

119TH CONGRESS
1ST SESSION

H. R. 738

To amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2025

Ms. SALINAS (for herself, Ms. NORTON, Mr. CLEAVER, Mr. VARGAS, Mrs. DINGELL, Mr. MULLIN, Mr. JOHNSON of Georgia, Ms. TLAIB, and Mr. POCAN) 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 allow all eligible voters to vote by mail in Federal 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. SHORT TITLE.**

4 This Act may be cited as the “Universal Right To
5 Vote by Mail Act of 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) An inequity of voting rights exists in the
9 United States because voters in some States have

1 the universal right to vote by mail while voters in
2 other States do not.

3 (2) Many voters often have work, family, or
4 other commitments that make getting to polls on the
5 date of an election difficult or impossible. Under
6 current State laws, many of these voters are not per-
7 mitted to vote by mail.

8 (3) 36 States and the District of Columbia cur-
9 rently allow universal absentee voting (also known as
10 “no-excuse” absentee voting), which permits any
11 voter to request a mail-in ballot without providing a
12 reason for the request, and no State which has im-
13 plemented no-excuse absentee voting has switched
14 back.

15 (4) Voting by mail gives voters more time to
16 consider their choices, which is especially important
17 as many ballots contain greater numbers of ques-
18 tions about complex issues than in the past due to
19 the expanded use of the initiative and referendum
20 process in many States.

21 (5) Allowing all voters the option to vote by
22 mail can lead to increased voter participation.

23 (6) Allowing all voters the option to vote by
24 mail can reduce waiting times for those voters who
25 choose to vote at the polls.

1 (7) Voting by mail is preferable to many voters
2 as an alternative to going to the polls. Voting by
3 mail has become increasingly popular with voters
4 who want to be certain that they are able to vote no
5 matter what comes up on Election Day.

6 (8) No evidence exists suggesting the potential
7 for fraud in absentee balloting is greater than the
8 potential for fraud by any other method of voting.

9 (9) Many of the reasons which voters in many
10 States are required to provide in order to vote by
11 mail require the revelation of personal information
12 about health, travel plans, or religious activities,
13 which violate voters' privacy while doing nothing to
14 prevent voter fraud.

15 (10) State laws which require voters to obtain
16 a notary signature to vote by mail only add cost and
17 inconvenience to voters without increasing security.

18 **SEC. 3. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL**

19 **IN FEDERAL ELECTIONS.**

20 (a) **IN GENERAL.**—Subtitle A of title III of the Help
21 America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is
22 amended by inserting after section 303 the following new
23 section:

1 **“SEC. 303A. PROMOTING ABILITY OF VOTERS TO VOTE BY**
2 **MAIL.**

3 “(a) IN GENERAL.—If an individual in a State is eli-
4 gible to cast a vote in an election for Federal office, the
5 State may not impose any additional conditions or require-
6 ments on the eligibility of the individual to cast the vote
7 in such election by mail, except to the extent that the
8 State imposes a deadline for requesting the ballot and re-
9 lated voting materials from the appropriate State or local
10 election official and for returning the ballot to the appro-
11 priate State or local election official.

12 “(b) NOTICE AND OPPORTUNITY TO CURE DISCREP-
13 ANCY OR DEFECT.—

14 “(1) NOTICE AND OPPORTUNITY TO CURE DIS-
15 CREPANCY IN SIGNATURES.—If an individual sub-
16 mits a mail-in ballot or an absentee ballot and the
17 appropriate State or local election official determines
18 that a discrepancy exists between the signature on
19 such ballot and the signature of such individual on
20 the official list of registered voters in the State or
21 other official record or document used by the State
22 to verify the signatures of voters, such election offi-
23 cial, prior to making a final determination as to the
24 validity of such ballot, shall—

25 “(A) as soon as practical, but not later
26 than the next business day after such deter-

1 mination is made, make a good faith effort to
2 notify the individual by mail, telephone, and (if
3 available) text message and electronic mail
4 that—

5 “(i) a discrepancy exists between the
6 signature on such ballot and the signature
7 of the individual on the official list of reg-
8 istered voters in the State or other official
9 record or document used by the State to
10 verify the signatures of voters; and

11 “(ii) if such discrepancy is not cured
12 prior to the expiration of the third day fol-
13 lowing the State’s deadline for receiving
14 mail-in ballots or absentee ballots, such
15 ballot will not be counted; and

16 “(B) cure such discrepancy and count the
17 ballot if, prior to the expiration of the third day
18 following the State’s deadline for receiving mail-
19 in ballots or absentee ballots, the individual pro-
20 vides the official with information to cure such
21 discrepancy, either in person, by telephone, or
22 by electronic methods.

23 “(2) NOTICE AND OPPORTUNITY TO CURE MISS-
24 ING SIGNATURE OR OTHER DEFECT.—If an indi-
25 vidual submits a mail-in ballot or an absentee ballot

1 without a signature or submits a mail-in ballot or an
2 absentee ballot with another defect which, if left
3 uncured, would cause the ballot to not be counted,
4 the appropriate State or local election official, prior
5 to making a final determination as to the validity of
6 the ballot, shall—

7 “(A) as soon as practical, but not later
8 than the next business day after such deter-
9 mination is made, make a good faith effort to
10 notify the individual by mail, telephone, and (if
11 available) text message and electronic mail
12 that—

13 “(i) the ballot did not include a signa-
14 ture or has some other defect; and

15 “(ii) if the individual does not provide
16 the missing signature or cure the other de-
17 fect prior to the expiration of the third day
18 following the State’s deadline for receiving
19 mail-in ballots or absentee ballots, such
20 ballot will not be counted; and

21 “(B) count the ballot if, prior to the expi-
22 ration of the third day following the State’s
23 deadline for receiving mail-in ballots or absen-
24 tee ballots, the individual provides the official

1 with the missing signature on a form proscribed
2 by the State or cures the other defect.

3 This paragraph does not apply with respect to a de-
4 fect consisting of the failure of a ballot to meet the
5 applicable deadline for the acceptance of the ballot
6 under State law.

7 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
8 tion shall be construed to affect the authority of States
9 to conduct elections for Federal office through the use of
10 polling places at which individuals cast ballots on the date
11 of the election.

12 “(d) EFFECTIVE DATE.—A State shall be required
13 to comply with the requirements of this section with re-
14 spect to elections for Federal office held in years beginning
15 with 2026.”.

16 (b) CONFORMING AMENDMENT RELATING TO EN-
17 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
18 is amended by striking “and 304” and inserting “303A,
19 and 304”.

20 (c) CLERICAL AMENDMENT.—The table of contents
21 for such Act is amended by inserting after the item relat-
22 ing to section 303 the following new item:

“Sec. 303A. Promoting ability of voters to vote by mail.”.

○