

1 the services provided by voter registration agencies
2 under section 7(a):

3 “(A) Online application for voter registra-
4 tion.

5 “(B) Online assistance to applicants in ap-
6 plying to register to vote.

7 “(C) Online completion and submission by
8 applicants of information required to register to
9 vote.

10 “(D) Online receipt of completed voter reg-
11 istration applications.

12 “(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—

13 A State shall accept an online voter registration applica-
14 tion provided by an individual under this section, and en-
15 sure that the individual is registered to vote in the State,
16 if—

17 “(1) the individual meets the same voter reg-
18 istration requirements applicable to individuals who
19 provide voter registration applications pursuant to
20 other methods; and

21 “(2) the individual provides a signature in ac-
22 cordance with subsection (c).

23 “(c) SIGNATURES.—

1 “(1) SIGNATURES FOR VOTERS.—An individual
2 provides a signature in accordance with this sub-
3 section if any of the following applies:

4 “(A) The individual’s signature is con-
5 tained in—

6 “(i) the database of the chief State
7 election official or another election official
8 in the State,

9 “(ii) the database of the State motor
10 vehicle authority, or

11 “(iii) the database of any office of the
12 State which is designated by the State as
13 a voter registration agency under section
14 7(a)(3).

15 “(B) At the time the individual submits
16 the online application under this section, the in-
17 dividual provides an electronic signature in ac-
18 cordance with the procedures established by the
19 State under paragraph (3).

20 “(C) The individual prints a copy of the
21 completed application, signs it, and transmits it
22 to the appropriate State or local election offi-
23 cial.

24 “(2) ENSURING ACCESS OF ELECTION OFFI-
25 CIALS TO SIGNATURES IN OTHER DATABASES.—

1 Each State shall ensure that the appropriate State
2 and local election officials have sufficient access to
3 all of the databases described in paragraph (1)(A) to
4 permit the officials to obtain copies of signatures for
5 voter registration and election administration pur-
6 poses.

7 “(3) ESTABLISHING PROCEDURES FOR PROVI-
8 SION OF ELECTRONIC SIGNATURES.—Each State
9 shall establish procedures under which an individual
10 may provide an electronic signature for purposes of
11 this subsection.

12 “(d) CONFIRMATION OF RECEIPT.—Upon the online
13 submission of a completed voter registration application
14 by an individual under this section, the appropriate State
15 or local election official shall send the individual a notice
16 confirming the State’s receipt of the application. In the
17 case of an individual who has requested that the State
18 provide voter registration and voting information through
19 electronic mail, the State may send the notice through
20 both electronic mail and regular mail.

21 “(e) PROVISION OF SERVICES IN NONPARTISAN
22 MANNER.—The services made available under subsection
23 (a) shall be provided in a manner that ensures that, con-
24 sistent with section 7(a)(5)—

1 “(1) the online application does not seek to in-
2 fluence an applicant’s political preference or party
3 registration; and

4 “(2) there is no display on the website pro-
5 moting any political preference or party allegiance,
6 except that nothing in this paragraph may be con-
7 strued to prohibit an applicant from registering to
8 vote as a member of a political party.

9 “(f) PROTECTION OF SECURITY OF INFORMATION.—
10 In meeting the requirements of this section, the State shall
11 establish appropriate technological security measures to
12 prevent to the greatest extent practicable any unauthor-
13 ized access to information provided by individuals using
14 the services made available under subsection (a).

15 “(g) OPTIONAL USE OF ADDITIONAL TELEPHONE-
16 BASED SYSTEM.—A State may at its option make the
17 services made available online under subsection (a) avail-
18 able through the use of an automated telephone-based sys-
19 tem, subject to the same terms and conditions applicable
20 under this section to the services made available online,
21 so long as the State continues to make the services avail-
22 able online in accordance with the requirements of this
23 section.

24 “(h) NONDISCRIMINATION AMONG REGISTERED
25 VOTERS USING MAIL AND ONLINE REGISTRATION.—In

1 carrying out this Act, the Help America Vote Act of 2002,
2 or any other Federal, State, or local law governing the
3 treatment of registered voters in the State or the adminis-
4 tration of elections for public office in the State, a State
5 shall treat a registered voter who registered to vote online
6 in accordance with this section in the same manner as the
7 State treats a registered voter who registered to vote by
8 mail.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) TIMING OF REGISTRATION.—Section 8(a)(1)
11 of the National Voter Registration Act of 1993 (42
12 U.S.C. 1973gg—6(a)(1)) is amended—

13 (A) by striking “and” at the end of sub-
14 paragraph (C);

15 (B) by redesignating subparagraph (D) as
16 subparagraph (E); and

17 (C) by inserting after subparagraph (C)
18 the following new subparagraph:

19 “(D) in the case of online registration
20 through the official public website of an election
21 official under section 6A, if the valid voter reg-
22 istration application is submitted online not
23 later than the lesser of 21 days, or the period
24 provided by State law, before the date of the
25 election; and”.

