

**H.R.1719**

**Title:** To amend the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to promote the use of the Internet by State and local election officials in carrying out voter registration activities, and for other purposes.

**Sponsor:** [Rep Lofgren, Zoe](#) [CA-16] (introduced 3/25/2009)      [Cosponsors](#) (9)

**Latest Major Action:** 3/25/2009 Referred to House committee. Status: Referred to the House Committee on House Administration.

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**SUMMARY AS OF:**

3/25/2009--Introduced.

Voter Registration Modernization Act of 2009 - Amends the National Voter Registration Act of 1993 (NVRA) to direct states to ensure the availability of the Internet for online voter registration.

Amends the Help America Vote Act of 2002 (HAVA) to direct the appropriate state or local election official to ensure the availability of the Internet for updating voter registration information.

Amends NVRA to allow a voter registration applicant to provide his or her email address on the appropriate form to receive voting information.

Requires states to consider an applicant to have provided a valid voter registration form if he or she has provided all necessary information to demonstrate eligibility to vote.

Allows a state to use a HAVA requirements payment to carry out the new NVRA requirements imposed by this Act.

HR 1719 IH

111th CONGRESS  
1st Session  
**H. R. 1719**

To amend the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to promote the use of the Internet by State and local election officials in carrying out voter registration activities, and for other purposes.

**IN THE HOUSE OF REPRESENTATIVES**

**March 25, 2009**

Ms. ZOE LOFGREN of California introduced the following bill; which was referred to the Committee on House Administration

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## **A BILL**

To amend the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to promote the use of the Internet by State and local election officials in carrying out voter registration activities, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### **SECTION 1. SHORT TITLE.**

This Act may be cited as the `Voter Registration Modernization Act of 2009'.

### **SEC. 2. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.**

(a) Requiring Availability of Internet for Registration- The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) is amended by inserting after section 7 the following new section:

#### **`SEC. 7A. INTERNET REGISTRATION.**

`(a) Requiring Availability of Internet for Online Registration- Each State shall ensure that the following services are available to the public on the official public website of the appropriate election officials in the State:

`(1) Online access to, and distribution in electronic form of, mail voter registration application forms in accordance with paragraph (6).

`(2) Online assistance to applicants in completing voter registration application forms.

`(3) Online completion and submission by applicants of online versions of voter registration application forms.

`(4) Online acceptance of completed voter registration application forms.

`(b) Provision of Services in Nonpartisan Manner- The services made available under subsection (a) shall be provided in a manner that ensures that--

`(1) no person shall seek to influence an applicant's political preference or party registration;

`(2) there is no display on the website of any political preference or party allegiance; and

`(3) there is no statement or any other feature on the website the purpose or effect of which is to discourage the applicant from registering to vote.

`(c) Protection of Security of Information- In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent unauthorized access to information provided by individuals using the services made available under subsection (a).

`(d) Effective Date- The requirements of this section shall apply with respect to elections for Federal office occurring in 2016 and each succeeding year.'

(b) Conforming Amendments-

(1) TIMING OF REGISTRATION- Section 8(a)(1) of such Act (42 U.S.C. 1973gg-6(a)(1)) is amended--

(A) by striking `and' at the end of subparagraph (C);

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

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

`(D) in the case of online registration through the official public website of an election official under section 7A, if the valid voter registration form is submitted online not later than the lesser of 15 days, or the period provided by State law, before the date of the election; and'

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES- Section 8(a)(5) of such Act (42 U.S.C. 1973gg-6(a)(5)) is amended by striking `and 7' and inserting `7, and 7A'.

### **SEC. 3. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.**

(a) Updates to Information Contained on Computerized Statewide Voter Registration List-

(1) IN GENERAL- Section 303(a) of the Help America Vote Act of 2002 (42 U.S.C. 15483(a)) is amended by adding at the end the following new paragraph:

`(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION-

`(A) IN GENERAL- The appropriate State or local election official shall ensure that any legally registered voter to whom a unique identifier has been assigned under the computerized list may update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, at any time as well as at any location at which under State law the voter may update the information in person.

`(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS- If a registered voter updates registration information under subparagraph (A), the appropriate State or local election official shall--

`(i) revise any information on the computerized list to reflect the update made by the voter; and

`(ii) if requested by the voter, confirm the receipt of the update by electronic mail sent to the voter.

