

S 3608

Voter Empowerment Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Sep 21, 2012

Current Status: Read twice and referred to the Committee on Rules and Administration.

Latest Action: Read twice and referred to the Committee on Rules and Administration. (Sep 21, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3608>

Sponsor

Name: Sen. Gillibrand, Kirsten E. [D-NY]

Party: Democratic • **State:** NY • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Durbin, Richard J. [D-IL]	D · IL		Sep 21, 2012
Sen. Landrieu, Mary L. [D-LA]	D · LA		Sep 21, 2012
Sen. Sanders, Bernard [I-VT]	I · VT		Sep 21, 2012
Sen. Boxer, Barbara [D-CA]	D · CA		Nov 14, 2012
Sen. Wyden, Ron [D-OR]	D · OR		Dec 6, 2012

Committee Activity

Committee	Chamber	Activity	Date
Rules and Administration Committee	Senate	Referred To	Sep 21, 2012

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
112 HR 6632	Related bill	Dec 4, 2012: Referred to the House Committee on House Administration.
112 HR 5799	Identical bill	Sep 26, 2012: Referred to the Subcommittee on Higher Education and Workforce Training.
112 HR 6246	Related bill	Aug 2, 2012: Referred to the Subcommittee on Technology and Innovation.
112 HR 5816	Related bill	Jun 18, 2012: Referred to the Subcommittee on Technology and Innovation.
112 HR 5814	Related bill	May 24, 2012: Referred to the Subcommittee on Elections.
112 HR 5828	Related bill	May 24, 2012: Referred to the Subcommittee on Elections.
112 S 2017	Related bill	Dec 16, 2011: Read twice and referred to the Committee on the Judiciary.
112 HR 3317	Related bill	Nov 2, 2011: Referred to the House Committee on House Administration.
112 HR 2212	Related bill	Aug 25, 2011: Referred to the Subcommittee on the Constitution.
112 HR 107	Related bill	Jan 24, 2011: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Voter Empowerment Act of 2012 - Voter Registration Modernization Act of 2012 - Amends the National Voter Registration Act of 1993 (NVRA) to require each state to make available official public websites for online voter registration.

Authorizes automated voter registration of certain individuals and establishes other initiatives to promote voter registration, such as same day registration and voter registration of individuals under 18 years of age.

Amends the federal criminal code to prohibit hindering, interfering with, or preventing voter registration.

Amends the Help America Vote Act of 2002 (HAVA) to establish requirements for states to promote access to voter registration and voting for individuals with disabilities, including a single office for providing related information.

Directs the Election Assistance Commission (EAC) to make grants to eligible states to conduct pilot programs enabling individuals with disabilities to register to vote and vote privately and independently at their own residences (including by telephone).

Amends HAVA to reauthorize the program of grants to state and local governments to assure voting access for individuals with disabilities.

Amends the federal criminal code to prohibit state or local election officials from preventing an individual from registering or voting in any federal election (voter caging), or from permitting a formal challenge under state law to an individual's registration status or eligibility to vote, if the basis for such decision is evidence consisting of: (1) a voter caging document or voter caging list, (2) an unverified match list, (3) an error or omission on voter application or registration documents that is not material to an individual's eligibility to vote, or (4) any other evidence so designated by the Commission.

Amends the federal criminal code to prohibit a person, including an election official, from knowingly and willfully attempting to or depriving or defrauding the residents of a state of their free and fair exercise of the right to vote by the communication of election-related information that is known by the person to be materially false, fictitious, or fraudulent. Increases the penalty for voter intimidation.

Declares that the right of an individual U.S. citizen to vote in any federal election shall not be denied or abridged because that individual has been convicted of a criminal offense unless he or she is serving a felony sentence in a correctional institution at the time of the election. Prescribes enforcement of this right by public or private civil action.

Requires each state to notify in writing any individual convicted of a criminal offense under state law, upon release from state custody or upon sentence to probation, that he or she has the right to vote in a federal election and so may register to vote.

Voter Confidence and Increased Accessibility Act of 2012 - Amends HAVA to revise requirements for the audit capacity of voting systems, particularly those for a permanent paper record.

Requires the voting system to require the use of an individual, durable, voter-verified paper ballot of the voter's vote that shall be marked and made available for inspection by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. Requires the voting system to provide the voter with an opportunity to correct any system-made error in the voter-verified paper ballot before it is permanently preserved.

Requires the Director of the National Science Foundation (NSF) to make grants to eligible entities to study, test, and develop accessible ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy.

Prescribes requirements for: (1) publication of poll tapes, (2) treatment of ballots cast at early voting sites and of absentee ballots, and (3) the counting of provisional ballots that will be treated as votes.

Prescribes laboratory conflict-of-interest requirements and prohibitions.

Requires the NSF Director to make grants to eligible entities to conduct research on the development of election-dedicated voting system software.

Requires each state, except when the winning candidate had no opponent or received 80% or more of the votes, to administer audits of federal election results, without advance notice to the precincts selected, consisting of random hand counts of the voter-verified paper ballots.

Requires the Election Auditor of a state, as soon as practicable after the completion of an audit, to submit the results to EAC for publication.

Prohibits certification of the results of any election until completion of audits.

Amends HAVA to: (1) add requirements for counting provisional ballots, (2) require each state to allow early voting and facilitate the ability of voters to vote by mail.

Amends the Servicemembers Civil Relief Act to extend the guarantee of voting residency to family members of absent military personnel.

Amends the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) with respect to pre-election reports on availability and transmission of absentee ballots.

Revises the 45-day absentee ballot transmission rule.

Permits: (1) use of a single absentee ballot application for subsequent elections, and (2) application of the UOCAVA to Commonwealth of Northern Mariana Islands.

Entitles to leave a federal employee who serves as a poll worker.

Directs the EAC to: (1) make a grant to each eligible state for poll-worker recruitment and training, and (2) develop materials for a model state poll worker training program.

Amends HAVA to make available to any person aggrieved by a violation of uniform and nondiscriminatory election technology and administration requirements the option to file a complaint with the Attorney General or pursue a private right of action to enforce such requirements.

Amends the Federal Election Campaign Act of 1971 to make it unlawful for a chief state election administration official, unless he or she or a family member is a candidate, to take an active part in political management or in a political campaign for federal office over which such official has supervisory authority.

Amends the NVRA to treat universities as voter registration agencies.

Amends the HAVA to establish minimum notification requirements on behalf of voters affected by polling place changes.

Directs the Attorney General to: (1) coordinate the establishment of a state-based response system for responding to questions and complaints from individuals voting or seeking to vote, or registering to vote or seeking to, in federal elections; (2) establish and operate a toll-free telephone service to connect directly to such response system; and (3) appoint a Voter Hotline Task Force.

Amends HAVA to: (1) reauthorize and extend the EAC, and (2) repeal its exemption from certain government contracting requirements

Actions Timeline

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