

117TH CONGRESS
1ST SESSION

S. 1470

To amend the Help America Vote Act of 2002 to increase voting accessibility for individuals with disabilities and older individuals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2021

Mr. CASEY (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. BROWN, Ms. DUCKWORTH, Mr. BLUMENTHAL, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To amend the Help America Vote Act of 2002 to increase voting accessibility for individuals with disabilities and older individuals, 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,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Accessible Voting Act of 2021”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings; purpose.

TITLE I—ELECTION ASSISTANCE COMMISSION OFFICE OF
ACCESSIBILITY

- Sec. 101. Establishment of the Election Assistance Commission Office of Accessibility.
- Sec. 102. National Resource Center on Accessible Voting.
- Sec. 103. Establishment of national voter accessibility website.

TITLE II—STATE REQUIREMENTS AND PAYMENTS

- Sec. 201. Establishment and maintenance of State accessible election websites.
- Sec. 202. Designation of single State office.
- Sec. 203. Transparency regarding changes.
- Sec. 204. Access to absentee voter registration procedures and no-excuse absentee voting for all voters.
- Sec. 205. Protections for in-person voting for individuals with disabilities and older individuals.
- Sec. 206. Protections for individuals subject to guardianship.
- Sec. 207. Payments to States for implementation of accessibility requirements.
- Sec. 208. Technical and conforming amendments relating to issuance of voluntary guidance and enforcement.

TITLE III—FEDERAL ASSISTANCE

- Sec. 301. Expansion and reauthorization of grant program to assure voting access for individuals with disabilities and older individuals.
- Sec. 302. Study and report on accessible voting options.
- Sec. 303. Appointments to EAC Board of Advisors.
- Sec. 304. Removal of limitation on use of funds for participation of protection and advocacy systems in litigation related to election-related disability access.
- Sec. 305. Funding for protection and advocacy systems.

1 SEC. 2. FINDINGS; PURPOSE.

2 (a) FINDINGS.—Congress finds the following:

3 (1) Since its founding, America has steadily
4 worked to ensure the right to vote for all through
5 State law, Federal law, and constitutional amend-
6 ments.

7 (2) Almost a quarter of the electorate will be 65
8 years old or older in 2020.

9 (3) Of the 37,000,000 voting age individuals
10 with disabilities in America, an estimated

1 14,300,000 citizens with disabilities reported voting
2 in the November 2018 election.

3 (4) Older individuals who have been lifelong
4 voters and who now find it difficult to leave their
5 home often cannot vote in person.

6 (5) Despite Federal laws requiring fully acces-
7 sible voting places, barriers to vote for people with
8 disabilities and older individuals still exist.

9 (6) In 2016 only 40 percent of polling places
10 were architecturally accessible and only 45 percent
11 of voting booths were accessible.

12 (7) Combining deficiencies in architectural and
13 voting booth access, only 17 percent of polling places
14 could be considered fully accessible in 2016.

15 (8) People with disabilities voted at a rate of
16 4.7 percent less than non-disabled individuals in
17 2016.

18 (9) In 2017, the Native American Voting
19 Rights Coalition found that the distance needed to
20 travel to polling locations and drop off boxes for ab-
21 sentee ballots greatly affected the ability of Native
22 Americans to cast ballots.

23 (10) The National Congress of American Indi-
24 ans found that the turnout rate for Native Ameri-
25 cans and Alaska Native registered voters is between

1 5 to 14 percent lower than turnout rates of other ra-
2 cial and ethnic groups.

3 (11) According to the United States Census
4 Bureau, there are nearly 26,000,000 individuals in
5 the United States with limited English proficiency
6 and more than 66,000,000 who speak a language
7 other than English at home. Americans with limited
8 English proficiency can face challenges when at-
9 tempting to register to vote and cast a ballot.

10 (12) A strong legislative focus on the needs of
11 older individuals, individuals with disabilities, Native
12 Americans, Alaska Natives, and individuals with lim-
13 ited proficiency in the English language is necessary
14 to remove obstacles to vote and ensure they can ex-
15 ercise their right to vote.

16 (b) PURPOSE.—The purpose of this Act is to improve
17 access for older individuals, individuals with disabilities,
18 Native Americans, Alaska Natives, and individuals with
19 limited proficiency in the English language to register to
20 vote and to cast a ballot by—

21 (1) providing States and local governments with
22 resources to improve accessibility when registering to
23 vote, voting by absentee, and casting a ballot in per-
24 son; and

1 (2) expanding Federal oversight and support to
2 ensure greater accessibility to State voting systems.

3 **TITLE I—ELECTION ASSISTANCE**
4 **COMMISSION OFFICE OF AC-**
5 **CESSIBILITY**

6 **SEC. 101. ESTABLISHMENT OF THE ELECTION ASSISTANCE**
7 **COMMISSION OFFICE OF ACCESSIBILITY.**

8 (a) IN GENERAL.—Subtitle A of title II of the Help
9 America Vote Act of 2002 (52 U.S.C. 20921) is amended
10 by adding at the end the following new part:

11 **“PART 4—ELECTION ASSISTANCE COMMISSION**
12 **OFFICE OF ACCESSIBILITY**

13 **“SEC. 223. ELECTION ASSISTANCE COMMISSION OFFICE OF**
14 **ACCESSIBILITY.**

15 “(a) ESTABLISHMENT.—There is hereby established
16 the Election Assistance Commission Office of Accessibility
17 (hereinafter in this part referred to as the ‘Office of Acces-
18 sibility’).

19 “(b) DUTIES.—The Office of Accessibility shall—

20 “(1) serve as the effective and visible advocate
21 on behalf of voters with access needs, including older
22 individuals, individuals with disabilities, Native
23 Americans, Alaska Native citizens, and individuals
24 with limited proficiency in the English language—

1 “(A) within the Election Assistance Com-
2 mission and with other departments and agen-
3 cies of the Federal Government regarding all
4 Federal policies affecting such individuals; and

5 “(B) in the States to promote the en-
6 hanced accessibility of voting systems and com-
7 pliance with this Act and other Federal law and
8 regulations;

9 “(2) ensure State and local election officials are
10 taking steps to maintain voting systems that meet
11 Department of Justice accessibility standards;

12 “(3) if the Director of the Office of Accessibility
13 finds that a State has not taken steps to meet such
14 standards, refer the finding to the Department of
15 Justice for enforcement;

16 “(4) evaluate State proposals to expand voter
17 accessibility in order to meet the requirements of
18 sections 304 through 309;

19 “(5) ensure State and local governments meet
20 the requirements of sections 304 through 309 (relat-
21 ing to accessible election websites and other accessi-
22 bility requirements), including through referral to
23 the Attorney General for action under section 401 as
24 appropriate;

1 “(6) administer and evaluate payments to
2 States for the establishment and maintenance of ac-
3 cessible election websites under section 297;

4 “(7) establish and operate the National Re-
5 source Center on Accessible Voting under section
6 224;

7 “(8) establish the national voter accessibility
8 website under section 225;

9 “(9) collect and disseminate information related
10 to challenges experienced by older individuals, indi-
11 viduals with disabilities, Native Americans, Alaska
12 Natives, and individuals with limited proficiency in
13 the English language when registering to vote or
14 casting a ballot; and

15 “(10) recommend policies and priorities to im-
16 prove the accessibility of State voter registration sys-
17 tems, voting systems, the casting of ballots, and the
18 application for and casting of absentee ballots.

19 “(c) OBJECTIVES.—The Office of Accessibility shall
20 have the following primary objectives:

21 “(1) Educating State and local election officials
22 on the challenges faced by older individuals, individ-
23 uals with disabilities, Native Americans, Alaska Na-
24 tives, and individuals with limited proficiency in the
25 English language when voting, and teaching evi-

1 dence-based strategies for overcoming those chal-
2 lenges.

3 “(2) Educating State and local election officials
4 regarding the needs of individuals with disabilities
5 and older individuals.

6 “(3) Providing educational resources in plain
7 language to older individuals and individuals with
8 disabilities on their rights and resources when reg-
9 istering to vote and voting.

10 “(4) Providing translated educational resources
11 for Native Americans, Alaska Natives, and individ-
12 uals with limited proficiency in the English language
13 on their rights and resources when registering to
14 vote and voting.

