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(Original Signature of Member)

112TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Help America Vote Act of 2002 to permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by signing an affidavit attesting to the individual's identification, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LARSEN of Washington introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Help America Vote Act of 2002 to permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by signing an affidavit attesting to the individual's identification, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “America Votes Act of  
3 2012”.

4 **SEC. 2. PERMITTING USE OF AFFIDAVIT TO MEET IDENTI-  
5 FICATION REQUIREMENTS FOR VOTING.**

6 (a) PERMITTING USE OF AFFIDAVIT.—Title III of  
7 the Help America Vote Act of 2002 (42 U.S.C. 15481 et  
8 seq.) is amended by inserting after section 303 the fol-  
9 lowing new section:

10 **“SEC. 303A. PERMITTING USE OF AFFIDAVIT TO MEET  
11 IDENTIFICATION REQUIREMENTS.**

12 “(a) USE OF AFFIDAVIT.—Except as provided in sub-  
13 section (c), if a State has in effect a requirement that an  
14 individual present identification as a condition of receiving  
15 and casting a ballot in an election for Federal office, the  
16 individual may meet the requirement—

17 “(1) in the case of an individual who desires to  
18 vote in person, by presenting the appropriate State  
19 or local election official with an affidavit, signed by  
20 the individual under penalty of perjury, attesting to  
21 the individual’s identification and attesting that the  
22 individual is registered to vote in the election; or

23 “(2) in the case of an individual who desires to  
24 vote by mail, by submitting with the ballot the affi-  
25 davit described in paragraph (1).

1       “(b) REQUIRING USE OF REGULAR BALLOT.—A  
2 State may not require an individual who presents or sub-  
3 mits an affidavit in accordance with subsection (a) to cast  
4 a provision ballot in the election under section 302.

5       “(c) EXCEPTION FOR FIRST-TIME VOTERS REG-  
6 ISTERING BY MAIL.—Subsections (a) and (b) do not apply  
7 with respect to any individual described in paragraph (1)  
8 of section 303(b) who is required to meet the requirements  
9 of paragraph (2) of such section.”.

10       (b) CONFORMING AMENDMENT RELATING TO EN-  
11 FORCEMENT.—Section 401 of such Act (42 U.S.C. 15511)  
12 is amended by striking “and 303” and inserting “303, and  
13 303A”.

14       (c) CLERICAL AMENDMENT.—The table of contents  
15 of such Act is amended by inserting after the item relating  
16 to section 303 the following new item:

“Sec. 303A. Permitting use of affidavit to meet identification requirements.”.

17 **SEC. 3. REQUIRING STATES TO INCLUDE INFORMATION ON**  
18 **USE OF AFFIDAVIT IN VOTING INFORMATION**  
19 **MATERIAL POSTED AT POLLING PLACES.**

20       Section 302(b)(2) of the Help America Vote Act of  
21 2002 (42 U.S.C. 15482(b)(2)) is amended—

22           (1) by striking “and” at the end of subpara-  
23 graph (E);

24           (2) by striking the period at the end of sub-  
25 paragraph (F) and inserting “; and”; and

1           (3) by adding at the end the following new sub-  
2 paragraph:

3           “(G) in the case of a State that has in ef-  
4 fect a requirement that an individual present  
5 identification as a condition of receiving and  
6 casting a ballot in an election for Federal office,  
7 information on how an individual may meet  
8 such requirement by presenting an affidavit in  
9 accordance with section 303A.”.

10 **SEC. 4. EFFECTIVE DATE.**

11       The amendments made by this Act shall apply with  
12 respect to elections occurring on or after the date of the  
13 enactment of this Act.