

118TH CONGRESS
1ST SESSION

H. R. 4544

To amend the Help America Vote Act of 2002 to prohibit the use of Federal funds for election administration in States that permit ballot harvesting.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2023

Mr. EDWARDS introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Help America Vote Act of 2002 to prohibit the use of Federal funds for election administration in States that permit ballot harvesting.

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; FINDINGS.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “**No Federal Funds for Ballot Harvesting Act**”.

6 (b) **FINDINGS.**—Congress finds that—

7 (1) the right to vote is a fundamental right of
8 citizens of the United States, as described by the
9 Constitution of the United States;

1 (2) the Committee on House Administration of
2 the House of Representatives, which is charged with
3 investigating election irregularities, received reports
4 through its official Election Observer Program for
5 the 2018 general election and the 2020 general elec-
6 tion, as well as from other stakeholders, that individ-
7 uals other than voters themselves were depositing
8 large amounts of absentee ballots at polling places
9 throughout California and other States, a practice
10 colloquially known as “ballot harvesting”;

11 (3) the practice of ballot harvesting creates sig-
12 nificant vulnerabilities in the chain-of-custody of bal-
13 lots because individuals collecting ballots are not re-
14 quired to be registered voters and are not required
15 to identify themselves at a voter’s home, and the
16 State does not track how many ballots are harvested
17 in an election;

18 (4) in North Carolina, a congressional election
19 was invalidated due to fraud associated with ballot
20 harvesting committed by a political operative, and it
21 is unlikely such activity would have been detected
22 were it not for the prohibition against ballot har-
23 vesting in the State;

24 (5) ballot harvesting invites electioneering activ-
25 ity at home and weakens States’ long-standing voter

1 protection procedures, which remain in place at poll-
2 ing locations, creating the possibility of undue influ-
3 ence over voters by political operatives and other bad
4 actors; and

5 (6) the Supreme Court of the United States has
6 affirmed State authority to restrict ballot harvesting
7 (*Brnovich v. Democratic National Committee*, 141 S.
8 Ct. 2321 (2021)).

9 **SEC. 2. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
10 **ELECTION ADMINISTRATION IN STATES THAT**
11 **PERMIT BALLOT HARVESTING.**

12 (a) IN GENERAL.—The Help America Vote Act of
13 2002 (52 U.S.C. 20901 et seq.) is amended by adding at
14 the end the following new section:

15 **“SEC. 908. PROHIBITION ON FEDERAL FUNDS FOR ELEC-**
16 **TION ADMINISTRATION FOR STATES ALLOW-**
17 **ING COLLECTION AND TRANSMISSION OF**
18 **BALLOTS BY CERTAIN THIRD PARTIES.**

19 “(a) IN GENERAL.—Notwithstanding any other pro-
20 vision of law, no Federal funds may be used to administer
21 any election for Federal office in a State unless the State
22 has in effect a law that prohibits an individual from the
23 knowing collection and transmission of a ballot in an elec-
24 tion for Federal office that was mailed to another person,
25 other than an individual described as follows:

1 “(1) An election official while engaged in offi-
2 cial duties as authorized by law.

3 “(2) An employee of the United States Postal
4 Service or other commercial common carrier engaged
5 in similar activities while engaged in duties author-
6 ized by law.

7 “(3) Any other individual who is allowed by law
8 to collect and transmit United States mail, while en-
9 gaged in official duties as authorized by law.

10 “(4) A family member, household member, or
11 caregiver of the person to whom the ballot was
12 mailed.

13 “(b) DEFINITIONS.—For purposes of this section,
14 with respect to a person to whom the ballot was mailed:

15 “(1) The term ‘caregiver’ means an individual
16 who provides medical or health care assistance to
17 such person in a residence, nursing care institution,
18 hospice facility, assisted living center, assisted living
19 facility, assisted living home, residential care institu-
20 tion, adult day health care facility, or adult foster
21 care home.

22 “(2) The term ‘family member’ means an indi-
23 vidual who is related to such person by blood, mar-
24 riage, adoption or legal guardianship.

