

American Coronavirus/COVID-19 Election Safety and Security Act (ACCESS Act)

The **ACCESS Act** protects the right of every American to cast a ballot, even in the event of an emergency. A free and fair democracy is the bedrock of our system of government. Even in times of natural disasters or pandemics, Americans must be able to cast their ballots and have confidence that their ballots will be counted.

- **State emergency planning** – requires states and jurisdictions responsible for administering elections for Federal office to establish and make publicly available a contingency plan to enable Americans to vote during a declared state of emergency, including for reasons of a natural disaster or infectious disease. States and jurisdictions are required to update these plans at least every 5 years.
- **Expands early voting** – gives voters greater opportunities to cast their ballot by increasing opportunities for early voting, setting a nationwide minimum of 15 consecutive days of early voting prior to a Federal election, including weekends.
- **Increased access to vote-by-mail** – establishes a nationwide standard allowing every voter to vote by absentee ballot without requiring the voter to provide an excuse and prohibits states from imposing restrictions (such as notarization) on a voter’s ability to cast a ballot by mail (“no-excuse” absentee voting). The bill also requires voters be given the opportunity to cure any signature mismatch issues before their ballot is not counted. Voters must be allowed to request an absentee ballot online.
- **Emergency vote-by-mail** – in the event of an emergency or disaster that occurs 120 to 30 days before an election, the state or local election official shall transmit absentee ballots and balloting materials with a self-sealing envelope and prepaid return postage to every registered voter at least 2 weeks before the election.
- **Returning ballots** – any ballot postmarked on or before the date of the election must be accepted as meeting the ballot return deadline. A voter may return their ballot to a

polling place on election day or deliver it to a designated ballot drop-off location. Voters may also designate a person to return a voted and sealed ballot to designated locations, including the post office.

- **Electronic delivery of absentee ballots** – in the event of an emergency that occurs within days of an election, the bill outlines the criteria and circumstances under which a state shall electronically transmit blank absentee ballots to otherwise eligible voters.
- **Ballot tracking system** – requires states to establish an absentee ballot tracking program for Federal elections.
- **Prepaid postage** – ballots cast by mail shall be provided with prepaid postage.
- **Increasing access to voter registration** – requires the availability of online voter registration and allows for the correction of existing registration information.
- **Same day voter registration** – requires states to permit eligible citizens to register to vote and cast ballots on the day of a Federal election, including on early voting days.
- **Accommodations for voters residing on Indian lands** – given the widespread lack of residential mail delivery in Indian Country, the bill allows Indian Tribes to designate buildings as ballot pick-up and collection locations, at no cost to the Indian Tribes. The bill requires states or political subdivisions to provide mail-in and absentee ballots to registered voters who reside on Indian lands without requiring a residential address or an absentee ballot request. The bill also allows the use of a designated building as a residential and mailing address for voters, as well as expands language protections.
- **Payments to states** – makes funds available to states to cover the costs of complying with the bill. The bill also requires a pass-through of funds to local jurisdictions and Tribal governments.
- **Public education campaigns** – provides funding to states to cover the costs of educating the public about the requirements of the ACCESS Act.
- **Risk-limiting audits** – makes available an additional \$20 million in grant money to states that choose to implement risk-limiting audits.