15 “(5) Studying potential improvements and pro-
16 viding strategies that State and local election offi-
17 cials may implement, and encouraging the enact-
18 ment of State or local laws as necessary for such im-
19 plementation, with the goal of—

20 “(A) ensuring that individuals with disabil-
21 ities and older individuals are provided the op-
22 portunity to cast a private and independent bal-
23 lot in person in an election for Federal office,
24 including—

1 “(i) identification of barriers to in-
2 person voting and strategies for remedi-
3 ating architectural, attitudinal, transpor-
4 tation, and other barriers to accessible in-
5 person voting;

6 “(ii) strategies to reduce adversely
7 long wait times for casting ballots;

8 “(iii) alternative options to cast a bal-
9 lot on the day of an election, such as pro-
10 viding the option to cast a ballot outside of
11 the polling place or from a vehicle;

12 “(iv) strategies and criteria to create
13 expedited voting lines for those needing
14 such service; or

15 “(v) the ability for an individual who
16 cannot physically wait in line to exit the
17 line without losing their place;

18 “(B) ensuring that individuals with disabil-
19 ities and older individuals are provided the op-
20 portunity to cast a private and independent ab-
21 sentee ballot, including—

22 “(i) ensuring the process for request-
23 ing and securing an absentee ballot is ac-
24 cessible to individuals with disabilities and
25 older individuals;

1 “(ii) ensuring the process for submit-
 2 ting an absentee ballot is accessible to indi-
 3 viduals with disabilities and older individ-
 4 uals; and

5 “(iii) ensuring the process for mark-
 6 ing an absentee ballot is accessible to indi-
 7 viduals with disabilities and older individ-
 8 uals; and

9 “(C) implementing policies that encourage
 10 more individuals with disabilities and older indi-
 11 viduals to serve as poll workers, including per-
 12 mitting shorter shifts to accommodate individ-
 13 uals who cannot work a full Election Day.

14 “(6) Promoting research into the use of acces-
 15 sible ballot marking devices and educating State and
 16 local election officials on the secure use of accessible
 17 ballot marking devices.

18 “(d) DIRECTOR OF ACCESSIBILITY.—

19 “(1) IN GENERAL.—The Office of Accessibility
 20 shall be headed by a Director of Accessibility (re-
 21 ferred to in this part as the ‘Director’) who shall be
 22 appointed by the Executive Director of the Election
 23 Assistance Commission.

24 “(2) TERM OF SERVICE FOR THE DIRECTOR.—

25 The Director shall serve for a term of 4 years. The

1 term of the first individual appointed to the position
2 of Director shall end on January 3, 2026, and the
3 term of each individual appointed for a full term to
4 the position of Director thereafter shall end on Jan-
5 uary 3 of each fourth year thereafter.

6 “(3) PROCEDURE FOR APPOINTMENT.—

7 “(A) IN GENERAL.—On the date that is 6
8 months prior to the date on which a vacancy is
9 scheduled to occur in the position of the Direc-
10 tor or the date on which the Director submits
11 a Letter of Resignation, the Election Assistance
12 Commission Standards Board and Election As-
13 sistance Commission Board of Advisors under
14 part 2 of this subtitle (hereafter in this part re-
15 ferred to as the ‘Standards Board’ and the
16 ‘Board of Advisors’, respectively), shall each ap-
17 point a search committee to recommend at least
18 three nominees for the position.

19 “(B) REQUIRING CONSIDERATION OF
20 NOMINEES.—The Executive Director of the
21 Election Assistance Commission shall consider
22 the nominees recommended by the Standards
23 Board and the Board of Advisors in appointing
24 the Director.

25 “(4) PROCEDURE FOR REAPPOINTMENT.—

1 “(A) IN GENERAL.—The Director may be
2 reappointed for one or more additional full
3 terms if the Standards Board and the Board of
4 Advisors recommends such reappointment.

5 “(B) TIMING OF RECOMMENDATION.—The
6 Standards Board and the Board of Advisors
7 may recommend such reappointment for an ad-
8 ditional term before the date on which the cur-
9 rent term of the Director expires, but not more
10 than 3 months before such date.

11 “(5) CONTINUATION IN OFFICE.—An individual
12 serving in the position of Director at the end of the
13 term of the individual as Director may continue to
14 serve until a successor is appointed.

15 “(e) DEPUTY DIRECTOR.—

16 “(1) IN GENERAL.—There shall be a Deputy
17 Director of the Office who shall—

18 “(A) be appointed by the Director;

19 “(B) perform such duties as may be as-
20 signed by the Director; and

21 “(C) during the absence or incapacity of
22 the Director or during a vacancy in that office,
23 act as the Director.

24 “(2) TERM.—The term of an individual ap-
25 pointed to the position of Deputy Director shall end

1 on the date on which the term of the Director ap-
2 pointing the Deputy Director ends.

3 “(3) CONTINUATION IN OFFICE.—An individual
4 serving in the position of Deputy Director at the end
5 of the term of the individual as Deputy Director
6 may continue to serve until a successor is appointed.

7 “(f) OTHER STAFF.—Subject to rules prescribed by
8 the Commission, the Director may appoint and fix the pay
9 of such additional personnel as the Director considers ap-
10 propriate.

11 “(g) REPORTS TO CONGRESS.—Not later than 2
12 years after the date of enactment of this part, and every
13 2 years thereafter, the Director shall submit to Congress
14 a report describing the activities carried out under this
15 part during the period since the last report was submitted
16 under this subsection.

17 “(h) DEFINITIONS.—In this part, the term ‘acces-
18 sible’, ‘individual with a disability’, ‘older individual’, and
19 ‘State’ have the meaning given those terms in section 304.

20 “(i) AUTHORIZATION.—There are authorized to be
21 appropriated to the Office of Accessibility to carry out the
22 provisions of this part \$500,000 for each of fiscal years
23 2022 and 2023 and such sums as may be necessary for
24 each succeeding year.”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) CONFORMING AMENDMENT TO DUTIES OF
2 EAC.—Section 202 of the Help America Vote Act of
3 2002 (52 U.S.C. 20922) is amended—

4 (A) in paragraph (5), by striking “and” at
5 the end;

6 (B) in paragraph (6), by striking the pe-
7 riod at the end and inserting “; and”; and

8 (C) by adding at the end the following new
9 paragraph:

10 “(7) establishing the Election Assistance Com-
11 mission Office of Accessibility under section 223.”.

12 (2) CLERICAL AMENDMENT.—The table of con-
13 tents of such Act is amended by inserting after the
14 item relating to section 222 the following new items:

 “PART 4—ELECTION ASSISTANCE COMMISSION OFFICE OF ACCESSIBILITY

 “Sec. 223. Election Assistance Commission Office of Accessibility.”.

15 **SEC. 102. NATIONAL RESOURCE CENTER ON ACCESSIBLE**
16 **VOTING.**

17 (a) IN GENERAL.—Part 4 of subtitle A of title II of
18 the Help America Vote Act of 2002, as added by section
19 101, is amended by adding at the end the following new
20 section:

21 **“SEC. 224. NATIONAL RESOURCE CENTER ON ACCESSIBLE**
22 **VOTING.**

23 “(a) IN GENERAL.—Not later than January 1, 2023,
24 the Office of Accessibility shall, directly or by grant or

1 contract with eligible entities described in subsection (d),
2 establish and operate a National Resource Center on Ac-
3 cessible Voting (in this section referred to as the ‘Center’).

4 “(b) ACTIVITIES.—In order to address the unique
5 challenges faced by older individuals, individuals with dis-
6 abilities, Native Americans, Alaska Natives, and individ-
7 uals with limited proficiency in the English language, the
8 Center shall provide State and local election officials, poll
9 workers, and volunteers with the information and tech-
10 nical assistance needed to effectively provide accessible
11 voting, and ensure that older individuals, individuals with
12 disabilities, Native Americans, Alaska Natives, and indi-
13 viduals with limited proficiency in the English language
14 are given an equivalent opportunity to vote, including with
15 privacy and independence. The Center shall also identify
16 barriers to accessible voting among these populations and
17 propose solutions that States and localities can adopt.

18 “(c) OBJECTIVES.—The Center shall assist the Office
19 of Accessibility in carrying out the primary objectives of
20 the Office as described in section 223(e).

21 “(d) ELIGIBLE ENTITIES.—

22 “(1) IN GENERAL.—To be eligible to receive a
23 grant or contract under this subsection, an entity
24 shall—

1 “(A) submit an application to the Office of
2 Accessibility at such time, in such manner, and
3 containing such information as the Office of Ac-
4 cessibility may reasonably require; and

5 “(B) meet the criteria described in para-
6 graph (2).

7 “(2) CRITERIA DESCRIBED.—The criteria de-
8 scribed in this paragraph, with respect to an entity,
9 are that the entity—

10 “(A) has demonstrated expertise in work-
11 ing with organizations or individuals on issues
12 affecting individuals with disabilities and older
13 individuals;

14 “(B) has documented experience in pro-
15 viding training and technical assistance on a
16 national basis or a formal relationship with an
17 organization that has such experience;

18 “(C) partners with an organization that
19 has demonstrated expertise in election security;
20 and

21 “(D) meets such other criteria as deter-
22 mined appropriate by the Office of Accessibility.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this section
25 not less than \$5,000,000 for fiscal year 2022 and each

1 succeeding fiscal year. Amounts appropriated under the
 2 preceding sentence shall remain available until expended.

3 “(f) OPERATING STANDARDS AND REPORTING RE-
 4 QUIREMENTS.—The Office of Accessibility shall develop
 5 and issue operating standards and reporting requirements
 6 for the Center.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
 8 of such Act is amended by inserting after the item relating
 9 to section 223, as added by section 101(b)(2), the fol-
 10 lowing new item:

“Sec. 224. National Resource Center on Accessible Voting.”.

