

[DRAFT]

AUGUST 9, 2023

118TH CONGRESS
1ST SESSION

H. R. _____

To remove barriers to the ability of unhoused individuals to register to vote and vote in elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WILLIAMS of Georgia introduced the following bill; which was referred to the Committee on _____

A BILL

To remove barriers to the ability of unhoused individuals to register to vote and 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Unhoused Voter Opportunity Through Elections Act” or
6 the “Unhoused VOTE Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—VOTING RIGHTS OF UNHOUSED CITIZENS

- Sec. 101. Voting rights of unhoused citizens.
- Sec. 102. Enforcement.
- Sec. 103. Relationship to Voting Rights Act of 1965.
- Sec. 104. Definitions.

TITLE II—PROTECTIONS AND BEST PRACTICES FOR PROTECTING
ACCESS TO VOTING AND VOTER REGISTRATION FOR
UNHOUSED INDIVIDUALS

- Sec. 201. Description of protections.
- Sec. 202. Special requirements for voter registration.
- Sec. 203. Inclusion of information on voter registration and voting in surveys
conducted by recipients of HUD homeless assistance.

TITLE III—GRANTS TO SUPPORT ACCESS TO VOTING FOR
UNHOUSED INDIVIDUALS

- Sec. 301. Grant program described.
- Sec. 302. Eligibility.
- Sec. 303. Definition.
- Sec. 304. Authorization of appropriations.

TITLE IV—GENERAL PROVISIONS

- Sec. 401. State defined.
- Sec. 402. Effective date.

3 **TITLE I—VOTING RIGHTS OF**
4 **UNHOUSED CITIZENS**

5 **SEC. 101. VOTING RIGHTS OF UNHOUSED CITIZENS.**

6 No voting qualification or prerequisite to voting, or
7 standard, practice, or procedure shall be imposed or ap-
8 plied by any State or political subdivision to deny or
9 abridge the right of any citizen of the United States to
10 vote because that citizen resides at or in a nontraditional
11 abode.

1 **SEC. 102. ENFORCEMENT.**

2 (a) ACTION BY ATTORNEY GENERAL.—The Attorney
3 General may commence in the name of the United States
4 a civil action (including an action against a State or polit-
5 ical subdivision) for declaratory or injunctive relief against
6 a violation of this title.

7 (b) PRIVATE RIGHT OF ACTION.—A person who is
8 aggrieved by an alleged violation of this title may bring
9 a civil action in an appropriate district court for declara-
10 tory or injunctive relief with respect to the violation.

11 **SEC. 103. RELATIONSHIP TO VOTING RIGHTS ACT OF 1965.**

12 Nothing in this title may be construed to impair any
13 right guaranteed by the Voting Rights Act of 1965 (52
14 U.S.C. 10101 et seq.).

15 **SEC. 104. DEFINITIONS.**

16 As used in this title, the term “nontraditional abode”
17 includes—

18 (1) a supervised publicly or privately operated
19 shelter designed to provide temporary living accom-
20 modations (including welfare hotels, congregate shel-
21 ters, transitional housing, substance abuse treatment
22 facilities);

23 (2) a public or private place not designated for,
24 or ordinarily used as, regular sleeping accommoda-
25 tion for human beings;

1 (3) any location in which, because an individual
2 resides in the location, the individual is considered
3 to be a homeless individual for purposes of section
4 103 of the McKinney-Vento Homeless Assistance
5 Act (42 U.S.C. 11302); and

6 (4) in the case of a State in which an individual
7 incarcerated in a prison is eligible to register to vote
8 and vote in elections for public office, a prison.

9 **TITLE II—PROTECTIONS AND**
10 **BEST PRACTICES FOR PRO-**
11 **TECTING ACCESS TO VOTING**
12 **AND VOTER REGISTRATION**
13 **FOR UNHOUSED INDIVIDUALS**

14 **SEC. 201. DESCRIPTION OF PROTECTIONS.**

15 (a) DESCRIPTION.—Title III of the Help America
16 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended
17 by adding at the end the following new subtitle:

18 **“Subtitle C—Access to Voting for**
19 **Unhoused Individuals**

20 **“SEC. 321. PROMOTING USE OF DROP BOXES BY UNHOUSED**
21 **INDIVIDUALS.**

22 “(a) STANDARDS FOR DROP BOXES.—If a jurisdic-
23 tion responsible for the administration of an election for
24 Federal office in a State permits individuals to drop off
25 voted ballots in the election in drop boxes, the jurisdiction

1 shall ensure that the drop boxes are available for in-person
2 use and are secured, accessible, and clearly labeled.

