

118TH CONGRESS
1ST SESSION

H. R. 5294

To remove barriers to the ability of unhoused individuals to register to vote and vote in elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 2023

Ms. WILLIAMS of Georgia (for herself, Mr. CLEAVER, Mr. ALLRED, Mr. VEASEY, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. PORTER, Mr. VARGAS, Mr. SCHIFF, Ms. LEE of California, Ms. JACOBS, Mr. CARTER of Louisiana, Ms. CLARKE of New York, Ms. MOORE of Wisconsin, Ms. SCANLON, Ms. BARRAGÁN, Ms. KAMLAGER-DOVE, Mr. MULLIN, Ms. BROWN, Ms. BALINT, Mrs. WATSON COLEMAN, Mr. DOGGETT, Ms. SEWELL, Ms. CROCKETT, Ms. JACKSON LEE, Ms. NORTON, Ms. MCCLELLAN, Mr. GRIJALVA, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. EVANS, Mr. NICKEL, Mr. JACKSON of Illinois, Mr. GREEN of Texas, Ms. TLAIB, Mr. JOHNSON of Georgia, Mr. BOWMAN, Ms. WASSERMAN SCHULTZ, Mr. PAYNE, Mr. KRISHNAMOORTHY, Mr. BLUMENAUER, Mrs. CHERFILUS-MCCORMICK, Mr. DAVIS of Illinois, Ms. SALINAS, Mr. RASKIN, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To remove barriers to the ability of unhoused individuals to register to vote and vote in elections for Federal office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Unhoused Voter Opportunity Through Elections Act” or
4 the “Unhoused VOTE Act”.

5 (b) TABLE OF CONTENTS.—The table of contents of
6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—VOTING RIGHTS OF UNHOUSED CITIZENS

Sec. 101. Voting rights of unhoused citizens.

Sec. 102. Enforcement.

Sec. 103. Relationship to Voting Rights Act of 1965.

Sec. 104. Definitions.

TITLE II—PROTECTIONS AND BEST PRACTICES FOR PROTECTING
ACCESS TO VOTING AND VOTER REGISTRATION FOR
UNHOUSED INDIVIDUALS

Sec. 201. Description of protections.

Sec. 202. Special requirements for voter registration.

Sec. 203. Inclusion of information on voter registration and voting in surveys
conducted by recipients of HUD homeless assistance.

TITLE III—GRANTS TO SUPPORT ACCESS TO VOTING FOR
UNHOUSED INDIVIDUALS

Sec. 301. Grant program described.

Sec. 302. Eligibility.

Sec. 303. Definition.

Sec. 304. Authorization of appropriations.

TITLE IV—GENERAL PROVISIONS

Sec. 401. State defined.

Sec. 402. Effective date.

7 **TITLE I—VOTING RIGHTS OF**
8 **UNHOUSED CITIZENS**

9 **SEC. 101. VOTING RIGHTS OF UNHOUSED CITIZENS.**

10 No voting qualification or prerequisite to voting, or
11 standard, practice, or procedure shall be imposed or ap-
12 plied by any State or political subdivision to deny or

1 abridge the right of any citizen of the United States to
2 vote because that citizen resides at or in a nontraditional
3 abode.

4 **SEC. 102. ENFORCEMENT.**

5 (a) ACTION BY ATTORNEY GENERAL.—The Attorney
6 General may commence in the name of the United States
7 a civil action (including an action against a State or polit-
8 ical subdivision) for declaratory or injunctive relief against
9 a violation of this title.

10 (b) PRIVATE RIGHT OF ACTION.—A person who is
11 aggrieved by an alleged violation of this title may bring
12 a civil action in an appropriate district court for declara-
13 tory or injunctive relief with respect to the violation.

14 **SEC. 103. RELATIONSHIP TO VOTING RIGHTS ACT OF 1965.**

15 Nothing in this title may be construed to impair any
16 right guaranteed by the Voting Rights Act of 1965 (52
17 U.S.C. 10101 et seq.).

18 **SEC. 104. DEFINITIONS.**

19 As used in this title, the term “nontraditional abode”
20 includes—

21 (1) a supervised publicly or privately operated
22 shelter designed to provide temporary living accom-
23 modations (including welfare hotels, congregate shel-
24 ters, transitional housing, substance abuse treatment
25 facilities);

1 (2) a public or private place not designated for,
2 or ordinarily used as, regular sleeping accommoda-
3 tion for human beings;

4 (3) any location in which, because an individual
5 resides in the location, the individual is considered
6 to be a homeless individual for purposes of section
7 103 of the McKinney-Vento Homeless Assistance
8 Act (42 U.S.C. 11302); and

9 (4) in the case of a State in which an individual
10 incarcerated in a prison is eligible to register to vote
11 and vote in elections for public office, a prison.