11 **SEC. 103. ESTABLISHMENT OF NATIONAL VOTER ACCESSI-**
 12 **BILITY WEBSITE.**

13 (a) PURPOSE.—The purpose of this section is to cre-
 14 ate an accessible national website to provide support and
 15 information to State and local election officials, individuals
 16 with disabilities, and older individuals.

17 (b) ESTABLISHMENT.—Part 4 of subtitle A of title
 18 II of the Help America Vote Act of 2002, as added by
 19 section 101 and amended by section 102, is amended by
 20 adding at the end the following new section:

21 **“SEC. 225. ESTABLISHMENT OF NATIONAL VOTER ACCESSI-**
 22 **BILITY WEBSITE.**

23 “(a) IN GENERAL.—The Office of Accessibility shall
 24 work with State and local election officials to collect data

1 and administer a public national voter accessibility website
2 to—

3 “(1) ensure individuals with disabilities and
4 older individuals are provided easy access to clear
5 and understandable voter information for each
6 State, including—

7 “(A) a link to each State accessible elec-
8 tion website as described in section 304;

9 “(B) information on voting timelines for
10 each State, including deadlines to—

11 “(i) register to vote;

12 “(ii) update voter registration infor-
13 mation;

14 “(iii) submit an application to run for
15 elected office;

16 “(iv) apply for an absentee ballot; and

17 “(v) submit an absentee ballot; and

18 “(C) a plain language description of the
19 voting laws of each State, including information
20 on—

21 “(i) voter identification requirements;

22 “(ii) how to register to vote, update
23 registration info, and confirm an individual
24 is registered to vote in the State;

1 “(iii) the location and operating hours
2 of polling places and the accessibility of
3 polling places;

4 “(iv) the availability of aid or assist-
5 ance for individuals with disabilities and
6 older individuals to cast their vote in a
7 manner that provides the same opportunity
8 for access and participation (including pri-
9 vacy and independence) as for other voters
10 at polling places;

11 “(v) the availability of aid or assist-
12 ance from State and local agencies for in-
13 dividuals with disabilities or older individ-
14 uals who are not able to travel to the poll-
15 ing place;

16 “(vi) how to contact State, local, and
17 Federal officials with complaints or griev-
18 ances if individuals with disabilities and
19 older individuals feel their ability to reg-
20 ister to vote or vote has been blocked or
21 delayed; and

22 “(vii) access to aging and disability
23 support resources in the State, including—

24 “(I) protection and advocacy sys-
25 tems (as defined in section 102 of the

1 Developmental Disabilities Assistance
2 and Bill of Rights Act of 2000 (42
3 U.S.C. 15002)); and

4 “(II) information on how to ob-
5 tain transportation to the polls from
6 State or local agencies; and

7 “(2) provide a description of resources for local
8 election officials to use in providing guidance to poll
9 workers in order to ensure that polling places are ac-
10 cessible for individuals with disabilities and older in-
11 dividuals in a manner that provides the same oppor-
12 tunity for access and participation (including privacy
13 and independence) as for other voters.

14 “(b) DATABASE.—

15 “(1) IN GENERAL.—The Office of Accessibility
16 shall maintain a database of complaints or griev-
17 ances from individuals who feel their ability to reg-
18 ister to vote or vote has been blocked or delayed,
19 and the outcome of their complaints (as reported by
20 States pursuant to section 297(d)).

21 “(2) PUBLIC AVAILABILITY.—The Office of Ac-
22 cessibility shall make such complaints and a descrip-
23 tion of the outcomes of such complaints available to
24 the public, while maintaining the anonymity of any
25 individual who submits a complaint.

1 **“SEC. 304. ESTABLISHMENT AND MAINTENANCE OF ACCES-**
2 **SIBLE ELECTION WEBSITES.**

3 “(a) IN GENERAL.—Each State shall ensure their
4 election websites are accessible and meet the following re-
5 quirements:

6 “(1) LOCAL ELECTION OFFICIALS.—The
7 website shall provide local election officials, poll
8 workers, and volunteers with—

9 “(A) guidance to ensure that polling places
10 are accessible for individuals with disabilities
11 and older individuals in a manner that provides
12 the same opportunity for access and participa-
13 tion (including privacy and independence) as for
14 other voters; and

15 “(B) online training and resources on—

16 “(i) how best to promote the access
17 and participation of individuals with dis-
18 abilities and older individuals in elections
19 for public office; and

20 “(ii) the voting rights and protections
21 for individuals with disabilities and older
22 individuals under State and Federal law.

23 “(2) VOTERS.—The website shall provide infor-
24 mation about voting, including—

25 “(A) the accessibility of all polling places
26 within the State, including outreach programs

1 to inform individuals about the availability of
2 accessible polling places;

3 “(B) how to register to vote and confirm
4 voter registration in the State;

5 “(C) the location and operating hours of
6 all polling places in the State;

7 “(D) the availability of aid or assistance
8 for individuals with disabilities and older indi-
9 viduals to cast their vote in a manner that pro-
10 vides the same opportunity for access and par-
11 ticipation (including privacy and independence)
12 as for other voters at polling places;

13 “(E) the availability of transportation aid
14 or assistance to the polling place for individuals
15 with disabilities or older individuals;

16 “(F) recent changes in State and Federal
17 voting procedures that impact individuals with
18 disabilities or older individuals;

19 “(G) the rights and protections under
20 State and Federal law for individuals with dis-
21 abilities and older individuals to participate in
22 elections; and

23 “(H) how to contact State, local, and Fed-
24 eral officials with complaints or grievances if in-
25 dividuals with disabilities, older individuals, Na-

1 tive Americans, Alaska Natives, and individuals
2 with limited proficiency in the English language
3 feel their ability to register to vote or vote has
4 been blocked or delayed.

5 “(b) PARTNERSHIP WITH OUTSIDE TECHNICAL OR-
6 GANIZATION.—

7 “(1) IN GENERAL.—The chief State election of-
8 ficial of each State, through the committee of appro-
9 priate individuals under subsection (c)(2), shall part-
10 ner with an outside technical organization with dem-
11 onstrated experience in establishing accessible and
12 easy to use accessible election websites to—

13 “(A) update an existing election website to
14 make it fully accessible in accordance with this
15 section; or

16 “(B) develop an election website that is
17 fully accessible in accordance with this section.

18 “(2) IN-HOUSE TRAINING.—Under such part-
19 nership, the outside technical organization shall also
20 be required to provide training to in-house personnel
21 of the State or units of local government to maintain
22 and update election websites in an accessible man-
23 ner.

24 “(c) STATE PLAN.—

1 “(1) DEVELOPMENT.—The chief State election
2 official of each State shall, through a committee of
3 appropriate individuals as described in paragraph
4 (2), develop a State plan that describes how the
5 State and local governments will meet the require-
6 ments under this section.

7 “(2) COMMITTEE MEMBERSHIP.—The com-
8 mittee shall comprise at least the following individ-
9 uals:

10 “(A) The chief election officials of the four
11 most populous jurisdictions within the State.

12 “(B) The chief election officials of the four
13 least populous jurisdictions within the State.

14 “(C) Representatives from two disability
15 advocacy groups, including at least one such
16 representative who is an individual with a dis-
17 ability.

18 “(D) Representatives from two older indi-
19 vidual advocacy groups, including at least one
20 such representative who is an older individual.

21 “(E) Representatives from two inde-
22 pendent non-governmental organizations with
23 expertise in establishing and maintaining acces-
24 sible websites.

1 “(F) Representatives from two inde-
2 pendent non-governmental voting rights organi-
3 zations.

4 “(G) Representatives from State protection
5 and advocacy systems as defined in section 102
6 of the Developmental Disabilities Assistance
7 and Bill of Rights Act of 2000 (42 U.S.C.
8 15002).

9 “(d) PARTNERSHIP TO MONITOR AND VERIFY AC-
10 CESSIBILITY.—The chief State election official of each eli-
11 gible State, through the committee of appropriate individ-
12 uals under subsection (c)(2), shall partner with at least
13 two of the following organizations to monitor and verify
14 the accessibility of the election website and the complete-
15 ness of the election information and the accuracy of the
16 disability information provided on such website:

17 “(1) University Centers for Excellence in Devel-
18 opmental Disabilities Education, Research, and
19 Services designated under section 151(a) of the De-
20 velopmental Disabilities Assistance and Bill of
21 Rights Act of 2000 (42 U.S.C. 15061(a)).

22 “(2) Centers for Independent Living, as de-
23 scribed in part C of title VII of the Rehabilitation
24 Act of 1973 (29 U.S.C. 796f et seq.).

1 “(3) A State Council on Developmental Disabil-
2 ities described in section 125 of the Developmental
3 Disabilities Assistance and Bill of Rights Act of
4 2000 (42 U.S.C. 15025).

5 “(4) State protection and advocacy systems as
6 defined in section 102 of the Developmental Disabil-
7 ities Assistance and Bill of Rights Act of 2000 (42
8 U.S.C. 15002).

9 “(5) Statewide Independent Living Councils es-
10 tablished under section 705 of the Rehabilitation Act
11 of 1973 (29 U.S.C. 796d).

12 “(6) State Assistive Technology Act Programs.

13 “(7) A visual access advocacy organization.