3 “(b) APPLYING CRITERIA BASED ON GREATEST AC-
4 CESS BY UNHOUSED INDIVIDUALS.—In establishing the
5 location, number, and time of operation of the drop boxes
6 described in subsection (a), the appropriate election offi-
7 cial of a jurisdiction which is subject to such subsection
8 shall take into account the need to provide access to such
9 drop boxes by unhoused individuals, based on consultation
10 with persons who provide services for unhoused individuals
11 and other relevant stakeholders.

12 **“SEC. 322. ACCEPTANCE OF CERTAIN DOCUMENTATION OF**
13 **RESIDENCE AND IDENTIFICATION.**

14 “(a) RESIDENCE.—

15 “(1) ATTESTATION.—If a State imposes a re-
16 quirement that an individual who desires to register
17 to vote or vote in an election for Federal office in
18 the State provide the appropriate election official
19 with documentation of the individual’s residence, the
20 State shall consider the individual to meet that re-
21 quirement if the individual provides the official with
22 a written attestation of the individual’s residence,
23 signed under penalty of perjury.

24 “(2) USE OF SHELTER AS RESIDENCE FOR
25 VOTING PURPOSES.—A State may not prohibit an

1 individual who is residing in a homeless shelter from
2 using the shelter as the individual's residence for
3 purposes of registering to vote or voting in an elec-
4 tion for Federal office which is held in the jurisdic-
5 tion in which the shelter is located.

6 “(b) IDENTIFICATION ISSUED BY ENTITIES OF
7 CRIMINAL JUSTICE SYSTEM.—If a State imposes a re-
8 quirement that an individual who desires to register to
9 vote or vote in an election for Federal office in the State
10 provide the appropriate election official with documenta-
11 tion of the individual's identification, the State shall con-
12 sider the individual to meet the requirement if the indi-
13 vidual provides the official with a document containing the
14 individual's name which is issued by an entity of the crimi-
15 nal justice system, including a correctional facility, court,
16 probation officer, or parole officer.

17 **“SEC. 323. OUTREACH TO UNHOUSED INDIVIDUALS.**

18 “(a) INFORMATION ON WEBSITES OF ELECTION OF-
19 FICIALS.—

20 “(1) INFORMATION REQUIRED.—The chief
21 State election official shall ensure that the official
22 public website of each election official of the State
23 includes an accessible, clear, and separate hyperlink
24 to simple information on how unhoused individuals

1 may register to vote and vote in elections for Fed-
2 eral office held in the State.

3 “(2) AVAILABILITY IN LANGUAGE OTHER THAN
4 ENGLISH.—If a State or political subdivision is re-
5 quired under section 203 of the Voting Rights Act
6 of 1965 (52 U.S.C. 10503) to provide voting mate-
7 rials in a language other than English, the appro-
8 priate election official shall ensure that the informa-
9 tion provided under paragraph (1) is provided in
10 that language as well as English.

11 “(b) NOTIFICATION.—

12 “(1) VOTER REGISTRATION DEADLINES.—Not
13 later than 60 days prior to the deadline for reg-
14 istering to vote in an election for Federal office held
15 in a State, the chief State election official shall send
16 a notification of the deadline to each homeless shel-
17 ter in a jurisdiction of the State in which the elec-
18 tion will be held, local social services agencies which
19 commonly serve unhoused individuals, and other en-
20 tities which provide services to a significant popu-
21 lation of unhoused individuals in the jurisdiction.

22 “(2) DATES OF ELECTIONS.—Not later than 30
23 days prior to the date of an election for Federal of-
24 fice, the chief State election official shall send a no-
25 tification of the election to each homeless shelter in

1 a jurisdiction of the State in which the election will
2 be held, along with the other agencies and entities
3 to whom the chief State election official sent notice
4 of the registration deadline under paragraph (1).

