

117TH CONGRESS 1ST SESSION

H. R. 640

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

February 1, 2021

Mr. Brown introduced the following bill; which was referred to the Committee on House Administration

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 "Expanding Access to
 - 5 Early Voting Act of 2021".

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.—
- 12 "(1) IN GENERAL.—Each State shall allow indi-
- viduals to vote in an election for Federal office dur-
- ing an early voting period which occurs prior to the
- date of the election, in the same manner as voting
- is allowed on such date.
- 17 "(2) LENGTH OF PERIOD.—The early voting
- period required under this subsection with respect to
- an election shall consist of a period of consecutive
- days (including weekends) which begins on the 15th
- 21 day before the date of the election (or, at the option
- of the State, on a day prior to the 15th day before
- 23 the date of the election) and ends on the date of the
- election.

1	"(b) Minimum Early Voting Requirements.—
2	Each polling place which allows voting during an early vot-
3	ing period under subsection (a) shall—
4	"(1) allow such voting for no less than 10 hours
5	on each day;
6	"(2) have uniform hours each day for which
7	such voting occurs; and
8	"(3) allow such voting to be held for some pe-
9	riod of time prior to 9:00 a.m (local time) and some
10	period of time after 5:00 p.m. (local time).
11	"(c) Location of Polling Places.—
12	"(1) Proximity to public transpor-
13	TATION.—To the greatest extent practicable, a State
14	shall ensure that each polling place which allows vot-
15	ing during an early voting period under subsection
16	(a) is located within walking distance of a stop on
17	a public transportation route.
18	"(2) AVAILABILITY IN RURAL AREAS.—The
19	State shall ensure that polling places which allow
20	voting during an early voting period under sub-
21	section (a) will be located in rural areas of the State,
22	and shall ensure that such polling places are located
23	in communities which will provide the greatest op-
24	portunity for residents of rural areas to vote during

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the early voting period.

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1	"(d) Standards.—
2	"(1) IN GENERAL.—The Commission shall issue
3	standards for the administration of voting prior to
4	the day scheduled for a Federal election. Such
5	standards shall include the nondiscriminatory geo-
6	graphic placement of polling places at which such
7	voting occurs.
8	"(2) DEVIATION.—The standards described in
9	paragraph (1) shall permit States, upon providing
10	adequate public notice, to deviate from any require-
11	ment in the case of unforeseen circumstances such
12	as a natural disaster, terrorist attack, or a change
13	in voter turnout.
14	"(e) Ballot Processing and Scanning Require-
15	MENTS.—
16	"(1) In general.—The State shall begin proc-
17	essing and scanning ballots cast during early voting
18	for tabulation at least 14 days prior to the date of
19	the election involved.
20	"(2) Limitation.—Nothing in this subsection
21	shall be construed to permit a State to tabulate bal-
22	lots in an election before the closing of the polls on
23	the date of the election.

"(f) Effective Date.—This section shall apply 25 with respect to the regularly scheduled general election for

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- 1 Federal office held in November 2022 and each succeeding
- 2 election for Federal office.".
- 3 (b) Conforming Amendment Relating to
- 4 Issuance of Voluntary Guidance by Election As-
- 5 SISTANCE COMMISSION.—Section 311(b) of such Act (52)
- 6 U.S.C. 21101(b)) is amended—
- 7 (1) by striking "and" at the end of paragraph
- 8 (2);
- 9 (2) by striking the period at the end of para-
- graph (3) and inserting "; and"; and
- 11 (3) by adding at the end the following new
- 12 paragraph:
- "(4) in the case of the recommendations with
- respect to section 304, June 30, 2022.".
- (c) Conforming Amendment Relating to En-
- 16 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
- 17 is amended by striking "and 303" and inserting "303, and
- 18 304".
- 19 (d) Clerical Amendment.—The table of contents
- 20 of such Act, is amended—
- 21 (1) by redesignating the items relating to sec-
- tions 304 and 305 as relating to sections 305 and
- 23 306; and

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

"Sec. 304. Early voting.".

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