14 “(8) An organization for the deaf.

15 “(9) A mental health organization.

16 “(e) DEFINITIONS.—In this subtitle:

17 “(1) ACCESSIBLE.—The term ‘accessible’
18 means—

19 “(A) in the case of the election website
20 under subsection (a) or section 225, or an elec-
21 tronic communication under section 307—

22 “(i) that the functions and content of
23 the website or electronic communication,
24 including all text, visual, and aural con-

1 tent, are as accessible to people with dis-
2 abilities as to those without disabilities;

3 “(ii) that the functions and content of
4 the website or electronic communication
5 are accessible to individuals with limited
6 proficiency in the English language; and

7 “(iii) that the website or electronic
8 communication meets, at a minimum, con-
9 formance to Level AA of the Web Content
10 Accessibility Guidelines 2.0 of the Web Ac-
11 cessibility Initiative (or any successor
12 guidelines); and

13 “(B) in the case of a facility (including a
14 polling place), that the facility is readily acces-
15 sible to and usable by individuals with disabil-
16 ities and older individuals, as determined under
17 the 2010 ADA Standards for Accessible Design
18 adopted by the Department of Justice (or any
19 successor standards).

20 “(2) INDIVIDUAL WITH A DISABILITY.—The
21 term ‘individual with a disability’ means an indi-
22 vidual with a disability, as defined in section 3 of the
23 Americans with Disabilities Act of 1990 (42 U.S.C.
24 12102), and who is otherwise qualified to vote in
25 elections for Federal office.

1 “(3) OLDER INDIVIDUAL.—The term ‘older in-
 2 dividual’ means an individual who is 60 years of age
 3 or older and who is otherwise qualified to vote in
 4 elections for Federal office.

5 “(4) STATE.—The term ‘State’ means a State
 6 of the United States, the District of Columbia, the
 7 Commonwealth of Puerto Rico, and any territory or
 8 possession of the United States.

9 “(f) EFFECTIVE DATE.—This section shall apply on
 10 or after January 1, 2023.”.

11 (b) CLERICAL AMENDMENTS.—The table of contents
 12 of such Act is amended—

13 (1) by redesignating the items relating to sec-
 14 tions 304 and 305 as relating to sections 305 and
 15 306, respectively; and

16 (2) by inserting after the item relating to sec-
 17 tion 303 the following new item:

 “Sec. 304. Establishment and maintenance of accessible election websites.”.

18 **SEC. 202. DESIGNATION OF SINGLE STATE OFFICE.**

19 (a) IN GENERAL.—Title III of the Help America
 20 Vote Act of 2002 (52 U.S.C. 21018 et seq.), as amended
 21 by section 201, is amended—

22 (1) by redesignating sections 305 and 306 as
 23 sections 306 and 307; and

24 (2) by inserting after section 304 the following:

1 **“SEC. 305. DESIGNATION OF SINGLE STATE OFFICE TO PRO-**
2 **VIDE INFORMATION FOR ALL INDIVIDUALS**
3 **WITH DISABILITIES AND OLDER INDIVIDUALS**
4 **IN THE STATE.**

5 “(a) IN GENERAL.—Each State shall designate a sin-
6 gle office which shall be responsible for providing informa-
7 tion with respect to Federal elections to all individuals
8 with disabilities or older individuals.

9 “(b) RESPONSIBILITIES.—Such office shall be re-
10 sponsible for the following:

11 “(1) Maintaining the accessible State election
12 website as described in section 304.

13 “(2) Providing information regarding voter reg-
14 istration, absentee ballots, and in-person voting pro-
15 cedures to be used by individuals with disabilities
16 and older individuals with respect to elections for
17 Federal office.

18 “(3) Regularly auditing polling places to ensure
19 they are accessible, as defined in section 304, and
20 publicly posting the results of such audits no later
21 than 6 months after the completion of the audit.

22 “(4) Providing information to State and local
23 election officials on how to set up and operate acces-
24 sible voting systems and information regarding the
25 accessibility of voting procedures, including guidance

1 on compatibility with assistive technologies such as
2 screen readers and ballot marking devices.

3 “(5) Working with—

4 “(A) community members with disabilities
5 and disability advocacy groups year round; and

6 “(B) older individuals and advocacy groups
7 for older individuals year round.

8 “(6) Integrating information on accessibility,
9 accommodations, disability, and older individuals
10 into regular training materials for poll workers and
11 election administration officials.

12 “(7) Training poll workers on how to make poll-
13 ing places accessible for individuals with disabilities
14 and older individuals.

15 “(8) Promoting the hiring of individuals with
16 disabilities and older individuals as poll workers and
17 election staff.

18 “(c) EFFECTIVE DATE.—This section shall apply on
19 or after January 1, 2023.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 of such Act is amended by inserting after the item relating
22 to section 304, as added by section 201(b), the following:

“Sec. 305. Designation of single State office to provide information for all indi-
viduals with disabilities and older individuals in the State.”.

1 **SEC. 203. TRANSPARENCY REGARDING CHANGES.**

2 (a) IN GENERAL.—Title III of the Help America
3 Vote Act of 2002 (52 U.S.C. 21018 et seq.), as amended
4 by sections 201 and 202, is amended—

5 (1) by redesignating sections 306 and 307 as
6 sections 307 and 308; and

7 (2) by inserting after section 305 the following:

8 **“SEC. 306. TRANSPARENCY REGARDING CHANGES.**

9 “(a) NOTICE OF ENACTED CHANGES.—

10 “(1) IN GENERAL.—If a State or political sub-
11 division makes any change in any prerequisite to
12 voting or standard, practice, or procedure with re-
13 spect to voting in any election for Federal office that
14 will result in the prerequisite, standard, practice, or
15 procedure being different from that which was in ef-
16 fect as of the date that is 180 days before the elec-
17 tion, the State or political subdivision must provide
18 reasonable public notice in such State or political
19 subdivision and on the accessible State election
20 website as described in section 304, containing a
21 concise description of the change, including the dif-
22 ference between the changed prerequisite, standard,
23 practice, or procedure and the prerequisite, stand-
24 ard, practice, or procedure which was previously in
25 effect.

1 “(2) FORMAT.—The public notice described in
2 paragraph (1) shall be provided in a format that is
3 convenient and accessible to individuals with disabili-
4 ties and older individuals.

5 “(3) ACCESSIBLE EMAIL AND MAIL NOTICES.—

6 “(A) IN GENERAL.—A State or political
7 subdivision shall send out an accessible elec-
8 tronic mail or mail notice to any voter who re-
9 quest to be notified of any changes described in
10 paragraph (1).

11 “(B) ESTABLISHMENT OF PROCESS.—A
12 State or political subdivision shall establish a
13 process under which a voter may request to be
14 notified of any such changes.

15 “(4) DEADLINE FOR NOTICE.—A State or polit-
16 ical subdivision shall provide the public notice re-
17 quired under paragraph (1) not later than 7 days
18 after making the change involved.

19 “(b) TRANSPARENCY REGARDING POLLING PLACE
20 RESOURCES.—

21 “(1) IN GENERAL.—In order to identify any
22 changes that may impact the right to vote of any in-
23 dividual, prior to the 30th day before the date of an
24 election, each State or political subdivision with re-
25 sponsibility for allocating registered voters, voting

1 machines, and official poll workers to particular pre-
2 cinets and polling places shall provide reasonable
3 public notice in such State or political subdivision
4 and on the accessible State election website as de-
5 scribed in section 304, of the information described
6 in paragraph (2) for precincts and polling places
7 within such State or political subdivision.

8 “(2) INFORMATION DESCRIBED.—The informa-
9 tion described in this paragraph with respect to a
10 precinct or polling place is each of the following:

11 “(A) The name or number of the precinct
12 or polling place.

13 “(B) In the case of a polling place, the lo-
14 cation, including the street address, and con-
15 firmation that the polling place is accessible to
16 individuals with disabilities and older individ-
17 uals.

18 “(C) The number of voting machines as-
19 signed, including the number of voting ma-
20 chines accessible to individuals with disabilities
21 and older individuals and the number of poll
22 workers who have received training on how to
23 set up and operate the accessible voting sys-
24 tems.

1 “(D) The total number of poll workers of-
2 ficially assigned to the polling place, including
3 the number of such poll workers who have re-
4 ceived training to assist individuals with disabil-
5 ities and older individuals.

6 “(E) The number of official volunteer poll
7 workers assigned who have received training to
8 assist individuals with disabilities and older in-
9 dividuals.

10 “(F) In the case of a polling place, the
11 dates and hours of operation.

12 “(3) UPDATES IN INFORMATION REPORTED.—
13 If a State or political subdivision makes any change
14 in any of the information described in paragraph (2)
15 with respect to which a notice is provided pursuant
16 to paragraph (1), the State or political subdivision
17 shall provide reasonable public notice in such State
18 or political subdivision and on the accessible State
19 election website as described in section 304, of the
20 change in the information not later than 48 hours
21 after the change occurs or, if the change occurs
22 fewer than 48 hours before the date of the election
23 for Federal office, as soon as practicable after the
24 change occurs.