5 **“SEC. 324. DEVELOPMENT OF BEST PRACTICES.**

6 “(a) DEVELOPMENT AND PUBLICATION.—In con-
7 sultation with the United States Interagency Council on
8 Homelessness, the Commission shall develop and regularly
9 update recommendations for the best practices for State
10 and local election officials to follow to protect and promote
11 the access of unhoused individuals to voter registration
12 and voting in elections for Federal office.

13 “(b) SPECIFIC ELEMENTS.—The Commission shall
14 include in the best practices developed and updated under
15 this section—

16 “(1) methods to ensure that unhoused individ-
17 uals are aware of the procedures and locations for
18 registering to vote and voting;

19 “(2) methods to help election officials comply
20 with requirements for providing access to voter reg-
21 istration and voting for people with disabilities, in-
22 cluding requirements established and enforced by the
23 Department of Justice;

24 “(3) methods to train election officials, includ-
25 ing poll workers, in recognizing and responding to

1 the challenges faced by unhoused individuals in reg-
2 istering to vote and voting; and

3 “(4) such other practices as the Commission
4 considers appropriate.

5 “(c) CONSULTATION.—In developing and updating
6 the best practices under this section, the Commission shall
7 consult with individuals who have experience in being
8 unhoused.

9 “(d) DEADLINE.—The Commission shall develop the
10 first set of best practices under this section not later than
11 180 days after the date of the enactment of the Unhoused
12 VOTE Act.

13 **“SEC. 325. DEFINITIONS.**

14 “In this subtitle—

15 “(1) the term ‘homeless shelter’ means an
16 emergency shelter under section 321 of the McKin-
17 ney-Vento Homeless Assistance Act (42 U.S.C.
18 11351); and

19 “(2) the term ‘unhoused individual’ means a
20 homeless individual, as defined in section 103 of
21 such Act (42 U.S.C. 11302).”.

22 (b) CONFORMING AMENDMENT RELATING TO EN-
23 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
24 is amended by striking the period at the end and inserting
25 “, and subtitle C of title III.”.

1 (c) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended by adding at the end of the items
3 relating to title III the following:

“Subtitle C—Access to Voting for Unhoused Individuals

“Sec. 321. Promoting use of drop boxes by unhoused individuals.

“Sec. 322. Acceptance of certain documentation of residence and identification.

“Sec. 323. Outreach to unhoused individuals.

“Sec. 324. Development of best practices.

“Sec. 325. Definitions.”.

4 **SEC. 202. SPECIAL REQUIREMENTS FOR VOTER REGISTRA-**
5 **TION.**

6 (a) TREATMENT OF SHELTERS AS VOTER REGISTRA-
7 TION AGENCIES.—Section 7(a)(2) of the National Voter
8 Registration Act of 1993 (52 U.S.C. 20506(a)(2)) is
9 amended—

10 (1) by striking “and” at the end of subpara-
11 graph (A);

12 (2) by striking the period at the end of sub-
13 paragraph (B) and inserting “; and”; and

14 (3) by adding at the end the following new sub-
15 paragraph:

16 “(C) all emergency shelters in the State under
17 section 321 of the McKinney-Vento Homeless Assist-
18 ance Act (42 U.S.C. 11351).”.

19 (b) PERMITTING APPLICANTS TO MARK LOCATION
20 OF RESIDENCE ON FEDERAL VOTER REGISTRATION AP-
21 PPLICATION FORMS AND ALTERNATIVE FORMS USED BY

1 STATES.—Section 9(b) of the National Voter Registration
2 Act of 1993 (52 U.S.C. 20508(b)) is amended—

3 (1) by striking “and” at the end of paragraph
4 (3);

5 (2) by striking the period at the end of para-
6 graph (4) and inserting “; and”; and

7 (3) by adding at the end the following new
8 paragraph:

9 “(5) include a drawing of an intersection on
10 which the applicant may mark by hand the location
11 of the applicant’s residence, including by writing in
12 the names of the crossroads on the drawing and in-
13 dicating any nearby landmarks.”.

