

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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