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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend the Help America Vote Act of 2002 to allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GOLDMAN of New York introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Help America Vote Act of 2002 to allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, 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 “Early Voting Act”.

1 **SEC. 2. EARLY VOTING.**

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

5 (1) by redesignating sections 304 and 305 as
6 sections 305 and 306; and

7 (2) by inserting after section 303 the following
8 new section:

9 **“SEC. 304. EARLY VOTING.**

10 **“(a) REQUIRING VOTING PRIOR TO DATE OF ELEC-**
11 **TION.—**Each State shall allow individuals to vote in an
12 election for Federal office during an early voting period
13 which occurs prior to the date of the election, in a manner
14 that allows the individual to receive, complete, and cast
15 their ballot in-person.

16 **“(b) MINIMUM EARLY VOTING REQUIREMENTS.—**

17 **“(1) IN GENERAL.—**

18 **“(A) LENGTH OF PERIOD.—**The early vot-
19 ing period required under this subsection with
20 respect to an election shall consist of a period
21 of consecutive days (including weekends) which
22 begins on the 15th day before the date of the
23 election (or, at the option of the State, on a day
24 prior to the 15th day before the date of the
25 election) and ends no earlier than the second
26 day before the date of the election.

1 “(B) HOURS FOR EARLY VOTING.—Each
2 polling place which allows voting during an
3 early voting period under subparagraph (A)
4 shall—

5 “(i) allow such voting for no less than
6 10 hours on each day during the period;

7 “(ii) have uniform hours each day for
8 which such voting occurs; and

9 “(iii) allow such voting to be held for
10 some period of time prior to 9:00 a.m.
11 (local time) and some period of time after
12 5:00 p.m. (local time).

13 “(2) REQUIREMENTS FOR VOTE-BY-MAIL JURIS-
14 DICTIONS.—In the case of a jurisdiction that sends
15 every registered voter a ballot by mail—

16 “(A) paragraph (1) shall not apply;

17 “(B) such jurisdiction shall allow eligible
18 individuals to vote during an early voting period
19 that ensures voters are provided the greatest
20 opportunity to cast ballots ahead of election day
21 and which includes at least one consecutive Sat-
22 urday and Sunday; and

23 “(C) each polling place which allows voting
24 during an early voting period under subpara-
25 graph (B) shall allow such voting—

1 “(i) during the election office’s reg-
2 ular business hours; and

3 “(ii) for a period of not less than 8
4 hours on Saturdays and Sundays included
5 in the early voting period.

6 “(3) REQUIREMENTS FOR SMALL JURISDIC-
7 TIONS.—

8 “(A) IN GENERAL.—In the case of a juris-
9 diction described in subparagraph (B), para-
10 graph (1)(B) shall not apply so long as all eligi-
11 ble individuals in the jurisdiction have the op-
12 portunity to vote—

13 “(i) at each polling place which allows
14 voting during the early voting period de-
15 scribed in paragraph (1)(A)—

16 “(I) during the election office’s
17 regular business hours; and

18 “(II) for a period of not less than
19 8 hours on at least one Saturday and
20 at least one Sunday included in the
21 early voting period; or

22 “(ii) at one or more polling places in
23 the county in which such jurisdiction is lo-
24 cated that allows voting during the early
25 voting period described in paragraph

1 (1)(A) in accordance with the requirements
2 under paragraph (1)(B).

3 “(B) JURISDICTION DESCRIBED.—A juris-
4 diction is described in this subparagraph if such
5 jurisdiction—

6 “(i) had less than 3,000 registered
7 voters at the time of the most recent prior
8 election for Federal office; and

9 “(ii) consists of a geographic area
10 that is smaller than the jurisdiction of the
11 county in which such jurisdiction is lo-
12 cated.

13 “(4) RULE OF CONSTRUCTION.—Nothing in
14 this subsection shall be construed—

15 “(A) to limit the availability of additional
16 temporary voting sites which provide voters
17 more opportunities to cast their ballots but
18 which do not meet the requirements of this sub-
19 section;

20 “(B) to limit a polling place from being
21 open for additional hours outside of the uniform
22 hours set for the polling location on any day of
23 the early voting period; or

1 “(C) to limit a State or jurisdiction from
2 offering early voting on the Monday before elec-
3 tion day.