1 (2) INFORMING APPLICANTS OF ELIGIBILITY
2 REQUIREMENTS AND PENALTIES.—Section 8(a)(5)
3 of such Act (42 U.S.C. 1973gg—6(a)(5)) is amend-
4 ed by striking “and 7” and inserting “6A, and 7”.

5 **SEC. 3. USE OF INTERNET TO UPDATE REGISTRATION IN-**
6 **FORMATION.**

7 (a) IN GENERAL.—

8 (1) UPDATES TO INFORMATION CONTAINED ON
9 COMPUTERIZED STATEWIDE VOTER REGISTRATION
10 LIST.—Section 303(a) of the Help America Vote Act
11 of 2002 (42 U.S.C. 15483(a)) is amended by adding
12 at the end the following new paragraph:

13 “(6) USE OF INTERNET BY REGISTERED VOT-
14 ERS TO UPDATE INFORMATION.—

15 “(A) IN GENERAL.—The appropriate State
16 or local election official shall ensure that any le-
17 gally registered voter on the computerized list
18 may at any time update the voter’s registration
19 information, including the voter’s address and
20 electronic mail address, online through the offi-
21 cial public website of the election official re-
22 sponsible for the maintenance of the list, as well
23 as (to the greatest extent practicable) at any lo-
24 cation at which under State law the voter may
25 update the information in person.

1 “(B) PROCESSING OF UPDATED INFORMA-
2 TION BY ELECTION OFFICIALS.—If a registered
3 voter updates registration information under
4 subparagraph (A), the appropriate State or
5 local election official shall—

6 “(i) revise any information on the
7 computerized list to reflect the update
8 made by the voter; and

9 “(ii) if the updated registration infor-
10 mation affects the voter’s eligibility to vote
11 in an election for Federal office, ensure
12 that the information is processed with re-
13 spect to the election if the voter updates
14 the information not later than the lesser of
15 21 days, or the period provided by State
16 law, before the date of the election.

17 “(C) PREVENTION OF UNAUTHORIZED RE-
18 VISIONS AND FRAUD.—In meeting the require-
19 ments of this paragraph, the appropriate State
20 or local election official shall establish appro-
21 priate technological security measures to pre-
22 vent unauthorized persons from updating a reg-
23 istered voter’s registration information and to
24 prevent the entry of fraudulent data.

1 “(D) CONFIRMATION OF RECEIPT.—Upon
2 the online submission of updated registration
3 information by an individual under this para-
4 graph, the appropriate State or local election
5 official shall send the individual a notice con-
6 firming the State’s receipt of the updated infor-
7 mation. In the case of an individual who has re-
8 quested that the State provide voter registra-
9 tion and voting information through electronic
10 mail, the State may send the notice through
11 both electronic mail and regular mail.

12 “(E) NO EFFECT ON STATE RE-REGISTRA-
13 TION REQUIREMENTS.—Nothing in this para-
14 graph shall be construed to affect any State law
15 which requires an individual to re-register to
16 vote in elections for Federal office or which sets
17 forth the procedures by which an individual
18 may re-register to vote, so long as the State
19 provides the same services with respect to re-
20 registration as the State provides with respect
21 to registration under section 6A.”.

22 (2) CONFORMING AMENDMENT RELATING TO
23 EFFECTIVE DATE.—Section 303(d)(1)(A) of such
24 Act (42 U.S.C. 15483(d)(1)(A)) is amended by

1 striking “subparagraph (B)” and inserting “sub-
2 paragraph (B) and subsection (a)(6)”.

3 (b) USE OF ONLINE UPDATE AS PROOF OF
4 CHANGED RESIDENCE.—Section 8(d)(1)(A) of the Na-
5 tional Voter Registration Act of 1993 (42 U.S.C.
6 1973gg—6(d)(1)(A)) is amended by inserting after “in
7 writing” the following: “or by updating information on the
8 computerized Statewide voter registration list using the
9 online method provided under section 303(a)(6) of the
10 Help America Vote Act of 2002”.

11 **SEC. 4. PROVISION OF ELECTION INFORMATION BY ELEC-**
12 **TRONIC MAIL TO INDIVIDUALS REGISTERED**
13 **TO VOTE.**

14 (a) INCLUDING OPTION ON VOTER REGISTRATION
15 APPLICATION TO PROVIDE E-MAIL ADDRESS AND RE-
16 CEIVE INFORMATION.—

17 (1) IN GENERAL.—Section 9(b) of the National
18 Voter Registration Act of 1993 (42 U.S.C.
19 1973gg—7(b)) is amended—

20 (A) by striking “and” at the end of para-
21 graph (3);

22 (B) by striking the period at the end of
23 paragraph (4) and inserting “; and”; and

24 (C) by adding at the end the following new
25 paragraph:

1 “(5) shall include a space for the applicant to
2 provide an electronic mail address, together with a
3 statement that, if the applicant so requests, instead
4 of using regular mail the appropriate State and local
5 election officials shall provide to the applicant,
6 through electronic mail sent to that address, the
7 same voting information (as defined in section
8 302(b)(2) of the Help America Vote Act of 2002)
9 which the officials would provide to the applicant
10 through regular mail.”.