1 “(4) FORMAT.—The public notice described in
2 paragraph (1) or (3) shall be provided in a format
3 that is reasonably convenient and accessible to indi-
4 viduals with disabilities and older individuals.

5 “(5) ACCESSIBLE EMAIL AND MAIL NOTICES.—

6 “(A) IN GENERAL.—A State or political
7 subdivision shall send out an accessible elec-
8 tronic mail and mail notice to any voter who re-
9 quests to be notified of any changes described
10 in paragraph (1) and to the State protection
11 and advocacy systems (as defined in section 102
12 of the Developmental Disabilities Assistance
13 and Bill of Rights Act of 2000 (42 U.S.C.
14 15002)).

15 “(B) ESTABLISHMENT OF PROCESS.—A
16 State or political subdivision shall establish a
17 process under which a voter may request to be
18 notified of any such changes.

19 “(c) EFFECTIVE DATE.—This section shall apply
20 with respect to elections for Federal office held on or after
21 January 1, 2023.”.

22 (b) CLERICAL AMENDMENTS.—The table of contents
23 of such Act is amended by inserting after the item relating
24 to section 305, as added by section 202(b), the following:

“Sec. 306. Transparency regarding changes.”.

1 **SEC. 204. ACCESS TO ABSENTEE VOTER REGISTRATION**
 2 **PROCEDURES AND NO-EXCUSE ABSENTEE**
 3 **VOTING FOR ALL VOTERS.**

4 (a) IN GENERAL.—Title III of the Help America
 5 Vote Act of 2002 (52 U.S.C. 21018 et seq.), as amended
 6 by sections 201, 202, and 203, is amended—

7 (1) by redesignating sections 307 and 308 as
 8 sections 308 and 309; and

9 (2) by inserting after section 306 the following:

10 **“SEC. 307. ACCESS TO ABSENTEE VOTER REGISTRATION**
 11 **PROCEDURES AND NO-EXCUSE ABSENTEE**
 12 **VOTING FOR ALL VOTERS.**

13 “(a) IN GENERAL.—Notwithstanding section 6(c)
 14 and subparagraph (B) or (D) of section 8(a)(1) of the Na-
 15 tional Voter Registration Act of 1993 (52 U.S.C.
 16 20505(c); 20507(a)(1)), each State shall—

17 “(1) permit any eligible voter to—

18 “(A) request and utilize absentee ballot
 19 procedures for elections for Federal office; and

20 “(B) vote by absentee ballot in elections
 21 for Federal office;

22 “(2) accept and process, with respect to any
 23 election for Federal office, any otherwise valid voter
 24 registration application from any eligible voter if the
 25 application is received by the appropriate State elec-
 26 tion official not less than 21 days before the election;

1 “(3) accept and process, with respect to any
2 election for Federal office, any otherwise valid ab-
3 sentee ballot application from any eligible voter if
4 the application is received by the appropriate State
5 election official not less than 7 days before the elec-
6 tion;

7 “(4) in addition to any other method of reg-
8 istering to vote in the State, establish procedures—

9 “(A) for States to send voter registration
10 applications to eligible voters in accordance with
11 the eligible voter’s preferred method of trans-
12 mission as designated under subparagraph (B);

13 “(B) by which an eligible voter may des-
14 ignate whether the eligible voter prefers that
15 such voter registration applications be trans-
16 mitted by mail or electronically; and

17 “(C) to allow eligible voters to electroni-
18 cally submit the mail voter registration applica-
19 tion form prescribed under section 9(a)(2) of
20 the National Voter Registration Act of 1993
21 (52 U.S.C. 20508(a)(2));

22 “(5) in addition to any other method of apply-
23 ing for an absentee ballot in the State, establish pro-
24 cedures—

1 “(A) for States to send absentee ballot ap-
2 plications to eligible voters in accordance with
3 the eligible voter’s preferred method of trans-
4 mission as designated under subparagraph (B);

5 “(B) by which an eligible voter may des-
6 ignate whether the eligible voter prefers that
7 such absentee ballot requests be transmitted
8 and submitted by mail or electronically; and

9 “(C) under which, not later than 7 days
10 after the appropriate State or local election offi-
11 cial has approved or rejected an absentee ballot
12 application, the official shall provide the indi-
13 vidual a notice of the disposition of the applica-
14 tion, and in the case of rejection of the applica-
15 tion provide the individual with the reason for
16 rejection and options to correct or update their
17 application;

18 “(6) establish procedures to allow eligible voters
19 to establish a permanent absentee voter status until
20 the voter submits an application to terminate their
21 permanent absentee voter status;

22 “(7) transmit a validly requested absentee bal-
23 lot to any eligible voter—

24 “(A) in the case in which the request is re-
25 ceived at least 45 days before an election for

1 Federal office, not later than 45 days before the
2 election; and

3 “(B) in the case in which the request is re-
4 ceived less than 45 days before an election for
5 Federal office—

6 “(i) in accordance with State law; and

7 “(ii) if practicable and as determined
8 appropriate by the State, in a manner that
9 expedites the transmission of such absen-
10 tee ballot; and

11 “(8) if the State declares or otherwise holds a
12 runoff election for Federal office, establish a written
13 plan which provides that absentee ballots are made
14 available to eligible voters in a manner that gives
15 them sufficient time to vote in the runoff election.

16 “(b) DESIGNATION OF MEANS OF ELECTRONIC COM-
17 MUNICATION FOR ELIGIBLE VOTERS TO REQUEST AND
18 FOR STATES TO SEND VOTER REGISTRATION APPLICA-
19 TIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR
20 OTHER PURPOSES RELATED TO VOTING INFORMA-
21 TION.—

22 “(1) IN GENERAL.—Each State shall, in addi-
23 tion to the designation of a single State office under
24 section 305, designate not less than 1 means of elec-
25 tronic communication—

1 “(A) for use by eligible voters who wish to
2 register to vote or vote in any jurisdiction in the
3 State to request voter registration applications
4 and absentee ballot applications under para-
5 graphs (3) and (4), respectively, of subsection
6 (a);

7 “(B) for use by States to send voter reg-
8 istration applications and absentee ballot appli-
9 cations requested under such paragraphs;

10 “(C) for the purpose of providing related
11 voting, balloting, and election information to eli-
12 gible voters; and

13 “(D) that meets the accessibility require-
14 ment as described in subsection (d).

15 “(2) CLARIFICATION REGARDING PROVISION OF
16 MULTIPLE MEANS OF ELECTRONIC COMMUNICA-
17 TION.—A State may, in addition to the means of
18 electronic communication so designated, provide
19 multiple means of electronic communication to eligi-
20 ble voters, including a means of electronic commu-
21 nication for the appropriate jurisdiction of the State.

22 “(3) INCLUSION OF DESIGNATED MEANS OF
23 ELECTRONIC COMMUNICATION WITH INFORMA-
24 TIONAL AND INSTRUCTIONAL MATERIALS THAT AC-
25 COMPANY BALLOTING MATERIALS.—Each State shall

1 include a means of electronic communication so des-
2 ignated with all informational and instructional ma-
3 terials that accompany balloting materials sent by
4 the State to eligible voters.

5 “(4) TRANSMISSION IF NO PREFERENCE INDI-
6 CATED.—In the case where an eligible voter does not
7 designate a preference under paragraph (3)(B) or
8 (4)(B), respectively, of subsection (a), the State
9 shall transmit the voter registration application or
10 absentee ballot application by any delivery method
11 allowable in accordance with applicable State law, or
12 if there is no applicable State law, by mail.

13 “(5) COORDINATION WITH STATES.—The Elec-
14 tion Assistance Commission shall work with States
15 to ensure the mail voter registration application
16 form prescribed under section 9(a)(2) of the Na-
17 tional Voter Registration Act of 1993 (52 U.S.C.
18 20508(a)(2)) is accessible as defined in section 304
19 and capable of being submitted electronically to
20 State election offices by individuals.

21 “(c) TRANSMISSION AND MARKING OF BLANK AB-
22 SENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—

23 “(1) IN GENERAL.—Each State shall establish
24 procedures—

1 “(A) to securely transmit blank absentee
2 ballots by mail and electronically (in accordance
3 with the preferred method of transmission des-
4 ignated by the eligible voter under subpara-
5 graph (B)) to eligible voters for an election for
6 Federal office; and

7 “(B) by which the eligible voter may des-
8 ignate whether the individual prefers that such
9 blank absentee ballot be transmitted by mail or
10 electronically.

11 “(2) TRANSMISSION IF NO PREFERENCE INDI-
12 CATED.—In the case where an eligible voter does not
13 designate a preference under paragraph (1)(B), the
14 State shall transmit the ballot by any delivery meth-
15 od allowable in accordance with applicable State law,
16 or if there is no applicable State law, by mail.

17 “(3) MARKING OF BLANK ABSENTEE BAL-
18 LOTS.—Each State shall establish procedures to
19 allow voters to securely mark blank absentee ballots
20 through assistive technology for an election for Fed-
21 eral office.

