

111TH CONGRESS  
1ST SESSION

# S. 1986

To amend the Help America Vote Act of 2002 to require States to provide for same day registration.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2009

Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, Mr. TESTER, Mr. HARKIN, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To amend the Help America Vote Act of 2002 to require States to provide for same day registration.

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.**

4 This Act may be cited as the “Same Day Registration  
5 Act”.

6 **SEC. 2. SAME DAY REGISTRATION.**

7 (a) IN GENERAL.—Title III of the Help America  
8 Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended—

9 (1) by redesignating sections 304 and 305 as  
10 sections 305 and 306, respectively; and

1           (2) by inserting after section 303 the following  
2           new section:

3   **“SEC. 304. SAME DAY REGISTRATION.**

4           “(a) IN GENERAL.—

5           “(1) REGISTRATION.—Notwithstanding section  
6           8(a)(1)(D) of the National Voter Registration Act of  
7           1993 (42 U.S.C. 1973gg–6), each State shall permit  
8           any eligible individual on the day of a Federal elec-  
9           tion and on any day when voting, including early  
10          voting, is permitted for a Federal election—

11                  “(A) to register to vote in such election at  
12                  the polling place using a form that meets the  
13                  requirements under section 9(b) of the National  
14                  Voter Registration Act of 1993; and

15                  “(B) to cast a vote in such election.

16           “(2) EXCEPTION.—The requirements under  
17           paragraph (1) shall not apply to a State in which,  
18           under a State law in effect continuously on and after  
19           the date of the enactment of this section, there is no  
20           voter registration requirement for individuals in the  
21           State with respect to elections for Federal office.

22           “(b) ELIGIBLE INDIVIDUAL.—For purposes of this  
23           section, the term ‘eligible individual’ means, with respect  
24           to any election for Federal office, an individual who is oth-  
25           erwise qualified to vote in that election.

1       “(c) EFFECTIVE DATE.—Each State shall be re-  
2       quired to comply with the requirements of subsection (a)  
3       for the regularly scheduled general election for Federal of-  
4       fice occurring in November 2010 and for any subsequent  
5       election for Federal office.”.

6       (b) CONFORMING AMENDMENTS.—

7               (1) Section 401 of such Act (42 U.S.C. 15511)  
8       is amended by striking “and 303” and inserting  
9       “303, and 304”.

10              (2) The table of contents of such Act is amend-  
11       ed—

12                      (A) by redesignating the items relating to  
13       sections 304 and 305 as relating to sections  
14       305 and 306, respectively; and

15                      (B) by inserting after the item relating to  
16       section 303 the following new item:

“Sec. 304. Same day registration.”.

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