

### Electoral Count Act Reform Comparisons

	House Version	Senate Version	Sens. Klobuchar/Blunt Amendment
Bill Name	<a href="#">H.R. 8873: Presidential Election Reform Act</a>	<a href="#">S. 4573: Electoral Count Reform and Presidential Transition Improvement Act</a>	Manager's amendment to <a href="#">S. 4573: Electoral Count Reform and Presidential Transition Improvement Act</a>
Deadline to set elector rules	Election Day	Election Day	Election Day
Role of VP	Ministerial	Ministerial	Ministerial
How are electors chosen in the case of a failed election?	Defines what constitutes a failed election and provides a procedure for a 3-judge court to provide for an extension of voting	State can modify voting as a result of an undefined disaster according to prior state law	States can modify voting as a result of force majeure events as provided under prior law
Tabulation of results	Requires tabulation, reporting and certification of all votes for president	Not mentioned in bill text	Not mentioned in bill text
Judicial review of tabulation	Candidates can take action against anyone who refuses to tabulate or certify votes via a 3 judge panel with a direct appeal to SCOTUS and expedited consideration	Not mentioned in bill text	Not mentioned in bill text
Certification	Governor required to certify by Dec. 14  Certificate submitted by governor, as modified by a	State executive required to certify results by 6 days before Electoral College vote  Certificate submitted by	State executive required to certify results by 6 days before Electoral College vote  Certificate submitted by state

	court, treated as conclusive	executive treated as conclusive  Any certificate revised by state or federal judicial relief shall replace and supersede any other certificate  Determination of federal courts treated as conclusive by Congress	executive treated as conclusive BY CONGRESS, except if state of federal judicial relief is granted prior to meeting of electors  Determination of federal courts treated as conclusive by Congress
Judicial review of certification	Candidates can challenge certification in federal court via a 3 judge panel. Candidates can appeal directly to SCOTUS on an expedited basis. SCOTUS must rule on the matter Dec. 22	Candidates can challenge certification in federal court via a 3 judge panel. Candidates can appeal directly to SCOTUS on an expedited basis. SCOTUS must rule on the matter before electors meet	SCOTUS review is discretionary, not mandatory  Judicial review under this act doesn't preempt any other causes of action in state or federal law
Motions permitted	<ul style="list-style-type: none"> <li>• Motion to reject certificate of electors on grounds it is not conclusive</li> <li>• In absence of any certificate, motion to receive a certificate that is conclusive</li> </ul>	Not mentioned in bill text	Not mentioned in bill text
Objection Threshold	1/3 in each chamber	1/3 in each chamber	1/3 in each chamber
Reasons to Object	<ul style="list-style-type: none"> <li>• State not validly a state</li> <li>• State submitted more votes than entitled to</li> <li>• Electors ineligible for</li> </ul>	<ul style="list-style-type: none"> <li>• Electors not lawfully certified</li> <li>• Vote of one or more elector not regularly</li> </ul>	<ul style="list-style-type: none"> <li>• Electors not lawfully certified</li> <li>• Vote of one or more elector not regularly</li> </ul>

	<p>office</p> <ul style="list-style-type: none"><li>• Electors cast for candidate who is ineligible pursuant to Article I, Article II, 14th Amendment or 22nd Amendment</li><li>• Electoral votes cast irregularly</li></ul>	given	given
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