12 **TITLE II—PROTECTIONS AND**
13 **BEST PRACTICES FOR PRO-**
14 **TECTING ACCESS TO VOTING**
15 **AND VOTER REGISTRATION**
16 **FOR UNHOUSED INDIVIDUALS**

17 **SEC. 201. DESCRIPTION OF PROTECTIONS.**

18 (a) DESCRIPTION.—Title III of the Help America
19 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended
20 by adding at the end the following new subtitle:

1 **“Subtitle C—Access to Voting for**
2 **Unhoused Individuals**

3 **“SEC. 321. PROMOTING USE OF DROP BOXES BY UNHOUSED**
4 **INDIVIDUALS.**

5 “(a) DROP BOX ACCESSIBILITY.—If a jurisdiction re-
6 sponsible for the administration of an election for Federal
7 office in a State permits individuals to drop off voted bal-
8 lots in the election in drop boxes, the jurisdiction shall en-
9 sure that the drop boxes are available for in-person use
10 and are accessible and clearly labeled.

11 “(b) APPLYING CRITERIA BASED ON GREATEST AC-
12 CESS BY UNHOUSED INDIVIDUALS.—In establishing the
13 location, number, and time of operation of the drop boxes
14 described in subsection (a), the appropriate election offi-
15 cial of a jurisdiction which is subject to such subsection
16 shall take into account the need to provide access to such
17 drop boxes by unhoused individuals, based on consultation
18 with persons who provide services for unhoused individuals
19 and other relevant stakeholders.

20 **“SEC. 322. ACCEPTANCE OF CERTAIN DOCUMENTATION OF**
21 **RESIDENCE AND IDENTIFICATION.**

22 “(a) RESIDENCE.—

23 “(1) ATTESTATION.—If a State imposes a re-
24 quirement that an individual who desires to vote in
25 an election for Federal office in the State provide

1 the appropriate election official with documentation
2 of the individual’s residence, the State shall consider
3 the individual to meet that requirement if the indi-
4 vidual provides the official with a written attestation
5 of the individual’s residence, signed under penalty of
6 perjury.

7 “(2) USE OF SHELTER AS RESIDENCE FOR
8 VOTING PURPOSES.—A State may not prohibit an
9 individual who is residing in a homeless shelter from
10 using the shelter as the individual’s residence for
11 purposes of voting in an election for Federal office
12 which is held in the jurisdiction in which the shelter
13 is located.

14 “(b) IDENTIFICATION ISSUED BY ENTITIES OF
15 CRIMINAL JUSTICE SYSTEM.—If a State imposes a re-
16 quirement that an individual who desires to vote in an
17 election for Federal office in the State provide the appro-
18 priate election official with documentation of the individ-
19 ual’s identification, the State shall consider the individual
20 to meet the requirement if the individual provides the offi-
21 cial with a document containing the individual’s name
22 which is issued by an entity of the criminal justice system,
23 including a correctional facility, court, probation officer,
24 or parole officer.

1 **“SEC. 323. OUTREACH TO UNHOUSED INDIVIDUALS.**

2 “(a) INFORMATION ON WEBSITES OF ELECTION OF-
3 FICIALS.—

4 “(1) INFORMATION REQUIRED.—The chief
5 State election official shall ensure that the official
6 public website of each election official of the State
7 includes an accessible, clear, and separate hyperlink
8 to simple information on how unhoused individuals
9 may register to vote and vote in elections for Fed-
10 eral office held in the State.

11 “(2) AVAILABILITY IN LANGUAGE OTHER THAN
12 ENGLISH.—If a State or political subdivision is re-
13 quired under section 203 of the Voting Rights Act
14 of 1965 (52 U.S.C. 10503) to provide voting mate-
15 rials in a language other than English, the appro-
16 priate election official shall ensure that the informa-
17 tion provided under paragraph (1) is provided in
18 that language as well as English.

19 “(b) NOTIFICATION.—

20 “(1) VOTER REGISTRATION DEADLINES.—Not
21 later than 60 days prior to the deadline for reg-
22 istering to vote in an election for Federal office held
23 in a State, the chief State election official shall send
24 a notification of the deadline to each homeless shel-
25 ter in a jurisdiction of the State in which the elec-
26 tion will be held, local social services agencies which

1 commonly serve unhoused individuals, and other en-
2 tities which provide services to a significant popu-
3 lation of unhoused individuals in the jurisdiction.

