

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MR. HIGGINS OF LOUISIANA

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17___ . 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. 21081 et seq.) is
6 amended by inserting after section 303 the following
7 new section:
8

9 **“SEC. 303A. PHOTO IDENTIFICATION REQUIREMENTS.**

10 **“(a) PROVISION OF IDENTIFICATION REQUIRED AS**
11 **CONDITION OF CASTING BALLOT.—**

12 **“(1) INDIVIDUALS VOTING IN PERSON.—**

13 **“(A) REQUIREMENT TO PROVIDE IDENTIFICATION.—**Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not provide a ballot for an
14
15
16
17
18 election for Federal office to an individual who

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

4 “(B) AVAILABILITY OF PROVISIONAL BAL-
5 LOT.—

6 “(i) IN GENERAL.—If an individual
7 does not present the identification required
8 under subparagraph (A), the individual
9 shall be permitted to cast a provisional bal-
10 lot with respect to the election under sec-
11 tion 302(a), except that the appropriate
12 State or local election official may not
13 make a determination under section
14 302(a)(4) that the individual is eligible
15 under State law to vote in the election un-
16 less, not later than 3 days after casting the
17 provisional ballot, the individual presents
18 to the official—

19 “(I) the identification required
20 under subparagraph (A); or

21 “(II) an affidavit developed and
22 made available to the individual by
23 the State attesting that the individual
24 does not possess the identification re-
25 quired under subparagraph (A) be-

1 cause the individual has a religious
2 objection to being photographed.

3 “(ii) NO EFFECT ON OTHER PROVI-
4 SIONAL BALLOTING RULES.—Nothing in
5 clause (i) may be construed to apply to the
6 casting of a provisional ballot pursuant to
7 section 302(a) or any State law for reasons
8 other than the failure to present the identi-
9 fication required under subparagraph (A).

10 “(2) INDIVIDUALS VOTING OTHER THAN IN
11 PERSON.—

12 “(A) IN GENERAL.—Notwithstanding any
13 other provision of law and except as provided in
14 subparagraph (B), the appropriate State or
15 local election official may not accept any ballot
16 for an election for Federal office provided by an
17 individual who votes other than in person unless
18 the individual submits with the ballot—

19 “(i) a copy of a valid photo identifica-
20 tion; or

21 “(ii) the last four digits of the individ-
22 ual’s Social Security number and an affi-
23 davit developed and made available to the
24 individual by the State attesting that the
25 individual is unable to obtain a copy of a

1 valid photo identification after making rea-
2 sonable efforts to obtain such a copy.

3 “(B) EXCEPTIONS.—Subparagraph (A)
4 does not apply with respect to a ballot provided
5 by—

6 “(i) an absent uniformed services
7 voter, as defined in section 107(1) of the
8 Uniformed and Overseas Citizens Absentee
9 Voting Act (52 U.S.C. 20310(1)); or

10 “(ii) an individual provided the right
11 to vote otherwise than in person under sec-
12 tion 3(b)(2)(B)(ii) of the Voting Accessi-
13 bility for the Elderly and Handicapped Act
14 (52 U.S.C. 20102(b)(2)(B)(ii)).

15 “(b) PROVIDING PUBLIC ACCESS TO DIGITAL IMAG-
16 ING DEVICES.—With respect to each State, the appro-
17 priate State or local government official of the State shall
18 ensure, to the extent practicable, public access to a digital
19 imaging device, which shall include a printer, copier,
20 image scanner, or multifunction machine, at State and
21 local government buildings in the State, including courts,
22 libraries, and police stations, for the purpose of allowing
23 individuals to use such a device at no cost to the individual
24 to make a copy of a valid photo identification.

1 “(c) VALID PHOTO IDENTIFICATIONS DESCRIBED.—
2 For purposes of this section, a ‘valid photo identification’
3 means, with respect to an individual who seeks to vote in
4 a State, any of the following:

5 “(1) A valid State-issued motor vehicle driver’s
6 license that includes a photo of the individual and an
7 expiration date.

8 “(2) A valid State-issued identification card
9 that includes a photo of the individual and an expi-
10 ration date issued by a State motor vehicle author-
11 ity.

12 “(3) A valid United States passport for the in-
13 dividual.

14 “(4) A valid military identification for the indi-
15 vidual.

16 “(5) A valid identification document issued by
17 a Tribal government that includes a photo of the in-
18 dividual and an expiration date.

19 “(d) NOTIFICATION OF IDENTIFICATION REQUIRE-
20 MENT TO APPLICANTS FOR VOTER REGISTRATION.—

21 “(1) IN GENERAL.—Each State shall ensure
22 that, at the time an individual applies to register to
23 vote in elections for Federal office in the State, the
24 appropriate State or local election official notifies

1 the individual of the photo identification require-
2 ments of this section.

3 “(2) SPECIAL RULE FOR INDIVIDUALS APPLY-
4 ING TO REGISTER TO VOTE ONLINE.—Each State
5 shall ensure that, in the case of an individual who
6 applies to register to vote in elections for Federal of-
7 fice in the State online, the online voter registration
8 system notifies the individual of the photo identifica-
9 tion requirements of this section before the indi-
10 vidual completes the online registration process.

11 “(e) EFFECTIVE DATE.—This section shall take ef-
12 fect on the date of the enactment of this section, and shall
13 apply with respect to elections for Federal office held on
14 or after such date.”.

15 (2) CLERICAL AMENDMENT.—The table of con-
16 tents of such Act is amended by inserting after the
17 item relating to section 303 the following new item:

“Sec. 303A. Photo identification requirements.”.

18 (b) CONFORMING AMENDMENT RELATING TO VOL-
19 UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-
20 SION.—Section 311(b) of such Act (52 U.S.C. 21101(b))
21 is amended—

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

23 (2);

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

1 (3) by adding at the end the following new
2 paragraph:

3 “(4) in the case of the recommendations with
4 respect to section 303A, October 1, 2026.”.

5 (c) CONFORMING AMENDMENT RELATING TO EN-
6 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
7 is amended by striking “sections 301, 302, 303, and 304”
8 and inserting “subtitle A of title III”.

9 (d) EFFECTIVE DATE.—This section and the amend-
10 ments made by this section shall take effect on the date
11 of the enactment of this section, and shall apply with re-
12 spect to elections for Federal office held on or after such
13 date.

