

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION.**
2

3 (a) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION AS CONDITION OF CASTING BALLOT.—
4

5 (1) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 15481 et seq.) is
6 amended—
7

8 (A) by redesignating sections 304 and 305
9 as sections 305 and 306; and

10 (B) by inserting after section 303 the following new section:
11

12 **“SEC. 304. PHOTO IDENTIFICATION REQUIREMENTS.**

13 “(a) PROVISION OF IDENTIFICATION REQUIRED AS
14 CONDITION OF CASTING BALLOT.—

15 “(1) INDIVIDUALS VOTING IN PERSON.—Notwithstanding any other provision of law and except
16 as provided in subparagraph (B), the appropriate
17 State or local election official may not provide a bal-
18

1 lot for an election for Federal office to an individual
2 who desires to vote in person unless the individual
3 presents to the official a valid photo identification.

4 “(2) INDIVIDUALS VOTING OTHER THAN IN
5 PERSON.—Notwithstanding any other provision of
6 law and except as provided in subparagraph (B), the
7 appropriate State or local election official may not
8 accept any ballot for an election for Federal office
9 provided by an individual who votes other than in
10 person unless the individual submits with the ballot
11 a copy of a valid photo identification.

12 “(b) VALID PHOTO IDENTIFICATION DESCRIBED.—
13 For purposes of this section, a ‘valid photo identification’
14 means, with respect to an individual who seeks to vote in
15 a State, a motor vehicle driver’s license for the individual
16 conforms to the credential requirements of section 202 of
17 the REAL ID Act of 2005 (49 U.S.C. 3031).

18 “(c) EFFECTIVE DATE.—This section shall apply
19 with respect to elections for Federal office held in 2022
20 or any succeeding year.”.

21 (2) CLERICAL AMENDMENT.—The table of con-
22 tents of such Act is amended—

23 (A) by redesignating the items relating to
24 sections 304 and 305 as relating to sections
25 305 and 306; and

1 (B) by inserting after the item relating to
2 section 303 the following new item:

“Sec. 304. Photo identification requirements.”.

3 (b) CONFORMING AMENDMENT RELATING TO EN-
4 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
5 is amended by striking “sections 301, 302, and 303” and
6 inserting “subtitle A of title III”.

7 (c) CONFORMING AMENDMENT RELATING TO VOL-
8 UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-
9 SION.—Section 311(b) of such Act (52 U.S.C. 21101(b))
10 is amended—

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

12 (2);

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

15 (3) by adding at the end the following new
16 paragraph:

17 “(4) in the case of the recommendations with
18 respect to section 304, October 1, 2021.”.

19 (d) CONFORMING AMENDMENTS RELATING TO RE-
20 PEAL OF EXISTING PHOTO IDENTIFICATION REQUIRE-
21 MENTS FOR CERTAIN VOTERS.—

22 (1) IN GENERAL.—Section 303 of such Act (42
23 U.S.C. 15483) is amended—

1 (A) in the heading, by striking “**AND RE-**
2 **QUIREMENTS FOR VOTERS WHO REGISTER**
3 **BY MAIL**”;

4 (B) in the heading of subsection (b), by
5 striking “FOR VOTERS WHO REGISTER BY
6 MAIL” and inserting “FOR MAIL-IN REGISTRA-
7 TION FORMS”;

8 (C) in subsection (b), by striking para-
9 graphs (1) through (3) and redesignating para-
10 graphs (4) and (5) as paragraphs (1) and (2),
11 respectively; and

12 (D) in subsection (c), by striking “sub-
13 sections (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II)”
14 and inserting “subsection (a)(5)(A)(i)(II)”.

15 (2) CLERICAL AMENDMENT.—The table of con-
16 tents of such Act is amended by amending the item
17 relating to section 303 to read as follows:

“Sec. 303. Computerized statewide voter registration list requirements.”.

18 (e) EFFECTIVE DATE.—This section and the amend-
19 ments made by this section shall apply with respect to
20 elections for Federal office held in 2022 or any succeeding
21 year.

22 **SEC. 2. MANDATING IN-PERSON VOTING ON DATE OF ELEC-**
23 **TION.**

24 (a) MANDATE.—

1 (1) IN GENERAL.—Title III of the Help Amer-
2 ica Vote Act of 2002 (52 U.S.C. 21081 et seq.), as
3 amended by section 2(a), is amended—

4 (A) by redesignating sections 305 and 306
5 as sections 306 and 307; and

6 (B) by inserting after section 304 the fol-
7 lowing new section:

8 **“SEC. 305. MANDATORY IN-PERSON VOTING ON THE DATE**
9 **OF THE ELECTION.**

10 “(a) IN GENERAL.—Notwithstanding any other pro-
11 vision of this Act, a State or local election official shall
12 not accept a ballot cast in an election for Federal office
13 unless the ballot is cast by the voter at a polling place
14 on the date of the election.

15 “(b) EXCEPTION FOR MILITARY VOTERS.—Sub-
16 section (a) does not apply with respect to an absent uni-
17 formed services voter (as defined in section 107 of the
18 Uniformed and Overseas Citizens Absentee Voting Act (52
19 U.S.C. 20310)).

20 “(c) EFFECTIVE DATE.—This section shall apply
21 with respect to elections occurring on or after January 1,
22 2022.”.

23 (2) CLERICAL AMENDMENT.—The table of con-
24 tents of such Act, as amended by section 2(a), is
25 amended—

1 (A) by redesignating the items relating to
2 sections 305 and 306 as relating to sections
3 306 and 307; and

4 (B) by inserting after the item relating to
5 section 304 the following new item:

“Sec. 305. Mandatory in-person voting on the date of the election.”.

6 (b) CONFORMING AMENDMENT RELATING TO VOL-
7 UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-
8 SION.—Section 311(b) of such Act (52 U.S.C. 21101(b)),
9 as amended by section 2(c), is amended—

10 (1) by striking “and” at the end of paragraph
11 (3);

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

14 (3) by adding at the end the following new
15 paragraph:

16 “(5) in the case of the recommendations with
17 respect to section 305, October 1, 2021.”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall apply with respect to elections occur-
20 ring on or after January 1, 2022.

Amend the title so as to read: “A bill to amend the Help America Vote Act of 2002 to require individuals to provide identification as a condition of voting in elections for Federal office and to require individuals voting in

such elections to vote in person at a polling place on the date of the election, and for other purposes.”.