11 (2) PROHIBITING USE FOR PURPOSES UNRE-
12 LATED TO OFFICIAL DUTIES OF ELECTION OFFI-
13 CIALS.—Section 9 of such Act (42 U.S.C. 1973gg—
14 7) is amended by adding at the end the following
15 new subsection:

16 “(c) PROHIBITING USE OF ELECTRONIC MAIL AD-
17 DRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The
18 chief State election official shall ensure that any electronic
19 mail address provided by an applicant under subsection
20 (b)(5) is used only for purposes of carrying out official
21 duties of election officials and is not transmitted by any
22 State or local election official (or any agent of such an
23 official, including a contractor) to any person who does
24 not require the address to carry out such official duties

1 and who is not under the direct supervision and control
2 of a State or local election official.”.

3 (b) REQUIRING PROVISION OF INFORMATION BY
4 ELECTION OFFICIALS.—Section 302(b) of the Help Amer-
5 ica Vote Act of 2002 (42 U.S.C. 15482(b)) is amended
6 by adding at the end the following new paragraph:

7 “(3) PROVISION OF OTHER INFORMATION BY
8 ELECTRONIC MAIL.—If an individual who is a reg-
9 istered voter has provided the State or local election
10 official with an electronic mail address for the pur-
11 pose of receiving voting information (as described in
12 section 9(b)(5) of the National Voter Registration
13 Act of 1993), the appropriate State or local election
14 official, through electronic mail transmitted not later
15 than 7 days before the date of the election involved,
16 shall provide the individual with information on how
17 to obtain the following information:

18 “(A) The name and address of the polling
19 place at which the individual is assigned to vote
20 in the election.

21 “(B) The hours of operation for the polling
22 place.

23 “(C) A description of any identification or
24 other information the individual may be re-
25 quired to present at the polling place.”.

1 **SEC. 5. CLARIFICATION OF REQUIREMENT REGARDING**
2 **NECESSARY INFORMATION TO SHOW ELIGI-**
3 **BILITY TO VOTE.**

4 Section 8 of the National Voter Registration Act of
5 1993 (42 U.S.C. 1973gg—6) is amended by adding at the
6 end the following new subsection:

7 “(k) REQUIREMENT FOR STATE TO REGISTER AP-
8 PPLICANTS PROVIDING NECESSARY INFORMATION TO
9 SHOW ELIGIBILITY TO VOTE.—For purposes meeting the
10 requirement of subsection (a)(1) that an eligible applicant
11 is registered to vote in an election for Federal office within
12 the deadlines required under such subsection, the State
13 shall consider an applicant to have provided a ‘valid voter
14 registration form’ if—

15 “(1) the applicant has accurately completed the
16 application form and attested to the statement re-
17 quired by section 9(b)(2); and

18 “(2) in the case of an applicant who registers
19 to vote online in accordance with section 6A, the ap-
20 plicant provides a signature in accordance with sub-
21 section (c) of such section.”.

22 **SEC. 6. AVAILABILITY OF REQUIREMENTS PAYMENTS**
23 **UNDER HAVA TO COVER COSTS OF COMPLI-**
24 **ANCE WITH NEW NVRA REQUIREMENTS.**

25 (a) IN GENERAL.—Section 251(b) of the Help Amer-
26 ica Vote Act of 2002 (42 U.S.C. 15401(b)), as amended

1 by section 588(a) of the Military and Overseas Voter Em-
2 powerment Act (Public Law 111—84; 123 Stat. 2333),
3 is amended—

4 (1) in paragraph (1), by striking “(2) and (3)”
5 and inserting “(2), (3), and (4)”; and

6 (2) by adding at the end the following new
7 paragraph:

8 “(4) CERTAIN VOTER REGISTRATION ACTIVI-
9 TIES.—A State may use a requirements payment to
10 carry out the requirements of the National Voter
11 Registration Act of 1993 which are imposed pursu-
12 ant to the amendments made to such Act by the
13 Voter Registration Modernization Act of 2010.”.

14 (b) CONFORMING AMENDMENT.—Section 254(a)(1)
15 of such Act (42 U.S.C. 15404(a)(1)) is amended by strik-
16 ing “section 251(a)(2)” and inserting “section
17 251(b)(2)”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall apply with respect to fiscal year 2010
20 and each succeeding fiscal year.

21 **SEC. 7. EFFECTIVE DATE.**

22 (a) IN GENERAL.—Except as provided in subsection
23 (b), the amendments made by this Act (other than the
24 amendments made by section 5) shall take effect January
25 1, 2012.

1 (b) WAIVER.—Subject to the approval of the Election
2 Assistance Commission, if a State certifies to the Election
3 Assistance Commission that the State will not meet the
4 deadline referred to in subsection (a) because of extraor-
5 dinary circumstances and includes in the certification the
6 reasons for the failure to meet the deadline, subsection
7 (a) shall apply to the State as if the reference in such
8 subsection to “January 1, 2012” were a reference to
9 “January 1, 2014”.