4 “(c) LOCATION OF POLLING PLACES.—

5 “(1) PROXIMITY TO PUBLIC TRANSPOR-
6 TATION.—To the greatest extent practicable, each
7 State and jurisdiction shall ensure that each polling
8 place which allows voting during an early voting pe-
9 riod under subsection (b) is located within walking
10 distance of a stop on a public transportation route.

11 “(2) AVAILABILITY IN RURAL AREAS.—In the
12 case of a jurisdiction that includes a rural area, the
13 State or jurisdiction shall—

14 “(A) ensure that polling places which allow
15 voting during an early voting period under sub-
16 section (b) will be located in such rural areas;
17 and

18 “(B) ensure that such polling places are lo-
19 cated in communities which will provide the
20 greatest opportunity for residents of rural areas
21 to vote during the early voting period.

22 “(3) COLLEGE CAMPUSES.—In the case of a ju-
23 risdiction that includes an institution of higher edu-
24 cation, the State or jurisdiction shall—

1 “(A) ensure that an appropriate number
2 (not less than one) of polling places which allow
3 voting during the early voting period under sub-
4 section (b) will be located on each branch cam-
5 pus of the institution of higher education; and

6 “(B) ensure that such polling places pro-
7 vide the greatest opportunity for residents of
8 the jurisdiction to vote.

9 “(d) STANDARDS.—Not later than June 30, 2024,
10 the Commission shall issue voluntary standards for the ad-
11 ministration of voting during voting periods which occur
12 prior to the date of a Federal election. Subject to sub-
13 section (c), such voluntary standards shall include the
14 nondiscriminatory geographic placement of polling places
15 at which such voting occurs.

16 “(e) BALLOT PROCESSING AND SCANNING REQUIRE-
17 MENTS.—

18 “(1) IN GENERAL.—Each State or jurisdiction
19 shall begin processing and scanning ballots cast dur-
20 ing in-person early voting for tabulation not later
21 than the date that is 14 days prior to the date of
22 the election involved, except that a State or jurisdic-
23 tion may begin processing and scanning ballots cast
24 during in-person early voting for tabulation after
25 such date if the date on which the State or jurisdic-

1 tion begins such processing and scanning ensures, to
2 the greatest extent practical, that ballots cast before
3 the date of the election are processed and scanned
4 before the date of the election.

5 “(2) LIMITATION.—Nothing in this subsection
6 shall be construed—

7 “(A) to permit a State or jurisdiction to
8 tabulate ballots in an election before the closing
9 of the polls on the date of the election unless
10 such tabulation is a necessary component of
11 preprocessing in the State or jurisdiction and is
12 performed in accordance with existing State
13 law; or

14 “(B) to permit an official to make public
15 any results of tabulation and processing before
16 the closing of the polls on the date of the elec-
17 tion.

18 “(f) EFFECTIVE DATE.—This section shall apply
19 with respect to the regularly scheduled general election for
20 Federal office held in November 2024 and each succeeding
21 election for Federal office.”.

22 (b) CONFORMING AMENDMENT RELATING TO
23 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
24 SISTANCE COMMISSION.—Section 311(b) of such Act (52
25 U.S.C. 21101(b)) is amended—

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

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

5 (3) by adding at the end the following new
6 paragraph:

7 “(4) in the case of the recommendations with
8 respect to section 304, June 30, 2024.”.

9 (c) CONFORMING AMENDMENT RELATING TO EN-
10 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
11 is amended by striking “and 303” and inserting “303, and
12 304”.

13 (d) CLERICAL AMENDMENT.—The table of contents
14 of such Act is amended—

15 (1) by redesignating the items relating to sec-
16 tions 304 and 305 as relating to sections 305 and
17 306; and

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

“Sec. 304. Early voting.”.