

112TH CONGRESS  
1ST SESSION

# H. R. 3316

To prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2011

Mr. ELLISON (for himself and Ms. MOORE) introduced the following bill;  
which was referred to the Committee on House Administration

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## A BILL

To prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections 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 “Voter Access Protec-  
5 tion Act of 2011”.

1 **SEC. 2. PROHIBITING STATES FROM IMPOSING PHOTO**  
2 **IDENTIFICATION REQUIREMENT FOR VOTING**  
3 **OR REGISTERING TO VOTE IN FEDERAL**  
4 **ELECTIONS.**

5 (a) PROHIBITION.—

6 (1) IN GENERAL.—Title III of the Help Amer-  
7 ica Vote Act of 2002 (42 U.S.C. 15481 et seq.) is  
8 amended by inserting after section 303 the following  
9 new section:

10 **“SEC. 303A. PROHIBITING ELECTION OFFICIALS FROM RE-**  
11 **QUIRING INDIVIDUALS TO PRESENT PHOTO**  
12 **IDENTIFICATION.**

13 “(a) PHOTO IDENTIFICATION AS A CONDITION OF  
14 VOTING.—Except to the extent permitted under section  
15 303(b), a State or local election official may not—

16 “(1) require an individual to present a photo  
17 identification (or, in the case of an individual who  
18 desires to vote by mail, a copy of a photo identifica-  
19 tion) as a condition of obtaining or casting a ballot  
20 in an election for Federal office; or

21 “(2) require an individual to cast a provisional  
22 ballot under section 302 solely on the grounds that  
23 the individual does not present a photo identification  
24 at the polling place.

25 “(b) PHOTO IDENTIFICATION AS A CONDITION OF  
26 REGISTERING TO VOTE.—A State or local election official

1 may not require an individual to provide a photo identi-  
2 fication (or, in the case of an individual who desires to  
3 register to vote by mail or online, a copy or electronic copy  
4 of a photo identification) as a condition of registering to  
5 vote in an election for Federal office.”.

6 (2) CLERICAL AMENDMENT.—The table of con-  
7 tents of such Act is amended by inserting after the  
8 item relating to section 303 the following new item:

“Sec. 303A. Prohibiting election officials from requiring individuals to present  
photo identification.”.

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

13 **SEC. 3. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with  
15 respect to elections occurring after the date of the enact-  
16 ment of this Act.

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