

1 (b) REQUIREMENT.—Subtitle A of title III of the
2 Help America Vote Act of 2002, as amended by sections
3 125(a) and 126(c), is amended—

4 (1) by redesignating sections 306 and 307 as
5 sections 307 and 308; and

6 (2) by inserting after section 305 the following
7 new section:

8 **“SEC. 306. REQUIREMENTS WITH RESPECT TO VOTING BY**
9 **MAIL FOR TEACHERS.**

10 “(a) IN GENERAL.—If a covered teacher in a State
11 is eligible to cast a vote in an election for Federal office
12 in the State, the State may not impose any additional con-
13 ditions or requirements on the eligibility of the covered
14 teacher to cast a vote in such election by absentee ballot
15 by mail.

16 “(b) DEFINITIONS.—For the purposes of this section,
17 the following definitions apply:

18 “(1) COVERED TEACHER.—The term ‘covered
19 teacher’ means an individual who—

20 “(A) is an elementary school or secondary
21 school teacher who, as determined by the State
22 or local educational agency, is a teacher of
23 record who provides direct classroom teaching
24 (or classroom-type teaching in a nonclassroom
25 setting) to students; and

1 “(B)(i) meets applicable State certification
2 and licensure requirements, including any re-
3 quirements for certification obtained through
4 alternative routes to certification, in the State
5 in which such school is located and in the sub-
6 ject area in which the individual is the teacher
7 of record; or

8 “(ii) is enrolled during the taxable year in
9 a program leading to State certification and li-
10 censure as described in clause (i) and is making
11 satisfactory progress toward such certification
12 and licensure requirements.

13 “(2) ESEA DEFINITIONS.—The terms ‘elemen-
14 tary school’, ‘local educational agency’, ‘secondary
15 school’, and ‘State educational agency’ have the
16 meanings given the terms in section 8101 of the Ele-
17 mentary and Secondary Education Act of 1965 (20
18 U.S.C. 7801).”.

19 (c) CONFORMING AMENDMENT RELATING TO EN-
20 FORCEMENT.—Section 401 of such Act (52 U.S.C.
21 21111), as amended by sections 125(c) and 126(d), is
22 amended by striking “and 305” and inserting “305, and
23 306”.

1 (d) CLERICAL AMENDMENT.—The table of contents
2 of such Act, as amended by sections 125(d) and 126(e),
3 is amended—

4 (1) by redesignating the items relating to sec-
5 tions 306 and 307 as relating to sections 307 and
6 308; and

7 (2) by inserting after the item relating to sec-
8 tion 305 the following:

“Sec. 306. Requirements with respect to voting by mail for teachers.”.

9 (e) EFFECTIVE DATE.—This section and the amend-
10 ments made by this section shall apply with respect to any
11 election for Federal office held on or after the date of the
12 enactment of this Act.

