

107TH CONGRESS
1ST SESSION

S. 175

To establish a national uniform poll closing time and uniform treatment of absentee ballots in Presidential general elections.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2001

Mrs. HUTCHISON introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish a national uniform poll closing time and uniform treatment of absentee ballots in Presidential general elections.

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. UNIFORM NATIONAL POLL CLOSING TIME.**

4 (a) IN GENERAL.—Chapter 1 of title 3, United
5 States Code, is amended—

6 (1) by redesignating section 1 as section 1A;

7 and

8 (2) by inserting before section 1A the following:

9 **“§ 1. Single poll closing time**

10 **“(a) DEFINITIONS.—In this section:**

1 “(1) STATE.—The term ‘State’ includes the
2 District of Columbia.

3 “(2) PRESIDENTIAL GENERAL ELECTION.—The
4 term ‘Presidential general election’ means the elec-
5 tion for electors of President and Vice President.

6 “(b) CLOSING TIME.—Each polling place in a State
7 shall close, with respect to a Presidential general election,
8 at 9:00 p.m. Central Standard Time.

9 “(c) EXTENDED DAY.—Notwithstanding section 1A
10 or any other provision of law, in the case of the States
11 of Alaska and Hawaii, a State may open polling places
12 with respect to a Presidential general election during the
13 day preceding the day provided under such section in addi-
14 tion to the day provided under such section, so long as
15 the State meets the requirements of subsection (a) with
16 respect to the poll closing time of each day.”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) The table of sections for chapter 1 of title
19 3, United States Code, is amended by striking the
20 item relating to section 1 and inserting the fol-
21 lowing:

 “1. Single poll closing time.

 “1A. Time of appointing electors.”.

22 (2) Sections 871(b) and 1751(f) of title 18,
23 United States Code, are amended by striking “title

1 3, United States Code, sections 1 and 2” and insert-
 2 ing “sections 1A and 2 of title 3”.

3 **SEC. 2. ABSENTEE BALLOT REFORM.**

4 (a) ABSENTEE BALLOTS IN PRESIDENTIAL GENERAL
 5 ELECTIONS.—

6 (1) IN GENERAL.—Chapter 1 of title 3, United
 7 States Code, as amended by section 1, is amended
 8 by inserting after section 1A the following:

9 **“§ 1B. Absentee ballots**

10 “(a) IN GENERAL.—Except as provided in subsection
 11 (b), no absentee ballot cast for electors of the President
 12 and Vice President under this chapter shall be processed
 13 and recorded by a State later than the date on which such
 14 electors are appointed under section 1A.

15 “(b) OVERSEAS VOTERS.—Subsection (a) shall not
 16 apply to absentee ballots of absent uniformed services vot-
 17 ers and overseas voters (as defined in section 107 of the
 18 Uniformed and Overseas Citizens Absentee Voting Act (42
 19 U.S.C. 1973ff–6)) to the extent otherwise provided by reg-
 20 ulations promulgated under section 101(b) of such Act (42
 21 U.S.C. 1973ff(b)).”.

22 (2) CONFORMING AMENDMENT.—The table of
 23 sections for chapter 1 of title 3, United States Code,
 24 as amended by section 1, is amended by inserting
 25 after the item relating to section 1A the following:

“1B. Absentee ballots.”.

1 (b) UNIFORMED AND OVERSEAS CITIZENS ABSEN-
2 TEE BALLOT.—

3 (1) STATE REQUIREMENT.—Section 102 of the
4 Uniformed and Overseas Citizens Absentee Voting
5 Act (42 U.S.C. 1973ff–1) is amended—

6 (A) in paragraph (2), by striking “and” at
7 the end;

8 (B) in paragraph (3), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(4) treat any absentee ballot or Federal write-
12 in absentee ballot for absent uniformed services vot-
13 ers or overseas voters in general elections for Fed-
14 eral office, which meets the uniform requirements
15 promulgated by the Presidential designee under this
16 title for such ballots, as meeting applicable State law
17 regarding acceptance of absentee ballots.”.

18 (2) UNIFORM TREATMENT.—Section 101(b) of
19 such Act (42 U.S.C. 1973ff(b)) is amended—

20 (A) by inserting after paragraph (4) the
21 following:

22 “(5) promulgate a regulation stating uni-
23 form requirements for treatment and accept-
24 ance of absentee ballots and Federal write-in
25 absentee ballots of absent uniformed services

1 voters and overseas voters in general elections
2 for Federal office;” and

3 (B) by redesignating paragraphs (5) and
4 (6) as paragraphs (6) and (7), respectively.

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