22 “(4) APPLICATION OF METHODS TO TRACK DE-
23 LIVERY TO AND RETURN OF BALLOT BY INDIVIDUAL
24 REQUESTING BALLOT.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), under the procedures established
3 under paragraph (1), the State may apply such
4 methods as the State considers appropriate
5 which are in accordance with paragraph (1),
6 such as assigning a unique identifier to the bal-
7 lot, to ensure that if an eligible voter requests
8 the State to transmit a blank absentee ballot to
9 the individual in accordance with this sub-
10 section, the voted absentee ballot which is re-
11 turned by the individual is the same blank ab-
12 sentee ballot which the State transmitted to the
13 individual.

14 “(B) LIMITATION.—In carrying out this
15 paragraph, a State may not adopt a method of
16 tracking absentee ballots which would violate
17 the right of an individual to a private ballot. If
18 a unique identifier is assigned to an absentee
19 ballot, the State must adopt procedures to en-
20 sure the identity of the individual remains se-
21 cret.

22 “(d) ACCESSIBILITY REQUIREMENT FOR ELEC-
23 TRONIC COMMUNICATIONS.—Any electronic communica-
24 tion under this section, including any application, ballot,

1 or instructional material sent electronically, shall be acces-
 2 sible as defined in section 304.

3 “(e) **RULE OF CONSTRUCTION.**—Nothing in this sec-
 4 tion may be construed to allow the casting of ballots over
 5 the internet.

6 “(f) **EFFECTIVE DATE.**—This section shall apply
 7 with respect to elections for Federal office held on or after
 8 January 1, 2023.”.

9 (b) **CONFORMING AMENDMENTS.**—

10 (1) **TECHNICAL AMENDMENT.**—Section 906(a)
 11 of the Help America Vote Act of 2002 (52 U.S.C.
 12 21145(a)) is amended, in the matter preceding para-
 13 graph (1), by striking “section 303(b)” and insert-
 14 ing “sections 303(b) and 307(a)”.

15 (2) **CLERICAL AMENDMENT.**—The table of con-
 16 tents of such Act is amended by inserting after the
 17 item relating to section 306, as added by section
 18 203(b), the following:

“Sec. 307. Access to absentee registration procedures and no-excuse absentee
 voting for all voters.”.

19 **SEC. 205. PROTECTIONS FOR IN-PERSON VOTING FOR INDI-**
 20 **VIDUALS WITH DISABILITIES AND OLDER IN-**
 21 **DIVIDUALS.**

22 (a) **REQUIREMENT.**—

23 (1) **IN GENERAL.**—Title III of the Help Amer-
 24 ica Vote Act of 2002 (52 U.S.C. 21018 et seq.), as

1 amended by sections 201, 202, 203, and 204, is
 2 amended—

3 (A) by redesignating sections 308 and 309
 4 as sections 309 and 310; and

5 (B) by inserting after section 307 the fol-
 6 lowing:

7 **“SEC. 308. ACCESS TO VOTING FOR INDIVIDUALS WITH DIS-**
 8 **ABILITIES AND OLDER INDIVIDUALS.**

9 “(a) REQUIREMENT.—

10 “(1) IN GENERAL.—Each State shall—

11 “(A) ensure all polling places within the
 12 State are accessible, as defined in section 304;

13 “(B) that voter drop boxes are accessible
 14 for use—

15 “(i) by individuals with disabilities, as
 16 determined in consultation with the protec-
 17 tion and advocacy systems (as defined in
 18 section 102 of the Developmental Disabil-
 19 ities Assistance and Bill of Rights Act of
 20 2000 (42 U.S.C. 15002)) of the State;

21 “(ii) by individuals with limited pro-
 22 ficiency in the English language; and

23 “(iii) by homeless individuals (as de-
 24 fined in section 103 of the McKinney-

1 Vento Homeless Assistance Act (42 U.S.C.
2 11302)) of the State;

3 “(C) consider procedures to address long
4 wait times at polling places that allow individ-
5 uals with disabilities and older individuals alter-
6 nate options to cast a ballot in person in an
7 election for Federal office, such as the option to
8 cast a ballot outside of the polling place or from
9 a vehicle, or providing an expedited voting line;
10 and

11 “(D) consider options to establish ‘mobile
12 polling sites’ to allow election officials or volun-
13 teers to travel to long-term care facilities and
14 assist residents who request assistance in cast-
15 ing a ballot in order to maintain the privacy
16 and independence of voters in these facilities.

17 “(2) RULE OF CONSTRUCTION.—If a State pro-
18 vides a drop box under this section on the grounds
19 of or inside of a building or facility which serves as
20 a polling place for an election for Federal office,
21 nothing in this subsection may be construed to waive
22 any requirements regarding the accessibility of such
23 polling place for the use of individuals with disabil-
24 ities or individuals with limited proficiency in the
25 English language.

1 “(b) CLARIFICATION.—Nothing in this section may
2 be construed to alter the requirements under Federal law
3 that all polling places for Federal elections are accessible
4 to individuals with disabilities and older individuals.

5 “(c) EFFECTIVE DATE.—This section shall apply
6 with respect to elections for Federal office held on or after
7 January 1, 2023.”.

8 (2) CLERICAL AMENDMENT.—The table of con-
9 tents of such Act is amended by inserting after the
10 item relating to section 307, as added by section
11 204(b), the following:

“Sec. 308. Access to voting for individuals with disabilities and older individ-
uals.”.

12 (b) REVISIONS TO VOTING ACCESSIBILITY FOR THE
13 ELDERLY AND HANDICAPPED ACT.—

14 (1) REPORTS TO ELECTION ASSISTANCE COM-
15 MISSION.—Section 3(c) of the Voting Accessibility
16 for the Elderly and Handicapped Act (52 U.S.C.
17 20102(c)) is amended—

18 (A) in the subsection heading, by striking
19 “FEDERAL ELECTION COMMISSION” and in-
20 serting “ELECTION ASSISTANCE COMMISSION”;

21 (B) in each of paragraphs (1) and (2), by
22 striking “Federal Election Commission” and in-
23 serting “Election Assistance Commission”; and

24 (C) by striking paragraph (3).

1 (2) CONFORMING AMENDMENTS RELATING TO
2 REFERENCES.—The Voting Accessibility for the El-
3 derly and Handicapped Act (52 U.S.C. 20101 et
4 seq.), as amended by paragraph (1), is amended—

5 (A) by striking “handicapped and elderly
6 individuals” each place it appears and inserting
7 “individuals with disabilities and older individ-
8 uals”;

9 (B) by striking “handicapped and elderly
10 voters” each place it appears and inserting “in-
11 dividuals with disabilities and older individ-
12 uals”;

13 (C) in section 3(b)(2)(B), by striking
14 “handicapped or elderly voter” and inserting
15 “individual with a disability or older indi-
16 vidual”;

17 (D) in section 5(b), by striking “handi-
18 capped voter” and inserting “individual with a
19 disability”; and

20 (E) in section 8—

21 (i) by striking paragraphs (1) and (2)

22 and inserting the following:

23 “(1) ‘accessible’ has the meaning given that
24 term in section 304 of the Help America Vote Act

1 of 2002, as added by section 101(a) of the Acces-
2 sible Voting Act of 2021;

3 “(2) ‘older individual’ has the meaning given
4 that term in such section 304;” and

5 (ii) by striking paragraph (4), and in-
6 serting the following:

7 “(4) ‘individual with a disability’ has the mean-
8 ing given that term in such section 304; and”.

9 (3) SHORT TITLE AMENDMENT.—

10 (A) IN GENERAL.—Section 1 of the “Vot-
11 ing Accessibility for the Elderly and Handi-
12 capped Act” (Public Law 98–435; 42 U.S.C.
13 1973see note) is amended by striking “for the
14 Elderly and Handicapped” and inserting “for
15 Individuals with Disabilities and Older Individ-
16 uals”.

17 (B) REFERENCES.—Any reference in any
18 other provision of law, regulation, document,
19 paper, or other record of the United States to
20 the “Voting Accessibility for the Elderly and
21 Handicapped Act” shall be deemed to be a ref-
22 erence to the “Voting Accessibility for Individ-
23 uals with Disabilities and Older Individuals
24 Act”.

1 (4) EFFECTIVE DATE.—The amendments made
2 by this subsection shall take effect on January 1,
3 2023, and apply to with respect to elections for Fed-
4 eral office held on or after that date.

5 **SEC. 206. PROTECTIONS FOR INDIVIDUALS SUBJECT TO**
6 **GUARDIANSHIP.**

7 (a) IN GENERAL.—Title III of the Help America
8 Vote Act of 2002 (52 U.S.C. 21018 et seq.), as amended
9 by sections 201, 202, 203, 204, and 205, is amended—

10 (1) by redesignating sections 309 and 310 as
11 sections 310 and 310A; and

12 (2) by inserting after section 308 the following:

13 **“SEC. 309. PROTECTIONS FOR INDIVIDUALS SUBJECT TO**
14 **GUARDIANSHIP.**

15 “(a) IN GENERAL.—A State shall not determine that
16 an individual lacks the capacity to vote in an election for
17 Federal office on the ground that the individual is subject
18 to guardianship, unless a court of competent jurisdiction
19 issues a court order finding by clear and convincing evi-
20 dence that the individual cannot communicate, with or
21 without accommodations, a desire to participate in the vot-
22 ing process.