4 “(2) DATES OF ELECTIONS.—Not later than 30
5 days prior to the date of an election for Federal of-
6 fice, the chief State election official shall send a no-
7 tification of the election to each homeless shelter in
8 a jurisdiction of the State in which the election will
9 be held, along with the other agencies and entities
10 to whom the chief State election official sent notice
11 of the registration deadline under paragraph (1).

12 **“SEC. 324. DEVELOPMENT OF BEST PRACTICES.**

13 “(a) DEVELOPMENT AND PUBLICATION.—In con-
14 sultation with the United States Interagency Council on
15 Homelessness, the Commission shall develop and regularly
16 update recommendations for the best practices for State
17 and local election officials to follow to protect and promote
18 the access of unhoused individuals to voter registration
19 and voting in elections for Federal office.

20 “(b) SPECIFIC ELEMENTS.—The Commission shall
21 include in the best practices developed and updated under
22 this section—

23 “(1) methods to ensure that unhoused individ-
24 uals are aware of the procedures and locations for
25 registering to vote and voting;

1 “(2) methods to help election officials comply
2 with requirements for providing access to voter reg-
3 istration and voting for people with disabilities, in-
4 cluding requirements established and enforced by the
5 Department of Justice;

6 “(3) methods to train election officials, includ-
7 ing poll workers, in recognizing and responding to
8 the challenges faced by unhoused individuals in reg-
9 istering to vote and voting;

10 “(4) methods to ensure that individuals who are
11 not eligible to register to vote, including individuals
12 who are not citizens of the United States, and indi-
13 viduals who are eligible but who do not wish to reg-
14 ister to vote are not denied access to services pro-
15 vided by homeless shelters and local social services
16 agencies which commonly serve unhoused individ-
17 uals; and

18 “(5) such other practices as the Commission
19 considers appropriate.

20 “(c) CONSULTATION.—In developing and updating
21 the best practices under this section, the Commission shall
22 consult with individuals who have experience in being
23 unhoused and with homeless shelters and local social serv-
24 ices agencies which commonly serve unhoused individuals,
25 including shelters and agencies with experience in serving

1 unhoused individuals who are not citizens of the United
2 States.

3 “(d) DEADLINE.—The Commission shall develop the
4 first set of best practices under this section not later than
5 180 days after the date of the enactment of the Unhoused
6 VOTE Act.

7 **“SEC. 325. DEFINITIONS.**

8 “In this subtitle—

9 “(1) the term ‘homeless shelter’ means an
10 emergency shelter under section 321 of the McKin-
11 ney-Vento Homeless Assistance Act (42 U.S.C.
12 11351); and

13 “(2) the term ‘unhoused individual’ means a
14 homeless individual, as defined in section 103 of
15 such Act (42 U.S.C. 11302).”.

16 (b) CONFORMING AMENDMENT RELATING TO EN-
17 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
18 is amended by striking the period at the end and inserting
19 “, and subtitle C of title III.”.

20 (c) CLERICAL AMENDMENT.—The table of contents
21 of such Act is amended by adding at the end of the items
22 relating to title III the following:

“Subtitle C—Access to Voting for Unhoused Individuals

“Sec. 321. Promoting use of drop boxes by unhoused individuals.

“Sec. 322. Acceptance of certain documentation of residence and identification.

“Sec. 323. Outreach to unhoused individuals.

“Sec. 324. Development of best practices.

“Sec. 325. Definitions.”.

1 **SEC. 202. SPECIAL REQUIREMENTS FOR VOTER REGISTRA-**
2 **TION.**

3 (a) TREATMENT OF SHELTERS AS VOTER REGISTRA-
4 TION AGENCIES.—Section 7(a)(2) of the National Voter
5 Registration Act of 1993 (52 U.S.C. 20506(a)(2)) is
6 amended—

7 (1) by striking “and” at the end of subpara-
8 graph (A);

9 (2) by striking the period at the end of sub-
10 paragraph (B) and inserting “; and”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(C) all emergency shelters in the State under
14 section 321 of the McKinney-Vento Homeless Assist-
15 ance Act (42 U.S.C. 11351).”.

16 (b) PERMITTING APPLICANTS TO MARK LOCATION
17 OF RESIDENCE ON FEDERAL VOTER REGISTRATION AP-
18 PPLICATION FORMS AND ALTERNATIVE FORMS USED BY
19 STATES.—Section 9(b) of the National Voter Registration
20 Act of 1993 (52 U.S.C. 20508(b)) is amended—

21 (1) by striking “and” at the end of paragraph
22 (3);

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

25 (3) by adding at the end the following new
26 paragraph:

1 “(5) include a drawing of an intersection on
2 which the applicant may mark by hand the location
3 of the applicant’s residence, including by writing in
4 the names of the crossroads on the drawing and in-
5 dicating any nearby landmarks.”.

