

110TH CONGRESS
2D SESSION

S. _____

To amend the Help America Vote Act of 2002 to require States to provide for election day registration.

IN THE SENATE OF THE UNITED STATES

Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, Mr. TESTER, and Mr. HARKIN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Help America Vote Act of 2002 to require States to provide for election day registration.

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 Day Registra-
5 tion Act”.

6 **SEC. 2. ELECTION DAY REGISTRATION.**

7 (a) IN GENERAL.—Title III of the Help America
8 Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended—

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

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

3 **“SEC. 304. ELECTION DAY REGISTRATION.**

4 “(a) IN GENERAL.—

5 “(1) REGISTRATION.—Notwithstanding section
6 8(a)(1)(D) of the National Voter Registration Act of
7 1993 (42 U.S.C. 1973gg–6), each State shall permit
8 any eligible individual on the day of a Federal elec-
9 tion—

10 “(A) to register to vote in such election at
11 the polling place using a form that meets the
12 requirements under section 9(b) of the National
13 Voter Registration Act of 1993; and

14 “(B) to cast a vote in such election.

15 “(2) EXCEPTION.—The requirements under
16 paragraph (1) shall not apply to a State in which,
17 under a State law in effect continuously on and after
18 the date of the enactment of this section, there is no
19 voter registration requirement for individuals in the
20 State with respect to elections for Federal office.

21 “(b) ELIGIBLE INDIVIDUAL.—For purposes of this
22 section, the term ‘eligible individual’ means any individual
23 who is otherwise qualified to vote in a Federal election
24 in such State.

1 “(c) EFFECTIVE DATE.—Each State shall be re-
2 quired to comply with the requirements of subsection (a)
3 for the regularly scheduled general election for Federal of-
4 fice occurring in November 2008 and for any subsequent
5 election for Federal office.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) Section 401 of such Act (42 U.S.C. 15511)
8 is amended by striking “and 303” and inserting
9 “303, and 304”.

10 (2) The table of contents of such Act is amend-
11 ed—

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

15 (B) by inserting after the item relating to
16 section 303 the following new item:

“Sec. 304. Election day registration.”.