

116TH CONGRESS  
2D SESSION

# H. R. 8815

To amend the Help America Vote Act of 2002 to establish certain requirements with respect to a delivered ballot in an election for Federal office, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 24, 2020

Mr. LAMALFA (for himself, Mr. BUDD, and Mr. GIBBS) introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the Help America Vote Act of 2002 to establish certain requirements with respect to a delivered ballot in an election for Federal office, and for other purposes.

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 “Election Certainty  
5 Act”.

6 **SEC. 2. REQUIREMENTS WITH RESPECT TO A DELIVERED**  
7 **BALLOT.**

8 (a) REQUIREMENTS.—Title III of the Help America  
9 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

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

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

5   **“SEC. 304. REQUIREMENTS WITH RESPECT TO A DELIV-**  
6                           **ERED BALLOT.**

7           “(a) IN GENERAL.—A ballot submitted by mail or  
8           otherwise delivered in an election for Federal office shall  
9           not be counted unless such ballot—

10                   “(1) includes the signature of the voter; and

11                   “(2) is received by the appropriate election offi-  
12           cial by the date of the election.

13           “(b) BALLOTS DELIVERED BY A THIRD PARTY.—A  
14           ballot delivered to the appropriate election official in an  
15           election for Federal office by an individual who is not the  
16           voter shall not be counted unless the ballot includes the  
17           signature of the individual who delivers such ballot and  
18           such individual is one of the following family members of  
19           the voter:

20                   “(1) A parent.

21                   “(2) A spouse.

22                   “(3) A child.

23                   “(4) A grandparent.

24                   “(5) A great-grandparent.

25                   “(6) A grandchild.

1           “(7) A great-grandchild.

2           “(c) EXCEPTION.—This section shall not apply with  
3 respect to an absent uniformed services voter (as such  
4 term is defined in section 107 of the Uniformed and Over-  
5 seas Citizens Absentee Voting Act (52 U.S.C. 20310)).”.

6           (b) CONFORMING AMENDMENT RELATING TO EN-  
7 FORCEMENT.—Section 401 of the Help America Vote Act  
8 of 2002 (52 U.S.C. 21111) is amended by striking “and  
9 303” and inserting “303, and 304”.

10          (c) CLERICAL AMENDMENT.—The table of contents  
11 of such Act is amended—

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

15           (2) by inserting after the item relating to sec-  
16 tion 303 the following new item:

“Sec. 304. Requirements with respect to a delivered ballot.”.

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