

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-
13 viduals to vote in an election for Federal office dur-
14 ing an early voting period which occurs prior to the
15 date of the election, in the same manner as voting
16 is allowed on such date.

17 **“(2) LENGTH OF PERIOD.—**The early voting
18 period required under this subsection with respect to
19 an election shall consist of a period of consecutive
20 days (including weekends) which begins on the 15th
21 day before the date of the election (or, at the option
22 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
24 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
25 the early voting period.

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.

24 “(f) EFFECTIVE DATE.—This section shall apply
25 with respect to the regularly scheduled general election for

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-
10 graph (3) and inserting “; and”; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(4) in the case of the recommendations with
14 respect to section 304, June 30, 2022.”.

15 (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-
22 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.”.

