

Federal Election Integrity Act of 2007 - Doolittle

HR 481 IH

110th CONGRESS
1st Session
H. R. 481

To amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 16, 2007

Mr. DOOLITTLE introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, 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 'Federal Election Integrity Act of 2007'.

SEC. 2. REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION.

(a) Requirement to Provide Photo Identification as Condition of Receiving Ballot- Section 303(b) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)) is amended--

(1) in the heading, by striking `for Voters Who Register by Mail' and inserting `for Providing Photo Identification'; and
(2) by striking paragraphs (1) through (3) and inserting the following:

`(1) INDIVIDUALS VOTING IN PERSON-

`(A) REQUIREMENT TO PROVIDE IDENTIFICATION-

Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not provide a ballot for an election for Federal office to an individual who desires to vote in person unless the individual presents to the official--

`(i) a government-issued, current, and valid photo identification; or

`(ii) in the case of the regularly scheduled general election for Federal office held in November 2010 and each subsequent election for Federal office, a government-issued, current, and valid photo identification for which the individual was required to provide proof of United States citizenship as a condition for the issuance of the identification.

`(B) AVAILABILITY OF PROVISIONAL BALLOT- If an individual does not present the identification required under subparagraph (A), the individual shall be permitted to cast a provisional ballot with respect to the election under section 302(a), except that the appropriate State or local election official may not make a determination under section 302(a)(4) that the individual is eligible under State law to vote in the election unless the individual presents the identification required under subparagraph (A) to the official not later than 48 hours after casting the provisional ballot.

`(2) INDIVIDUALS VOTING OTHER THAN IN PERSON-

`(A) IN GENERAL- Notwithstanding any other provision of law and except as provided in subparagraph (B), the appropriate State or local election official may not accept any ballot for an election for Federal office provided by an individual who votes other than in person unless the individual submits with the ballot--

`(i) a copy of a government-issued, current, and valid photo identification; or

` (ii) in the case of the regularly scheduled general election for Federal office held in November 2010 and each subsequent election for Federal office, a copy of a government-issued, current, and valid photo identification for which the individual was required to provide proof of United States citizenship as a condition for the issuance of the identification.

` (B) EXCEPTION FOR OVERSEAS MILITARY VOTERS- Subparagraph (A) does not apply with respect to a ballot provided by an absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved. In this subparagraph, the term `absent uniformed services voter' has the meaning given such term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-6(1)), other than an individual described in section 107(1)(C) of such Act.

` (3) SPECIFIC REQUIREMENTS FOR IDENTIFICATIONS- For purposes of paragraphs (1) and (2)--

` (A) an identification is `government-issued' if it is issued by the Federal Government or by the government of a State; and

` (B) an identification is one for which an individual was required to provide proof of United States citizenship as a condition for issuance if the identification displays an official marking or other indication that the individual is a United States citizen.'

(b) Conforming Amendments- Section 303 of such Act (42 U.S.C. 15483) is amended--

(1) in the heading, by striking `for voters who register by mail' and inserting `for providing photo identification'; and
(2) in subsection (c), by striking `subsections (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II)' and inserting `subsection (a)(5)(A)(i)(II)'.
`subsection (a)(5)(A)(i)(II)'.

(c) Clerical Amendment- The table of contents of such Act is amended by amending the item relating to section 303 to read as follows:

`Sec. 303. Computerized statewide voter registration list requirements and requirements for providing photo identification.'

(d) Effective Date-

(1) IN GENERAL- This section and the amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each subsequent election for Federal office.

(2) CONFORMING AMENDMENT- Section 303(d)(2) of such Act (42 U.S.C. 15483(d)(2)) is amended to read as follows:

`(2) REQUIREMENT TO PROVIDE PHOTO IDENTIFICATION- Paragraphs (1) and (2) of subsection (b) shall apply with respect to the regularly scheduled general election for Federal office held in November 2008 and each subsequent election for Federal office.'

SEC. 3. MAKING PHOTO IDENTIFICATIONS AVAILABLE.

(a) Requiring States to Make Identification Available- Section 303(b) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)), as amended by section 2(a)(2), is amended--

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6); and

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

`(4) MAKING PHOTO IDENTIFICATIONS AVAILABLE-

`(A) IN GENERAL- During fiscal year 2008 and each succeeding fiscal year, each State shall establish a program to provide photo identifications which may be used to meet the requirements of paragraphs (1) and (2) by individuals who desire to vote in elections held in the State but who do not otherwise possess a government-issued photo identification.

`(B) IDENTIFICATIONS PROVIDED AT NO COST TO INDIGENT INDIVIDUALS- If a State charges an individual a fee for providing a photo identification under the program established under subparagraph (A)--

`(i) the fee charged may not exceed the reasonable cost to the State of providing the identification to the individual; and

`(ii) the State may not charge a fee to any individual who provides an attestation that the individual is unable to afford the fee.

`(C) IDENTIFICATIONS NOT TO BE USED FOR OTHER PURPOSES- Any photo identification provided

under the program established under subparagraph (A) may not serve as a government-issued photo identification for purposes of any program or function of a State or local government other than the administration of elections.'.

(b) Payments to States to Cover Costs- Subtitle D of title II of such Act (42 U.S.C. 15321 et seq.) is amended by adding at the end the following new part:

` PART 7--PAYMENTS TO COVER COSTS OF PROVIDING PHOTO IDENTIFICATIONS TO INDIGENT INDIVIDUALS

` SEC. 297. PAYMENTS TO COVER COSTS TO STATES OF PROVIDING PHOTO IDENTIFICATIONS FOR VOTING TO INDIGENT INDIVIDUALS.

` (a) Payments to States- The Commission shall make payments to States to cover the costs incurred in providing photo identifications under the program established under section 303(b)(4) to individuals who are unable to afford the fee that would otherwise be charged under the program.

` (b) Amount of Payment- The amount of the payment made to a State under this part for any year shall be equal to the amount of fees which would have been collected by the State during the year under the program established under section 303(b)(4) but for the application of section 303(b)(4)(B)(ii), as determined on the basis of information furnished to the Commission by the State at such time and in such form as the Commission may require.

` SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

` There are authorized to be appropriated for payments under this part such sums as may be necessary for fiscal year 2008 and each succeeding fiscal year.'.

(c) Clerical Amendment- The table of contents of such Act is amended by adding at the end of the item relating to subtitle D of title II the following:

` Part 7--Payments to Cover Costs of Providing Photo Identifications to Indigent Individuals

` Sec. 297. Payments to cover costs to States of providing photo identifications for voting to indigent individuals.

` Sec. 297A. Authorization of appropriations.'.

(d) Effective Date- This section and the amendments made by this section shall take effect October 1, 2007.