973dd et seq.) of chapter 20 of title 42 prior to repeal by Pub. L. 99-410 and then in subchapter I-G (1973ff et seq.) of chapter 20 of title 42 prior to editorial reclassification and renumbering as this chapter.

§ 20301. Federal responsibilities

(a) Presidential designee

The President shall designate the head of an executive department to have primary responsibility for Federal functions under this chapter.

(b) Duties of Presidential designee

The Presidential designee shall—

¹ So in original. Probably should be “possession”.