

1 under section 8(d) after a notice described in para-
2 graph (2) of such section has been sent, the fol-
3 lowing factors, or any combination thereof, shall not
4 be treated as objective and reliable evidence of a reg-
5 istrant's ineligibility to vote:

6 “(A) The failure of the registrant to vote
7 in any election.

8 “(B) The failure of the registrant to re-
9 spond to any election mail, unless the election
10 mail has been returned as undeliverable.

11 “(C) The failure of the registrant to take
12 any other action with respect to voting in any
13 election or with respect to the registrant's sta-
14 tus as a registrant.

15 “(3) REMOVAL BASED ON OFFICIAL
16 RECORDS.—

17 “(A) IN GENERAL.—Nothing in this sec-
18 tion shall prohibit a State from removing a reg-
19 istrant from the official list of eligible voters in
20 elections for Federal office if, on the basis of of-
21 ficial records maintained by the State, a State
22 or local election official knows, on the basis of
23 objective and reliable evidence, that the reg-
24 istrant has—

25 “(i) died; or

1 “(ii) permanently moved out of the
2 State and is no longer eligible to vote in
3 the State.

4 “(B) OPPORTUNITY TO DEMONSTRATE
5 ELIGIBILITY.—The State shall provide a voter
6 removed from the official list of eligible voters
7 in elections for Federal office under this para-
8 graph an opportunity to demonstrate that the
9 registrant is eligible to vote and be reinstated
10 on the official list of eligible voters in elections
11 for Federal office in the State.

12 “(b) PUBLIC NOTICE OF LIST OF INDIVIDUALS TO
13 BE REMOVED.—

14 “(1) PROVIDING PUBLIC NOTICE.—If a State
15 conducts any general program to remove the names
16 of ineligible voters from the official list of eligible
17 voters (as described in section 8(a)(4)), the State
18 shall disseminate a list of the voters who are to be
19 removed under the program through such methods
20 as may be reasonable to reach the general public (in-
21 cluding by publishing the notice in a newspaper of
22 wide circulation and posting the notice on the
23 websites of the appropriate election officials).

24 “(2) DELAY IN REMOVAL.—The State may not
25 remove the name of any registrant from the official

1 list of voters eligible to vote in elections for Federal
2 office in the State under the program referred to in
3 paragraph (2) until the expiration of the 30-day pe-
4 riod which begins on the date the State disseminates
5 the list required under such paragraph.

6 “(c) NOTICE AFTER REMOVAL.—

7 “(1) NOTICE TO INDIVIDUAL REMOVED.—

8 “(A) IN GENERAL.—Not later than 48
9 hours after a State removes the name of a reg-
10 istrant from the official list of eligible voters,
11 the State shall send notice of the removal to the
12 former registrant, and shall include in the no-
13 tice the grounds for the removal and informa-
14 tion on how the former registrant may contest
15 the removal or be reinstated, including a tele-
16 phone number for the appropriate election offi-
17 cial.

18 “(B) EXCEPTIONS.—Subparagraph (A)
19 does not apply in the case of a registrant—

20 “(i) who sends written confirmation to
21 the State that the registrant is no longer
22 eligible to vote in the registrar’s jurisdic-
23 tion in which the registrant was registered;
24 or

1 “(ii) who is removed from the official
2 list of eligible voters by reason of the death
3 of the registrant.

4 “(2) PUBLIC NOTICE.—Not later than 48 hours
5 after conducting any general program to remove the
6 names of ineligible voters from the official list of eli-
7 gible voters (as described in section 8(a)(4)), the
8 State shall disseminate a public notice through such
9 methods as may be reasonable to reach the general
10 public (including by publishing the notice in a news-
11 paper of wide circulation and posting the notice on
12 the websites of the appropriate election officials)
13 that list maintenance is taking place and that reg-
14 istrants should check their registration status to en-
15 sure no errors or mistakes have been made. The
16 State shall ensure that the public notice dissemi-
17 nated under this paragraph is in a format that is
18 reasonably convenient and accessible to voters with
19 disabilities, including voters who have low vision or
20 are blind.”.

21 (b) CONDITIONS FOR TRANSMISSION OF NOTICES OF
22 REMOVAL.—Section 8(d) of such Act (52 U.S.C.
23 20507(d)) is amended by adding at the end the following
24 new paragraph:

1 “(4) A State may not transmit a notice to a
2 registrant under this subsection unless the State ob-
3 tains objective and reliable evidence (in accordance
4 with the standards for such evidence which are de-
5 scribed in section 8A(a)(2)) that the registrant has
6 changed residence to a place outside the registrar’s
7 jurisdiction in which the registrant is registered.”.

8 (c) CONFORMING AMENDMENTS.—

9 (1) NATIONAL VOTER REGISTRATION ACT OF
10 1993.—Section 8(a) of such Act (52 U.S.C.
11 20507(a)) is amended—

12 (A) in paragraph (3), by striking “pro-
13 vide” and inserting “subject to section 8A, pro-
14 vide”; and

15 (B) in paragraph (4), by striking “con-
16 duct” and inserting “subject to section 8A, con-
17 duct”.

18 (2) HELP AMERICA VOTE ACT OF 2002.—Section
19 303(a)(4)(A) of the Help America Vote Act of 2002
20 (52 U.S.C. 21083(a)(4)(A)) is amended by striking
21 “registrants” the second place it appears and insert-
22 ing “and subject to section 8A of such Act, reg-
23 istrants”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date of the enactment
3 of this Act.