23 “(b) EFFECTIVE DATE.—This section shall apply
24 with respect to elections for Federal office held on or after
25 January 1, 2023.”.

1 (b) CLERICAL AMENDMENTS.—The table of contents
 2 of such Act is amended by inserting after the item relating
 3 to section 308, as added by section 205(a)(2), the fol-
 4 lowing:

“Sec. 309. Protections for individuals subject to guardianship.”.

5 **SEC. 207. PAYMENTS TO STATES FOR IMPLEMENTATION OF**
 6 **ACCESSIBILITY REQUIREMENTS.**

7 (a) IN GENERAL.—Subtitle D of title II of the Help
 8 America Vote Act of 2002 (52 U.S.C. 21001) is amended
 9 by adding at the end the following new part:

10 **“PART 7—PAYMENTS TO STATES FOR IMPLEMEN-**
 11 **TATION OF ACCESSIBILITY REQUIREMENTS**

12 **“SEC. 297. PAYMENTS TO STATES FOR IMPLEMENTATION**
 13 **OF ACCESSIBILITY REQUIREMENTS.**

14 “(a) PAYMENTS.—

15 “(1) IN GENERAL.—The Director of the Office
 16 of Accessibility (hereinafter in this section referred
 17 to as the ‘Director’) shall make payments to each el-
 18 igible State (as described in subsection (c)) in an
 19 amount determined under paragraph (2) for each
 20 applicable period (as defined in paragraph (3)) be-
 21 ginning on or after October 1, 2021.

22 “(2) ALLOCATION OF FUNDS.—

23 “(A) IN GENERAL.—Subject to subpara-
 24 graph (C), the amount of a payment made to

1 a State for an applicable period shall be equal
2 to the product of—

3 “(i) the total amount appropriated for
4 requirements payments for the applicable
5 period pursuant to the authorization under
6 subsection (g); and

7 “(ii) the State allocation percentage
8 for the State (as determined under sub-
9 paragraph (B)).

10 “(B) STATE ALLOCATION PERCENTAGE
11 DEFINED.—The ‘State allocation percentage’
12 for a State is the amount (expressed as a per-
13 centage) equal to the quotient of—

14 “(i) the voting age population of the
15 State (as reported in the most recent de-
16 cennial census); and

17 “(ii) the total voting age population of
18 all States (as reported in the most recent
19 decennial census).

20 “(C) MINIMUM PAYMENT.—The amount of
21 any payment made to an eligible State under
22 this section shall not be less than \$1,000,000.

23 “(D) PRO RATA REDUCTIONS.—The Direc-
24 tor shall make such pro rata reductions to the
25 allocations determined under subparagraph (A)

1 as are necessary to comply with the require-
2 ments of subparagraph (C).

3 “(E) CONTINUING AVAILABILITY OF
4 FUNDS AFTER APPROPRIATION.—A payment
5 made to a State under this section shall be
6 available to the State without fiscal year limita-
7 tion.

8 “(3) APPLICABLE PERIOD DEFINED.—The ‘ap-
9 plicable period’, with respect to a payment under
10 this section, is a period of 2 fiscal years.

11 “(4) DISTRIBUTION OF FUNDS TO UNITS OF
12 LOCAL GOVERNMENT.—At least 10 percent of funds
13 allocated to a State under this section shall be dis-
14 tributed to units of local government to develop or
15 upgrade accessible election websites and to share in-
16 formation with the statewide accessible election
17 website as described in section 304.

18 “(b) USE OF FUNDS.—

19 “(1) IN GENERAL.—An eligible State shall use
20 a payment under this section to meet the require-
21 ments of sections 304 through 309.

22 “(2) PROHIBITION ON USE OF FUNDS FOR SEP-
23 ARATE ACCESSIBLE ELECTION WEBSITES.—Funds
24 under this section may not be used to establish ac-
25 cessible election websites for individuals with disabil-

1 ities and older individuals under section 304 that are
2 separate from the election websites for the general
3 population. Funds must be used to make existing
4 election websites accessible, or to develop accessible
5 election websites where one does not already exist.

6 “(c) REQUIREMENTS FOR ELIGIBILITY.—

7 “(1) IN GENERAL.—Each State that desires to
8 receive a payment under this section for an applica-
9 ble period shall submit an application for such pay-
10 ment to the Director at such time and in such man-
11 ner and containing such information as the Director
12 shall require.

13 “(2) CONTENTS OF APPLICATION.—Each appli-
14 cation submitted under paragraph (1) shall in-
15 clude—

16 “(A) with respect to the requirements
17 under section 304 (relating to accessible elec-
18 tion websites)—

19 “(i) a description of the State plan as
20 developed by the committee of appropriate
21 individuals under subsection (c) of such
22 section;

23 “(ii) an assurance that the State will
24 work with State and local disability and
25 aging advocates to ensure the election

1 website is accessible to individuals with
2 disabilities and older individuals;

3 “(iii) a description of how the State
4 will ensure the election website maintains
5 accessibility;

6 “(iv) a description of how the State
7 will ensure information on the election
8 website is accessible to local election offi-
9 cials; and

10 “(v) identification of each organiza-
11 tion the State is partnering with pursuant
12 to subsection (d) of such section in order
13 to monitor and verify the accessibility of
14 the State election website, including the
15 written support of each such organization;

16 “(B) with respect to the requirements
17 under sections 305 through 309, a description
18 of how the State will meet such requirements;
19 and

20 “(C) such other information as the Direc-
21 tor determines appropriate to ensure compli-
22 ance with the requirements of such sections 304
23 through 309.

24 “(d) REPORTS.—

25 “(1) REPORTS BY RECIPIENTS.—

1 “(A) IN GENERAL.—Not later than the 6
2 months after the end of each applicable period
3 for which an eligible State received a payment
4 under this section, the State shall submit a re-
5 port to the Director on the activities conducted
6 using such payments during the applicable pe-
7 riod, and shall include in the report a list of ex-
8 penditures during such applicable period.

9 “(B) INCLUSION.—Each report submitted
10 under subparagraph (A) shall include the num-
11 ber and description of complaints and griev-
12 ances by individuals alleging their ability to reg-
13 ister to vote or vote was unfairly blocked or de-
14 layed.

15 “(2) REPORT BY DIRECTOR TO COMMITTEES.—
16 With respect to each applicable period for which the
17 Director makes payments under this section, the Di-
18 rector shall submit a report on the activities carried
19 out under this section to the Committee on House
20 Administration of the House of Representatives and
21 the Committee on Rules and Administration and the
22 Special Committee on Aging of the Senate.

23 “(e) STANDARDS AND GUIDELINES.—The Director
24 shall establish standards and guidelines for approved ac-
25 tivities supported by payments under this section. Such

1 standards and guidelines shall permit eligible States re-
 2 ceiving such a payment to refine or adapt the standards
 3 and guidelines for an individual project, where such a re-
 4 finement or adaptation is made necessary by a local cir-
 5 cumstance.

6 “(f) DEFINITIONS.—In this section, the terms ‘acces-
 7 sible’, ‘individual with a disability’, ‘older individual’, and
 8 ‘State’ have the meaning given those terms in section 304.

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—There are authorized to be
 11 appropriated to carry out the provisions of this sec-
 12 tion—

13 “(A) \$100,000,000 for fiscal years 2022
 14 and 2023;

15 “(B) \$100,000,000 for fiscal years 2024
 16 and 2025; and

17 “(C) \$100,000,000 for fiscal years 2026
 18 and 2027.

19 “(2) CONTINUING AVAILABILITY OF FUNDS
 20 AFTER APPROPRIATION.—A payment made to an eli-
 21 gible State under this section shall be available to
 22 the State without fiscal year limitation, but shall
 23 only be used for the purposes of this section.

24 “(h) RELATIONSHIP TO REQUIREMENTS PAY-
 25 MENTS.—Any payment to a State under this section shall

1 be in addition to any requirements payment under section
 2 251 and shall not be taken into account in determining
 3 the amount of such payment under section 252.”.

4 (b) CLERICAL AMENDMENTS.—The table of contents
 5 of such Act is amended by inserting after the item relating
 6 to section 296 the following new item:

“PART 7—PAYMENTS TO STATES FOR IMPLEMENTATION OF ACCESSIBILITY
 REQUIREMENTS

“Sec. 297. Payments to States for implementation of accessibility require-
 ments.”.

