

**AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY M. \_\_\_\_\_**

Add at the appropriate place the following:

1 **Subtitle \_\_\_\_\_—Preventing Restric-**  
2 **tions on Food and Beverages**

3 **SEC. \_\_\_\_\_ 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This subtitle may be cited as the  
5 “Voters’ Access to Water Act”.

6 (b) FINDINGS.—Congress finds the following:

7 (1) States have a legitimate interest in prohib-  
8 iting electioneering at or near polling places, and  
9 each State has some form of restriction on political  
10 activities near polling places when voting is taking  
11 place.

12 (2) In recent elections, voters have waited in  
13 unacceptably long lines to cast their ballot. During  
14 the 2018 midterm election, more than 3,000,000  
15 voters were made to wait longer than the acceptable  
16 threshold for wait times set by the Presidential  
17 Commission on Election Administration, including  
18 many well-documented cases where voters were made  
19 to wait for several hours. A disproportionate number  
20 of those who had to wait long periods were Black or

1 Latino voters, who were more likely than White vot-  
2 ers to wait in the longest lines on Election Day.

3 (3) Allowing volunteers to donate food and  
4 water to all people waiting in line at a polling place,  
5 regardless of the voters' political preference and  
6 without engaging in electioneering activities or par-  
7 tisan advocacy, helps ensure Americans who face  
8 long lines at their polling place can still exercise  
9 their Constitutional right to vote, without risk of de-  
10 hydration, inadequate food, discomfort, and risks to  
11 health.

12 **SEC. \_\_\_\_\_ 2. PROHIBITING RESTRICTIONS ON DONATIONS**  
13 **OF FOOD AND BEVERAGES AT POLLING STA-**  
14 **TIONS.**

15 (a) REQUIREMENT.—Subtitle A of title III of the  
16 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.)  
17 is amended—

18 (1) by redesignating sections 304 and 305 as  
19 sections 305 and 306, respectively; and

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

1 **“SEC. 304. PROHIBITING STATES FROM RESTRICTING DO-**  
2 **NATIONS OF FOOD AND BEVERAGES AT**  
3 **POLLING STATIONS.**

4 “(a) PROHIBITION.—Subject to the exception in sub-  
5 section (b), a State may not impose any restriction on the  
6 donation of food and nonalcoholic beverages to persons  
7 outside of the entrance to the building where a polling  
8 place for a Federal election is located, provided that such  
9 food and nonalcoholic beverages are distributed without  
10 regard to the electoral participation or political pref-  
11 erences of the recipients.

12 “(b) EXCEPTION.—A State may require persons dis-  
13 tributing food and nonalcoholic beverages outside the en-  
14 trance to the building where a polling place for a Federal  
15 election is located to refrain from political or election-  
16 eering activity.

17 “(c) EFFECTIVE DATE.—This section shall apply  
18 with respect to elections for Federal office occurring on  
19 and after January 1, 2024.”.

20 (b) CONFORMING AMENDMENTS RELATING TO  
21 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-  
22 SISTANCE COMMISSION.—Section 321(b) of such Act (52  
23 U.S.C. 21101(b)) is amended—

24 (1) by striking “and” at the end of paragraph  
25 (2);

