

118TH CONGRESS
1ST SESSION

H. R. 5189

To amend the Help America Vote Act of 2002 to condition the eligibility of a State or jurisdiction in a State to receive Federal funds to support the administration of elections for Federal office in the State on having laws in effect that require voters to present a valid photo identification in order to receive or cast a ballot in such elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 11, 2023

Mr. MIKE GARCIA of California 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 condition the eligibility of a State or jurisdiction in a State to receive Federal funds to support the administration of elections for Federal office in the State on having laws in effect that require voters to present a valid photo identification in order to receive or cast a ballot in such elections, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Voter Integrity and
3 Defense Act”.

4 **SEC. 2. REQUIRING PHOTO IDENTIFICATION LAW AS CON-**
5 **DITION OF ELIGIBILITY FOR FEDERAL FUNDS**
6 **TO SUPPORT ELECTION ADMINISTRATION.**

7 (a) REQUIREMENT.—Subtitle D of title II of the Help
8 America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is
9 amended by adding at the end the following new part:

10 **“PART 7—CONDITIONING ELIGIBILITY FOR**
11 **FUNDS ON LAWS REQUIRING PHOTO IDENTI-**
12 **FICATION FOR VOTING**

13 **“SEC. 297. CONDITION ON ELIGIBILITY FOR FUNDS.**

14 “(a) REQUIRING PROVISION OF PHOTO IDENTIFICA-
15 TION FOR VOTING.—A State or a jurisdiction in a State
16 is not eligible to receive a payment from the Commission
17 under this Act or any other Act unless the State or juris-
18 diction certifies to the Commission that the State has in
19 effect a law that—

20 “(1) prevents the appropriate State or local
21 election official from providing a ballot for an elec-
22 tion for Federal office to an individual who desires
23 to vote in person unless the individual presents to
24 the official a valid photo identification described in
25 section 297A; and

1 “(2) prevents the appropriate State or local
2 election official from accepting any ballot for an
3 election for Federal office provided by an individual
4 who votes other than in person unless the individual
5 submits with the ballot a copy of a valid photo iden-
6 tification described in section 297A.

7 “(b) EXCEPTION FOR ABSENT MILITARY VOTERS.—
8 A State or jurisdiction is eligible to receive a payment if
9 the State provides an exemption under the law described
10 in subsection (a) for absent uniformed services voters
11 under section 107(1) of the Uniformed and Overseas Citi-
12 zens Absentee Voting Act (52 U.S.C. 20310(1)).

13 **“SEC. 297A. VALID PHOTO IDENTIFICATION DESCRIBED.**

14 “A valid photo identification described in this section
15 with respect to an individual is any of the following:

16 “(1) A valid State-issued motor vehicle driver’s
17 license that includes a photo of the individual and an
18 expiration date.

19 “(2) A valid State-issued identification card
20 that includes a photo of the individual and an expi-
21 ration date.

22 “(3) A valid United States passport for the in-
23 dividual.

24 “(4) A valid military identification for the indi-
25 vidual.

1 “(5) Any other form of government-issued iden-
2 tification that the State may specify as a valid photo
3 identification for purposes of voting in an election
4 for Federal office.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 of such Act is amended by adding at the end of the items
7 relating to subtitle D of title II the following:

“PART 7—CONDITIONING PAYMENT OF FUNDS ON LAWS REQUIRING PHOTO
IDENTIFICATION FOR VOTING

“Sec. 297. Condition on payments.

“Sec. 297A. Valid photo identification described.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this Act shall apply with respect to payments made on or
10 after the date of the enactment of this Act.

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