7 **SEC. 208. TECHNICAL AND CONFORMING AMENDMENTS RE-**
 8 **LATING TO ISSUANCE OF VOLUNTARY GUID-**
 9 **ANCE AND ENFORCEMENT.**

10 (a) ISSUANCE OF VOLUNTARY GUIDANCE BY ELEC-
 11 TION ASSISTANCE COMMISSION.—Section 311 of the Help
 12 America Vote Act of 2002 (52 U.S.C. 21101) is amend-
 13 ed—

14 (1) in subsection (a), by striking “subtitle A”
 15 and inserting “subtitles A and B”; and

16 (2) in subsection (b)—

17 (A) by striking “and” at the end of para-
 18 graph (2);

19 (B) by striking the period at the end of
 20 paragraph (3) and inserting “; and”; and

21 (C) by adding at the end the following new
 22 paragraph:

1 uals with the full range of disabilities (including im-
2 pairments involving vision, hearing, mobility, cog-
3 nition, or dexterity) through the implementation of
4 accessible absentee voting systems that work in con-
5 junction with assistive technologies for which indi-
6 viduals have access at their homes, independent liv-
7 ing centers, long-term care facilities, or other facili-
8 ties in a manner that provides the same opportunity
9 for access and participation (including privacy and
10 independence) as for other voters;

11 “(2) making polling places, including the path
12 of travel, entrances, exits, and voting areas of each
13 polling facility, accessible to individuals with disabil-
14 ities, including the blind and visually impaired, in a
15 manner that provides the same opportunity for ac-
16 cess and participation (including privacy and inde-
17 pendence) as for other voters; and

18 “(3) providing solutions to problems of access
19 to voting and elections for individuals with disabil-
20 ities that are universally designed and provide the
21 same opportunities for individuals with and without
22 disabilities.”.

23 (b) REAUTHORIZATION.—Section 264(a) of such Act
24 (52 U.S.C. 21024(a)) is amended by adding at the end
25 the following new paragraph:

1 “(4) For fiscal year 2022 and each succeeding
2 fiscal year, such sums as may be necessary to carry
3 out this part.”.

4 (c) PERIOD OF AVAILABILITY OF FUNDS.—Section
5 264 of such Act (52 U.S.C. 21024) is amended—

6 (1) in subsection (b), by striking “Any
7 amounts” and inserting “Except as provided in sub-
8 section (b), any amounts”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(c) RETURN AND TRANSFER OF CERTAIN FUNDS.—

12 “(1) DEADLINE FOR OBLIGATION AND EXPEND-
13 ITURE.—In the case of any amounts appropriated
14 pursuant to the authority of subsection (a) for a
15 payment to a State or unit of local government for
16 fiscal year 2022 or any succeeding fiscal year, any
17 portion of such amounts which have not been obli-
18 gated or expended by the State or unit of local gov-
19 ernment prior to the expiration of the 4-year period
20 which begins on the date the State or unit of local
21 government first received the amounts shall be
22 transferred to the Commission.

23 “(2) REALLOCATION OF TRANSFERRED
24 AMOUNTS.—

1 “(A) IN GENERAL.—The Commission shall
 2 use the amounts transferred under paragraph
 3 (1) to make payments on a pro rata basis to
 4 each covered payment recipient described in
 5 subparagraph (B), which may obligate and ex-
 6 pend such payment for the purposes described
 7 in section 261(b) during the 1-year period
 8 which begins on the date of receipt.

9 “(B) COVERED PAYMENT RECIPIENTS DE-
 10 SCRIBED.—In subparagraph (A), a ‘covered
 11 payment recipient’ is a State or unit of local
 12 government with respect to which—

13 “(i) amounts were appropriated pur-
 14 suant to the authority of subsection (a);
 15 and

16 “(ii) no amounts were transferred to
 17 the Commission under paragraph (1).”.

18 **SEC. 302. STUDY AND REPORT ON ACCESSIBLE VOTING OP-**
 19 **TIONS.**

20 (a) STUDY AND REPORT.—The Election Assistance
 21 Commission (in this section referred to as the “Commis-
 22 sion”), in coordination with the Access Board and the Cy-
 23 bersecurity and Infrastructure Security Agency, shall
 24 make grants to not fewer than 3 eligible entities to study,
 25 test, and develop accessible and secure remote voting sys-

1 tems and voting, verification, and casting devices to en-
2 hance the accessibility of voting and verification for indi-
3 viduals with disabilities.

4 (b) ELIGIBILITY.—An entity is eligible to receive a
5 grant under this section if it submits to the Commission
6 (at such time and in such form as the Commission may
7 require) an application containing—

8 (1) certifications that the entity shall specifi-
9 cally investigate enhanced methods or devices, in-
10 cluding nonelectronic devices, that will assist such
11 individuals and voters in marking voter-verified
12 paper ballots and presenting or transmitting the in-
13 formation printed or marked on such ballots back to
14 such individuals and voters, and casting such ballots;

15 (2) a certification that the entity shall complete
16 the activities carried out with the grant not later
17 than January 1, 2024; and

18 (3) such other information and certifications as
19 the Commission may require.

20 (c) AVAILABILITY OF TECHNOLOGY.—Any tech-
21 nology developed with the grants made under this section
22 shall be treated as non-proprietary and shall be made
23 available to the public, including to manufacturers of vot-
24 ing systems.

1 (d) COORDINATION WITH GRANTS FOR TECHNOLOGY
2 IMPROVEMENTS.—The Commission shall carry out this
3 section so that the activities carried out with the grants
4 made under subsection (a) are coordinated with the re-
5 search conducted under the grant program carried out by
6 the Commission under section 271 of the Help America
7 Vote Act of 2002 (52 U.S.C. 21041), to the extent that
8 the Director and Commission determine necessary to pro-
9 vide for the advancement of accessible voting technology.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out subsection (a)
12 \$30,000,000, to remain available until expended.

13 **SEC. 303. APPOINTMENTS TO EAC BOARD OF ADVISORS.**

14 (a) IN GENERAL.—Section 214(a) of the Help Amer-
15 ica Vote Act of 2002 (52 U.S.C. 20944(a)) is amended—

16 (1) in the matter preceding paragraph (1), by
17 striking “37” and inserting “49”; and

18 (2) by adding at the end the following new
19 paragraphs:

20 “(17) Two members appointed by the National
21 Council on Disability.

22 “(18) Two members appointed by the Assistant
23 Secretary of Health and Human Services for Aging.

24 “(19) Four members from organizations, whose
25 executive leadership team consists of fifty-one per-

1 cent of individuals with disabilities, representing the
2 interests of voters with disabilities, of whom—

3 “(A) two members shall be appointed by
4 the Committee on Education and Labor of the
5 House of Representatives, of whom one shall be
6 appointed by the chair and one shall be ap-
7 pointed by the ranking minority member; and

8 “(B) two members shall be appointed by
9 the Committee on Health, Education, Labor,
10 and Pensions of the Senate, of whom one shall
11 be appointed by the chair and one shall be ap-
12 pointed by the ranking minority member.

13 “(20) Four members from organizations rep-
14 resenting the interests of older voters, of whom—

15 “(A) two members shall be appointed by
16 the Committee on Education and Labor of the
17 House of Representatives, of whom one shall be
18 appointed by the chair and one shall be ap-
19 pointed by the ranking minority member; and

20 “(B) two members shall be appointed by
21 the Special Committee on Aging of the Senate,
22 of whom one shall be appointed by the chair
23 and one shall be appointed by the ranking mi-
24 nority member.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect on January 1, 2022.

3 **SEC. 304. REMOVAL OF LIMITATION ON USE OF FUNDS FOR**
4 **PARTICIPATION OF PROTECTION AND ADVOCACY SYSTEMS IN LITIGATION RELATED TO**
5 **CACY SYSTEMS IN LITIGATION RELATED TO**
6 **ELECTION-RELATED DISABILITY ACCESS.**

7 Section 292(a) of the Help America Vote Act of 2002
8 (52 U.S.C. 21062(a)) is amended by striking “; except
9 that” and all that follows and inserting a period.

10 **SEC. 305. FUNDING FOR PROTECTION AND ADVOCACY SYS-**
11 **TEMS.**

12 (a) INCLUSION OF SYSTEM SERVING AMERICAN IN-
13 DIAN CONSORTIUM.—Section 291(a) of the Help America
14 Vote Act of 2002 (52 U.S.C. 21061(a)) is amended by
15 striking “of each State” and inserting “of each State and
16 the eligible system serving the American Indian consor-
17 tium (within the meaning of section 509(c)(1)(B) of the
18 Rehabilitation Act of 1973 (29 U.S.C. 794e(c)(1)(B)))”.

19 (b) GRANT AMOUNT.—Section 291(b) of the Help
20 America Vote Act of 2002 (52 U.S.C. 21061(b)) is amend-
21 ed—

22 (1) by striking “as set forth in subsections
23 (c)(3)” and inserting “as set forth in subsections
24 (c)(1)(B) (regardless of the fiscal year), (c)(3)”;

1 (2) by striking “except that” and all that fol-
2 lows and inserting “except that the amount of the
3 grants to systems referred to in subsection (c)(3)(B)
4 of that section shall not be less than \$70,000 and
5 the amount of the grants to systems referred to in
6 subsections (c)(1)(B) and (c)(4)(B) of that section
7 shall not be less than \$35,000.”.

8 (c) DEFINITION.—Section 291 of the Help America
9 Vote Act of 2002 (52 U.S.C. 21061) is amended by adding
10 at the end the following:

11 “(d) STATE.—In this section, the term ‘State’
12 means—

13 “(1) a State as defined in section 901; and

14 “(2) the Commonwealth of the Northern Mar-
15 iana Islands.”.

○