

117TH CONGRESS
2D SESSION

H. R. 6872

To protect election workers and polling places.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2022

Mr. LEVIN of Michigan (for himself, Mr. BISHOP of Georgia, Ms. BOURDEAUX, Mr. CARSON, Mr. CLEAVER, Mrs. WATSON COLEMAN, Mr. COOPER, Mr. DOGGETT, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mr. JONES, Mr. KILDEE, Mrs. LAWRENCE, Mrs. MCBATH, Mr. MCGOVERN, Ms. NORTON, Ms. PORTER, Ms. ROSS, Mr. SARBANES, Mr. DAVID SCOTT of Georgia, Ms. SLOTKIN, Mr. VARGAS, and Mr. MOULTON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To protect election workers and polling places.

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 “Election Worker and
5 Polling Place Protection Act”.

1 **SEC. 2. ELECTION WORKER AND POLLING PLACE PROTEC-**
2 **TION.**

3 Section 11 of the Voting Rights Act of 1965 (52
4 U.S.C. 10307) is amended by adding at the end the fol-
5 lowing:

6 “(f)(1) Whoever, whether or not acting under color
7 of law, by force or threat of force, or violence, or threat
8 of harm to any person or property, willfully intimidates
9 or interferes with, or attempts to intimidate or interfere
10 with, the ability of any person or any class of persons to
11 vote or qualify to vote, or to qualify or act as a poll watch-
12 er, or any legally authorized election official, in any pri-
13 mary, special, or general election, or any person who is,
14 or is employed by, an agent, contractor, or vendor of a
15 legally authorized election official assisting in the adminis-
16 tration of any primary, special, or general election, shall
17 be fined not more than \$5,000, or imprisoned not more
18 than one year, or both; and if bodily injury results from
19 the acts committed in violation of this paragraph or if
20 such acts include the use, attempted use, or threatened
21 use of a dangerous weapon, explosives, or fire, shall be
22 fined not more than \$5,000 or imprisoned not more than
23 5 years, or both.

24 “(2) Whoever, whether or not acting under color of
25 law, willfully physically damages or threatens to physically
26 damage any physical property being used as a polling

1 place or tabulation center or other election infrastructure,
2 with the intent to interfere with the administration of an
3 election or the tabulation or certification of votes, shall
4 be fined not more than \$5,000, or imprisoned not more
5 than one year, or both; and if bodily injury results from
6 the acts committed in violation of this paragraph or if
7 such acts include the use, attempted use, or threatened
8 use of a dangerous weapon, explosives, or fire, shall be
9 fined not more than \$5,000 or imprisoned not more than
10 5 years, or both.

11 “(3) For purposes of this subsection, de minimus
12 damage or threats of de minimus damage to physical prop-
13 erty shall not be considered a violation of this subsection.

14 “(4) For purposes of this subsection, the term ‘elec-
15 tion infrastructure’ means any office of an election official,
16 staff, worker, or volunteer or any physical, mechanical, or
17 electrical device, structure, or tangible item used in the
18 process of creating, distributing, voting, returning, count-
19 ing, tabulating, auditing, storing, or other handling of
20 voter registration or ballot information.

21 “(g) No prosecution of any offense described in this
22 subsection may be undertaken by the United States, ex-
23 cept under the certification in writing of the Attorney Gen-
24 eral, or a designee, that—

25 “(1) the State does not have jurisdiction;

1 “(2) the State has requested that the Federal
2 Government assume jurisdiction; or

3 “(3) a prosecution by the United States is in
4 the public interest and necessary to secure substan-
5 tial justice.”.

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