

AMENDMENT TO H.R. 4
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.—

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

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

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

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

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

15 **“(1) INDIVIDUALS VOTING IN PERSON.—Not-**
16 **withstanding any other provision of law and except**
17 **as provided in subparagraph (B), the appropriate**
18 **State or local election official may not provide a bal-**
19 **lot for an election for Federal office to an individual**

1 who desires to vote in person unless the individual
2 presents to the official a valid photo identification.

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

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

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

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

22 (A) by redesignating the items relating to
23 sections 304 and 305 as relating to sections
24 305 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 **SEC. 2. MANDATING IN-PERSON VOTING ON DATE OF ELEC-**
19 **TION.**

20 (a) IN-PERSON VOTING ON DATE OF ELECTION.—

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

24 (A) by redesignating sections 305 and 306
25 as sections 306 and 307; and

1 (B) by inserting after section 304 the fol-
2 lowing new section:

3 **“SEC. 305. MANDATORY IN-PERSON VOTING ON THE DATE**
4 **OF THE ELECTION.**

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

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

15 “(c) EFFECTIVE DATE.—This section shall apply
16 with respect to elections occurring on or after January 1,
17 2022.”

18 (2) CLERICAL AMENDMENT.—The table of con-
19 tents of such Act, as amended by section 1(a), is
20 amended—

21 (A) by redesignating the items relating to
22 sections 305 and 306 as relating to sections
23 306 and 307; and

24 (B) by inserting after the item relating to
25 section 304 the following new item:

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

1 (b) CONFORMING AMENDMENT RELATING TO VOL-
2 UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-
3 SION.—Section 311(b) of such Act (52 U.S.C. 21101(b)),
4 as amended by section 1(c), is amended—

5 (1) by striking “and” at the end of paragraph
6 (3);

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

9 (3) by adding at the end the following new
10 paragraph:

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

13 **SEC. 3. REQUIREMENTS FOR TABULATION OF BALLOTS.**

14 (a) REQUIRING TABULATION OF BALLOTS BY HAND
15 AND ACCESS FOR ELECTION OBSERVERS.—

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

20 (A) by redesignating sections 306 and 307
21 as sections 307 and 308; and

22 (B) by inserting after section 305 the fol-
23 lowing new section:

1 **“SEC. 306. REQUIREMENTS FOR TABULATION OF BALLOTS.**

2 “(a) MANDATORY COUNTING OF BALLOTS BY
3 HAND.—The appropriate State or local election officials
4 shall tabulate all ballots in an election for Federal office
5 only by hand.

6 “(b) ACCESS FOR ELECTION OBSERVERS.—The ap-
7 propriate State or local election official shall permit at
8 least 2 representatives of each candidate appearing on the
9 ballot in a general election for Federal office to observe
10 the tabulation of the ballots in the election, including the
11 tabulation by hand required under subsection (a).

12 “(c) EFFECTIVE DATE.—This section shall apply
13 with respect to elections occurring on or after January 1,
14 2022.”.

15 (2) CLERICAL AMENDMENT.—The table of con-
16 tents of such Act, as amended by section 1(a), is
17 amended—

18 (A) by redesignating the items relating to
19 sections 305 and 306 as relating to sections
20 306 and 307; and

21 (B) by inserting after the item relating to
22 section 304 the following new item:

“Sec. 306. Requirements for tabulation of ballots.”.

23 (b) CONFORMING AMENDMENT RELATING TO VOL-
24 UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-

1 SION.—Section 311(b) of such Act (52 U.S.C. 21101(b)),
2 as amended by section 1(c) and section 2(b), is amended—

3 (1) by striking “and” at the end of paragraph
4 (4);

5 (2) by striking the period at the end of para-
6 graph (5) and inserting “; and”; and

7 (3) by adding at the end the following new
8 paragraph:

9 “(6) in the case of the recommendations with
10 respect to section 306, October 1, 2021.”.

11 **SEC. 4. PROHIBITING CONNECTION OF VOTING SYSTEMS**
12 **TO INTERNET.**

13 (a) PROHIBITION.—Section 301(a) of the Help Amer-
14 ica Vote Act of 2002 (52 U.S.C. 21081(a)) is amended
15 by adding at the end the following new paragraph:

16 “(7) PROHIBITING CONNECTION OF SYSTEM TO
17 THE INTERNET.—

18 “(A) IN GENERAL.—No system or device
19 upon which ballots are programmed or votes are
20 cast or tabulated shall be connected to the pub-
21 lic Internet at any time.

22 “(B) PROHIBITING ACCEPTANCE OF BAL-
23 LOTS TRANSMITTED ONLINE.—The voting sys-
24 tem may not directly tabulate any voted ballot

1 which is transmitted to an election official on-
2 line.

3 “(C) RULE OF CONSTRUCTION.—Nothing
4 contained in this paragraph shall be deemed to
5 prohibit the Commission from conducting the
6 studies under section 242 or to conduct other
7 similar studies under any other provision of law
8 in a manner consistent with this paragraph.”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall apply with respect to elections occur-
11 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, to require individuals voting in such
elections to vote in person at a polling place on the date
of the election, to require election officials to tabulate the
ballots cast in such elections by hand, and for other pur-
poses.”.