` (C) PREVENTION OF UNAUTHORIZED REVISIONS AND FRAUD- In meeting the requirements of this paragraph, the appropriate State or local election official shall establish appropriate technological security measures to prevent unauthorized persons from updating a registered voter's registration information and to prevent the entry of fraudulent data.

` (D) EFFECTIVE DATE- This paragraph shall take effect on January 1, 2012.'.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE- Section 303(d)(1)(A) of such Act (42 U.S.C. 15483(d)(1)(A)) is amended by striking ` subparagraph (B)' and inserting ` subparagraph (B) and subsection (a)(6)'.

(b) Effect on Voter Removal Program Under National Voter Registration Act of 1993-

(1) USE OF ONLINE UPDATE TO CONFIRM CHANGE OF RESIDENCE- Section 8(d)(1)(A) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-6(d)(1)(A)) is amended by inserting after ` in writing' the following: ` or by updating information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002'.

(2) PROHIBITING REMOVAL OF REGISTERED VOTERS INCLUDED ON COMPUTERIZED LIST FOR FAILURE TO VOTE OR APPEAR TO VOTE- Section 8 of such Act (42 U.S.C. 1973gg-6) is amended--

(A) in subsection (b)(2), by inserting after ` eligible voters' the following: ` (other than an individual to whom a unique identifier has been assigned under the computerized Statewide voter registration list under section 303(a) of the Help America Vote Act of 2002)'; and  
(B) in subsection (d)(1)(B)(i), by striking ` has failed' and inserting the following: ` in the case of a registrant to whom a unique identifier has not been assigned under the computerized Statewide voter registration list under section 303(a) of the Help America Vote Act of 2002, has failed'.

(3) CONFORMING AMENDMENT RELATING TO PROCEDURES TO ENSURE ABILITY TO VOTE FOLLOWING FAILURE TO NOTIFY REGISTRAR OF CHANGE OF ADDRESS- Section 8(e) of such Act (42 U.S.C. 1973gg-6(e)) is amended in the heading by striking ` Failure to Return Card' and inserting ` Failure to Notify Registrar of Change of Address'.

(4) EFFECTIVE DATE- The amendments made by this subsection shall take effect on January 1, 2012.

#### **SEC. 4. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTER.**

(a) Including Option on Voter Registration Form To Provide E-Mail Address and Receive Information-

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

(A) by striking 'and' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting '; and'; and

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

(5) shall include a space for the applicant to provide an electronic mail address, together with a statement that, unless the applicant requests otherwise, the applicant shall (if eligible to register to vote) receive voter registration and voting information from the appropriate State or local election official through electronic mail sent to that address.'

(2) EFFECTIVE DATE- The amendments made by paragraph (1) shall take effect January 1, 2012.

(b) Requiring Provision of Information by Election Officials- Section 302(b) of the Help America Vote Act of 2002 (42 U.S.C. 15482(b)) is amended by adding at the end the following new paragraph:

(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL- If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voter registration and voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official shall provide the individual with the following information through electronic mail not later than 7 days before the date of the election involved:

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

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

(C) A description of any identification or other information the individual may be required to bring to the polling place.'

## **SEC. 5. CLARIFICATION OF REQUIREMENT TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.**

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

(k) Requirement for State To Register Applicants Providing Necessary Information To Show Eligibility To Vote- For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if the applicant has provided the appropriate State or local election official with all of the information necessary to demonstrate that the applicant is eligible to vote in elections for Federal office in the State or local jurisdiction involved.'

**SEC. 6. AVAILABILITY OF REQUIREMENTS PAYMENTS UNDER HAVA TO COVER COSTS OF COMPLIANCE WITH NEW NVRA REQUIREMENTS.**

(a) In General- Section 251(b) of the Help America Vote Act of 2002 (42 U.S.C. 15401(b)) is amended--

(1) in paragraph (1), by striking `paragraph (2)' and inserting `paragraphs (2) and (3)';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (2) the following new paragraph:

`(2) CERTAIN VOTER REGISTRATION ACTIVITIES- A State may use a requirements payment to carry out the requirements of the National Voter Registration Act of 1993 which are imposed pursuant to the amendments made to such Act by the Voter Registration Modernization Act of 2009.'.

(b) Conforming Amendment- Section 254(a)(1) of such Act (42 U.S.C. 15404(a)(1)) is amended by striking `section 251(a)(2)' and inserting `section 251(b)(3)'.

(c) Effective Date- The amendments made by this section shall apply with respect to fiscal year 2010 and each succeeding fiscal year.

*END*