6 (c) PERMITTING UNHOUSED APPLICANTS TO USE
7 UNSHELTERED STREET LOCATION AS ADDRESS.—Sec-
8 tion 8(a) of such Act (52 U.S.C. 20507(a)) is amended—

9 (1) by striking “and” at the end of paragraph
10 (5);

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

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

15 “(7) permit an applicant who is an unhoused
16 individual (defined for purposes of this paragraph as
17 a homeless individual under section 103 of the
18 McKinney-Vento Homeless Assistance Act (42
19 U.S.C. 11302)) to use an unsheltered street location
20 as the individual’s place of residence for purposes of
21 the application.”.

1 **SEC. 203. INCLUSION OF INFORMATION ON VOTER REG-**
2 **ISTRATION AND VOTING IN SURVEYS CON-**
3 **DUCTED BY RECIPIENTS OF HUD HOMELESS**
4 **ASSISTANCE.**

5 Section 402(f)(3) of the McKinney-Vento Homeless
6 Assistance Act (42 U.S.C. 11360a(f)(3)) is amended—

7 (1) by striking “and” at the end of subpara-
8 graph (C);

9 (2) by redesignating subparagraph (D) as sub-
10 paragraph (E); and

11 (3) by inserting after subparagraph (C) the fol-
12 lowing new subparagraph:

13 “(D) collects information on the extent to
14 which individuals experiencing homelessness are
15 able to register to vote and vote in elections for
16 Federal office; and”.

17 **TITLE III—GRANTS TO SUPPORT**
18 **ACCESS TO VOTING FOR**
19 **UNHOUSED INDIVIDUALS**

20 **SEC. 301. GRANT PROGRAM DESCRIBED.**

21 (a) **IN GENERAL.**—The Election Assistance Commis-
22 sion shall make grants to eligible States and units of local
23 government for programs and activities, such as operating
24 mobile voting centers and providing direct outreach to
25 unhoused individuals, to support the access of unhoused

1 individuals to registering to vote and voting in elections
2 for Federal office.

3 (b) USE OF FUNDS FOR GRANTS TO PRIVATE ENTI-
4 TIES.—A State or unit of local government which receives
5 a grant under this title may use the funds provided by
6 the grant to enter into contracts with private entities with
7 experience in providing assistance to unhoused individuals
8 to provide services to such individuals which will assist
9 them in registering to vote and voting in elections for Fed-
10 eral office.

11 **SEC. 302. ELIGIBILITY.**

12 (a) IN GENERAL.—A State or unit of local govern-
13 ment is eligible to receive a grant under this title if the
14 State or unit submits to the Election Assistance Commis-
15 sion, at such time and in such form as the Commission
16 may require, such information and assurances as the Com-
17 mission may require, including assurances that the State
18 or political subdivision has a plan to engage stakeholders
19 with a demonstrated experience of serving unhoused indi-
20 viduals.

21 (b) SPECIAL CONDITION REGARDING PROTECTION
22 OF DOCUMENTS.—In order to be eligible to receive a grant
23 under this title, a State or unit of local government shall
24 include with the information and assurances required
25 under subsection (a) specific information and assurances

1 that if funds provided by the grant are used to produce
2 documents for the use of unhoused individuals, including
3 under a contract with a private entity as described in sec-
4 tion 301(b), the documents will be produced in a manner
5 which ensures that they will remain readable and usable
6 even if they are subject to extended exposure to the ele-
7 ments.

8 **SEC. 303. DEFINITION.**

9 In this title, the term “unhoused individual” means
10 a homeless individual, as defined in section 103 of the
11 McKinney-Vento Homeless Assistance Act (42 U.S.C.
12 11302).

13 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to carry out
15 this title such sums as may be necessary for fiscal year
16 2024 and each succeeding fiscal year.

17 **TITLE IV—GENERAL**
18 **PROVISIONS**

19 **SEC. 401. STATE DEFINED.**

20 In this Act, the term “State” means each of the sev-
21 eral States, the District of Columbia, the Commonwealth
22 of Puerto Rico, Guam, American Samoa, the United
23 States Virgin Islands, and the Commonwealth of the
24 Northern Mariana Islands.

1 **SEC. 402. EFFECTIVE DATE.**

2 Except as otherwise provided, this Act and the
3 amendments made by this Act shall apply with respect to
4 elections for Federal office beginning 6 months after the
5 date of the enactment of this Act.

○