



The Accessible Voting Act

Introduced by Senators Bob Casey (Chairman – U.S. Senate Special Committee on Aging) and Amy Klobuchar (Chairwoman – U.S. Senate Committee on Rules & Administration)

Why do we need the Accessible Voting Act?

Almost a quarter of the electorate was 65 years old or older in 2020, and an estimated 17.7 million citizens with disabilities reported voting in November 2020. The National Congress of American Indians found that the turnout rate for Native Americans and Alaska Native registered voters is between 5 to 14 percent lower than turnout rates of other racial and ethnic groups. There are nearly 26,000,000 individuals in the United States with limited English proficiency. These communities represent a large part of the electorate, but their voting needs are often overlooked.

Despite federal laws requiring accessible voting places and procedures, barriers for people with disabilities and older adults still exist. A study by the Government Accountability Office found that deficiencies in architectural and voting booth access resulted in only 17 percent of polling places being fully accessible in 2016. A report to the Election Assistance Commission found that in 2020 people with disabilities encountered difficulties voting at double the rate compared to people without disabilities. Many older Americans are unable to secure transportation to the polls, and it can be challenging for them to stand in long lines to cast their ballot. In 2017, the Native American Voting Rights Coalition found that the distance needed to travel to polling locations and drop off boxes for absentee ballots greatly affected the ability of Native Americans to cast ballots.

A number of strong voting rights bills have been introduced in Congress, but barriers to voting by members of the communities noted above remain. A strong legislative focus on the voting needs of older adults, the disability community, Native Americans, Alaska Natives, and individuals with limited English proficiency is necessary to ensure they can exercise their right to vote.

What will the Accessible Voting Act do?

- **Establish the Office of Accessibility** within the Election Assistance Commission to support and oversee state efforts to expand voter accessibility and serve as a resource for advocates and voters.
- **Establish a new state grant program** for the Office of Accessibility to administer for the improvement of accessibility when registering to vote, voting by absentee ballot and casting a ballot in person.
- **Provide up-to-date voting information and resources**, through easily accessible websites, to ensure voters know how to register to vote, cast an absentee ballot and are able to find help if their right to vote is challenged.
- **Expand the number of options to cast a ballot** in federal elections to ensure older voters and voters with disabilities can utilize the voting option most accessible for them.
- **Create a national resource center on accessible voting** to conduct cultural competency trainings for election officials and poll workers to create truly accessible voting systems.
- **Re-authorize grants to states**, through the U.S. Department of Health and Human Services, to improve voting accessibility for older Americans and people with disabilities.

Endorsements:

Association of University Centers on Disabilities, Autism Society of America, Christopher and Dana Reeve Foundation, National Association of the Deaf, National Council on Independent Living, National Disability Rights Network, The Arc of the United States, United Spinal Association, Epilepsy Foundation, Paralyzed Veterans of America, Association of Assistive Technology Act Programs, Diverse Elders Coalition, National Association of Councils on Developmental Disabilities, Blinded Veterans Association, National Disability Institute, Disability Victory, New Disabled South, RespectAbility, Bazelon Center for Mental Health Law, National Coalition on Accessible Voting, Progressive Turnout Project, League of Women Voters of the United States

Co-sponsors:

Senators Klobuchar, Gillibrand, Welch, Van Hollen, Cardin, Merkley, Sanders, Markey, Baldwin, Duckworth, Fetterman, Hirono, Blumenthal

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Section-By-Section Summary

Title I – Election Assistance Commission Office of Accessibility

Section 101 – Establishment of the Election Assistance Commission Office of Accessibility

Establishes an Office of Accessibility to support and oversee State efforts to expand voter accessibility and serve as a resource for advocates and voters.

Section 102 – National Resource Center on Accessible Voting

Establishes a national resource center to provide cultural competency training to election officials and poll workers on how to create a truly accessible polling place and provide a private and independent ballot.

Section 103 – Establishment of a National Voter Accessibility Website

Establishes a website administered by the Office of Accessibility to track the accessibility of online voter information nationwide and assist individuals in registering to vote and cast a ballot.

Title II – State Requirements and Payments

Section 201 – Establishment and Maintenance of State Accessible Election Websites

Provides money to States to maintain accessible websites to provide information about the voting process.

Section 202 – Designation of Single State Office to Provide Voter Accessibility Information

Ensures States coordinate accessible voting information and procedures through a single office.

Section 203 – Transparency Regarding Changes to State Election Laws

Requires States to ensure changes to procedures to register to vote, including polling locations, or cast a vote be communicated to the public in accessible formats.

Section 204 – Requirements to Promote Access to Voter Registration and No-Excuse Absentee Voting

Requires States to provide accessible means to register to vote online, vote by no-excuse absentee ballot and cast a private and independent ballot.

Section 205 – Protections for In-Person Voting

Promotes options to address long lines and the use of mobile polling sites, as an addition to fully accessible polling places.

Section 206 – Protections for Individuals Subject to Guardianship

Ensures the right to vote for individuals subject to guardianship is not arbitrarily removed.

Sections 207 and 208 – Payments to States for Implementation of Accessibility Requirements; and Amendments on Voluntary Guidance and Enforcement

Authorizes states to receive \$100 million in accessibility grants every 2 years to implement voter accessibility upgrades and incorporates new accessibility requirements into EAC guidance and enforcement.

Title III – Federal Assistance

Sections 301 and 302 – Reauthorization and Creation of Grant Programs to Assure Voting Access

Expands grants available through the Department of Health and Human Services to States to improve and increase accessible voter registration, absentee voting, and in-person voting procedures. Provides funding through the EAC to develop accessible and secure remote voting systems for individuals with disabilities.

Section 303 – Appointments to the Election Assistance Commission Board of Advisors

Ensures that the disability community and older individuals are represented on the EAC Board of Advisors.

Section 304 – Removal of Limitation on Voter Access Litigation by Protection and Advocacy Systems

Permits Protection and Advocacy Systems to participate in litigation regarding voting access.