14 (c) PERMITTING UNHOUSED APPLICANTS TO USE
15 UNSHELTERED STREET LOCATION AS ADDRESS.—Sec-
16 tion 8(a) of such Act (52 U.S.C. 20507(a)) is amended—

17 (1) by striking “and” at the end of paragraph
18 (5);

19 (2) by striking the period at the end of para-
20 graph (6) and inserting “; and”; and

21 (3) by adding at the end the following new
22 paragraph:

23 “(7) permit an applicant who is an unhoused
24 individual (defined for purposes of this paragraph as
25 a homeless individual under section 103 of the

1 McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11302)) to use an unsheltered street location
3 as the individual’s place of residence for purposes of
4 the application.”.

5 **SEC. 203. INCLUSION OF INFORMATION ON VOTER REG-**
6 **ISTRATION AND VOTING IN SURVEYS CON-**
7 **DUCTED BY RECIPIENTS OF HUD HOMELESS**
8 **ASSISTANCE.**

9 Section 402(f)(3) of the McKinney-Vento Homeless
10 Assistance Act (42 U.S.C. 11360a(f)(3)) is amended—

11 (1) by striking “and” at the end of subpara-
12 graph (C);

13 (2) by redesignating subparagraph (D) as sub-
14 paragraph (E); and

15 (3) by inserting after subparagraph (C) the fol-
16 lowing new subparagraph:

17 “(D) collects information on the extent to
18 which individuals experiencing homelessness are
19 able to register to vote and vote in elections for
20 Federal office; and”.

1 **TITLE III—GRANTS TO SUPPORT**
2 **ACCESS TO VOTING FOR**
3 **UNHOUSED INDIVIDUALS**

4 **SEC. 301. GRANT PROGRAM DESCRIBED.**

5 (a) IN GENERAL.—The Election Assistance Commis-
6 sion shall make grants to eligible States and units of local
7 government for programs and activities, such as operating
8 mobile voting centers and providing direct outreach to
9 unhoused individuals, to support the access of unhoused
10 individuals to registering to vote and voting in elections
11 for Federal office.

12 (b) USE OF FUNDS FOR GRANTS TO PRIVATE ENTI-
13 TIES.—A State or unit of local government which receives
14 a grant under this title may use the funds provided by
15 the grant to enter into contracts with private entities with
16 experience in providing assistance to unhoused individuals
17 to provide services to such individuals which will assist
18 them in registering to vote and voting in elections for Fed-
19 eral office.

20 **SEC. 302. ELIGIBILITY.**

21 (a) IN GENERAL.—A State or unit of local govern-
22 ment is eligible to receive a grant under this title if the
23 State or unit submits to the Election Assistance Commis-
24 sion, at such time and in such form as the Commission
25 may require, such information and assurances as the Com-

1 mission may require, including assurances that the State
2 or political subdivision has a plan to engage stakeholders
3 with a demonstrated experience of serving unhoused indi-
4 viduals.

5 (b) SPECIAL CONDITION REGARDING PROTECTION
6 OF DOCUMENTS.—In order to be eligible to receive a grant
7 under this title, a State or unit of local government shall
8 include with the information and assurances required
9 under subsection (a) specific information and assurances
10 that if funds provided by the grant are used to produce
11 documents for the use of unhoused individuals, including
12 under a contract with a private entity as described in sec-
13 tion 301(b), the documents will be produced in a manner
14 which ensures that they will remain readable and usable
15 even if they are subject to extended exposure to the ele-
16 ments.

17 **SEC. 303. DEFINITION.**

18 In this title, the term “unhoused individual” means
19 a homeless individual, as defined in section 103 of the
20 McKinney–Vento Homeless Assistance Act (42 U.S.C.
21 11302).

22 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated to carry out
24 this title such sums as may be necessary for fiscal year
25 2024 and each succeeding fiscal year.

1 **TITLE IV—GENERAL**
2 **PROVISIONS**

3 **SEC. 401. STATE DEFINED.**

4 In this Act, the term “State” means each of the sev-
5 eral States, the District of Columbia, the Commonwealth
6 of Puerto Rico, Guam, American Samoa, the United
7 States Virgin Islands, and the Commonwealth of the
8 Northern Mariana Islands.

9 **SEC. 402. EFFECTIVE DATE.**

10 Except as otherwise provided, this Act and the
11 amendments made by this Act shall apply with respect to
12 elections for Federal office beginning 6 months after the
13 date of the enactment of this Act.