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(Original Signature of Member)

109TH CONGRESS
2D SESSION

H. R. _____

To amend the Help America Vote Act of 2002 to reimburse jurisdictions for amounts paid or incurred in preparing, producing, and using contingency paper ballots in the November 7, 2006, Federal general election.

IN THE HOUSE OF REPRESENTATIVES

Mr. HOLT introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Help America Vote Act of 2002 to reimburse jurisdictions for amounts paid or incurred in preparing, producing, and using contingency paper ballots in the November 7, 2006, Federal general election.

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 “Confidence in Voting
5 Act of 2006”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that a bipartisan report by former At-
3 torney General Richard Thornburgh and former Governor
4 Richard Celeste concluded that “it will be essential this
5 year that jurisdictions have backup and contingency plans
6 that anticipate a wide range of possible failures in their
7 electronic voting systems”, and that contingency paper
8 ballots provide a sufficient backup plan for the failure of
9 such systems.

10 **SEC. 3. REIMBURSEMENTS FOR CONTINGENCY PAPER BAL-**
11 **LOTS.**

12 (a) REIMBURSEMENT.—Part 1 of subtitle D of title
13 II of the Help America Vote Act of 2002 (42 U.S.C.
14 15401 et seq.) is amended by inserting after section 257
15 the following new section:

16 **“SEC. 257A. PAYMENTS FOR CONTINGENCY PAPER BAL-**
17 **LOTS FOR THE 2006 GENERAL ELECTION.**

18 “(a) IN GENERAL.—The Commission shall pay to
19 each jurisdiction that conducts a general election on No-
20 vember 7, 2006, and uses a voting system other than an
21 optical scan or other paper ballot voting system in such
22 election an amount equal to the documented costs paid
23 or incurred by such jurisdiction for the preparation, pro-
24 duction, and use of contingency paper ballots for such
25 election, but not to exceed 75 cents for each contingency
26 paper ballot printed by such jurisdiction for such election.

1 “(b) REQUIREMENTS.—No payment shall be made
2 under subsection (a) unless the jurisdiction—

3 “(1) permits an individual, upon request, to
4 cast a vote by means of a contingency paper ballot
5 without regard to the means of voting otherwise
6 specified in the jurisdiction where such individual
7 votes;

8 “(2) posts, in a conspicuous manner at the poll-
9 ing place, a notice stating that contingency paper
10 ballots are available at the polling place and that a
11 voter may request to use such a ballot at the voter’s
12 discretion; and

13 “(3) treats each such contingency paper ballot
14 cast by a voter as a regular ballot cast in the elec-
15 tion and counts it accordingly, and does not treat it
16 as a provisional ballot under section 302(a), unless
17 the ballot is cast by an individual described in such
18 section who is permitted to cast a provisional ballot
19 in accordance with such section.

20 “(c) AMOUNTS.—There are authorized to be appro-
21 priated to the Commission such sums as may be necessary
22 for payments under subsection (a). Any amounts appro-
23 priated pursuant to the authorization under this sub-
24 section shall remain available until expended.”.

1 (b) CONFORMING AMENDMENT.—The table of sec-
2 tions of the Help America Vote Act of 2002 is amended
3 by inserting after the item relating to section 257 the fol-
4 lowing new item:

“Sec. 257A. Payments for contingency paper ballots for the 2006 general elec-
tion.”.