

AMENDMENT TO H.R. 22
OFFERED BY MS. SEWELL OF ALABAMA

Page 18, strike lines 7 through 13.

Page 22, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

1 SEC. 3. CONDITIONS FOR REMOVAL OF VOTERS FROM LIST
2 OF REGISTERED VOTERS.

3 (a) CONDITIONS DESCRIBED.—The National Voter
4 Registration Act of 1993 (52 U.S.C. 20501 et seq.) is
5 amended by inserting after section 8 the following new
6 section:

7 “SEC. 8A. CONDITIONS FOR REMOVAL OF VOTERS FROM
8 OFFICIAL LIST OF REGISTERED VOTERS.

9 “(a) VERIFICATION ON BASIS OF OBJECTIVE AND
10 RELIABLE EVIDENCE OF INELIGIBILITY.—

11 “(1) REQUIRING VERIFICATION.—Notwith-
12 standing any other provision of this Act, a State
13 may not remove the name of any registrant from the
14 official list of voters eligible to vote in elections for
15 Federal office in the State unless the State verifies,
16 on the basis of objective and reliable evidence, that
17 the registrant is ineligible to vote in such elections.

1 “(2) FACTORS NOT CONSIDERED AS OBJECTIVE
2 AND RELIABLE EVIDENCE OF INELIGIBILITY.—For
3 purposes of paragraph (1), except as permitted
4 under section 8(d) after a notice described in para-
5 graph (2) of such section has been sent, the fol-
6 lowing factors, or any combination thereof, shall not
7 be treated as objective and reliable evidence of a reg-
8 istrant’s ineligibility to vote:

9 “(A) The failure of the registrant to vote
10 in any election.

11 “(B) The failure of the registrant to re-
12 spond to any election mail, unless the election
13 mail has been returned as undeliverable.

14 “(C) The failure of the registrant to take
15 any other action with respect to voting in any
16 election or with respect to the registrant’s sta-
17 tus as a registrant.

18 “(3) REMOVAL BASED ON OFFICIAL
19 RECORDS.—

20 “(A) IN GENERAL.—Nothing in this sec-
21 tion shall prohibit a State from removing a reg-
22 istrant from the official list of eligible voters in
23 elections for Federal office if, on the basis of of-
24 ficial records maintained by the State, a State
25 or local election official knows, on the basis of

1 objective and reliable evidence, that the reg-
2 istrant has—

3 “(i) died; or

4 “(ii) permanently moved out of the
5 State and is no longer eligible to vote in
6 the State.

7 “(B) OPPORTUNITY TO DEMONSTRATE
8 ELIGIBILITY.—The State shall provide a voter
9 removed from the official list of eligible voters
10 in elections for Federal office under this para-
11 graph an opportunity to demonstrate that the
12 registrant is eligible to vote and be reinstated
13 on the official list of eligible voters in elections
14 for Federal office in the State.

15 “(b) NOTICE AFTER REMOVAL.—

16 “(1) NOTICE TO INDIVIDUAL REMOVED.—

17 “(A) IN GENERAL.—Not later than 48
18 hours after a State removes the name of a reg-
19 istrant from the official list of eligible voters,
20 the State shall send notice of the removal to the
21 former registrant, and shall include in the no-
22 tice the grounds for the removal and informa-
23 tion on how the former registrant may contest
24 the removal or be reinstated, including a tele-

1 phone number for the appropriate election offi-
2 cial.

3 “(B) EXCEPTIONS.—Subparagraph (A)
4 does not apply in the case of a registrant—

5 “(i) who sends written confirmation to
6 the State that the registrant is no longer
7 eligible to vote in the registrar’s jurisdic-
8 tion in which the registrant was registered;
9 or

10 “(ii) who is removed from the official
11 list of eligible voters by reason of the death
12 of the registrant.

13 “(2) PUBLIC NOTICE.—Not later than 48 hours
14 after conducting any general program to remove the
15 names of ineligible voters from the official list of eli-
16 gible voters (as described in section 8(a)(4)), the
17 State shall disseminate a public notice through such
18 methods as may be reasonable to reach the general
19 public (including by publishing the notice in a news-
20 paper of wide circulation and posting the notice on
21 the websites of the appropriate election officials)
22 that list maintenance is taking place and that reg-
23 istrants should check their registration status to en-
24 sure no errors or mistakes have been made. The
25 State shall ensure that the public notice dissemi-

1 nated under this paragraph is in a format that is
2 reasonably convenient and accessible to voters with
3 disabilities, including voters who have low vision or
4 are blind.”.

5 (b) CONDITIONS FOR TRANSMISSION OF NOTICES OF
6 REMOVAL.—Section 8(d) of such Act (52 U.S.C.
7 20507(d)) is amended by adding at the end the following
8 new paragraph:

9 “(4) A State may not transmit a notice to a
10 registrant under this subsection unless the State ob-
11 tains objective and reliable evidence (in accordance
12 with the standards for such evidence which are de-
13 scribed in section 8A(a)(2)) that the registrant has
14 changed residence to a place outside the registrar’s
15 jurisdiction in which the registrant is registered.”.

16 (c) CONFORMING AMENDMENTS.—

17 (1) NATIONAL VOTER REGISTRATION ACT OF
18 1993.—Section 8(a) of such Act (52 U.S.C.
19 20507(a)) is amended—

20 (A) in paragraph (3), by striking “pro-
21 vide” and inserting “subject to section 8A, pro-
22 vide”; and

23 (B) in paragraph (4), by striking “con-
24 duct” and inserting “subject to section 8A, con-
25 duct”.

1 (2) HELP AMERICA VOTE ACT OF 2002.—Section
2 303(a)(4)(A) of the Help America Vote Act of 2002
3 (52 U.S.C. 21083(a)(4)(A)) is amended by striking
4 “registrants” the second place it appears and insert-
5 ing “and subject to section 8A of such Act, reg-
6 istrants”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on the date of enactment of
9 this Act.

