

IN THE SENATE OF THE UNITED STATES

S. 2



ELECTORAL REFORM AND VOTING RIGHTS ACT OF 2021

Authored and sponsored by Senator ItsZippy23 (D-AC)

Co-sponsored in the Senate by Senate Majority Leader cubascastrodistrict (D-FR), President Pro Tempore polkadot48 (D-GA), and Senators /u/alpal2214 (D-DX), Entrapta12 (D-SP), and Nazbol909 (D-SP)

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Co-sponsored in the House by Speaker of the House brihimia (D-DX-4) and Representatives imNotGoodAtNaming (D-AC-1), Anacornda (D-AC-2), Jaccobei (D-GA-3), CryDefiance (D-DX-1), skiboy625 (D-SP-2), NeatSaucer (D-US), and ThatOneNarcissist (D-US)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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(a) The table of contents for this piece of legislation is as follows:

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SECTION 2: SHORT TITLE

- (a) This piece of legislation may be cited as the “Electoral Reform and Voting Rights Act of 2021.”

SECTION 3: CONSTITUTIONAL AUTHORITY

- (a) Congress finds that it has the authority to regulate the time, place, and manner of congressional elections under the Elections Clause of the Constitution, Article I, Section 4, Clause 1
- (b) Congress finds that it has authority pursuant to section 5 of the Fourteenth Amendment to legislate to enforce the provisions of the Fourteenth Amendment to the Constitution.

SECTION 4: DEFINITIONS

- (a) In this Act, unless otherwise specified, the following terms have the following meanings—
 - (i) Public official is defined as any person either holding an elected position or a position which was appointed by an elected official.
 - (ii) Election is defined as a formal and organized choice by vote of a person for a political office or other position
 - (iii) Voter refers to a person who votes or has the right to vote at an election.
 - (iv) Federal Election Commission, or FEC, is defined as in [52 U.S. Code § 30106](#)

SECTION 5: ENACTMENT AND SEVERABILITY

- (a) This piece of legislation shall come into effect 90 days after its enactment.
- (b) This piece of legislation shall operate notwithstanding any other provision of law to the contrary.
- (c) If any one or more section, subsection, sentence, clause, phrase, word, provision or application of this piece of legislation shall for any person or circumstance be held to be illegal, invalid, unenforceable, and or or unconstitutional, such decision shall not affect the validity of any other section, subsection, sentence, clause, phrase, word, provision or application of this piece of legislation which is operable without the offending section, subsection, sentence, clause, phrase, word, provision or application shall remain effective notwithstanding such illegal, invalid, unenforceable, and or or unconstitutional section, subsection, sentence, clause, phrase, word, provision or application, and every section,

subsection, sentence, clause, phrase, word, provision or application of this piece of legislation are declared severable. The legislature hereby declares that it would have passed each part, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase, word, provision or application be declared illegal, invalid, unenforceable, and or or unconstitutional.

TITLE I—

SECTION 101: SHORT TITLE

- (a) This title may be cited as the “John Lewis Voting Rights Act of 2021.”

SECTION 102: FINDINGS AND PURPOSE

- (a) The Congress of the United States here assembled does find that—
- (i) All citizens should have the ability to vote
 - (ii) Allowing lower voter registration ages will allow more young people to participate in the democratic process
 - (iii) Voter identification laws allow people to be turned away from the polls for not having correct identification.
- (b) The purpose of this title is to make the democratic process more equitable and fair for everyone.

SECTION 103: ACCESSIBILITY AT POLLING PLACES

Section 3 of the [Voting Accessibility for the Elderly and Handicapped Act](#) is amended by—

- (1) inserting the following text after subsection (a):
- (b) *Electronic voting.*** Any polling place which employs electronic voting machines which are not fully accessible to all handicapped voters, especially but not limited to those voters with mobility and visual impairments, must provide for the casting of a paper ballot upon request by any eligible voter.
- (2) relettering all following subsections by an increment of one; and
- (3) in subsection (c), substitute “Subsections (a) and (b)” for “Subsection (a)”.

SECTION 104: VOTER REGISTRATION OF MINORS

Section 8 of the National Voter Registration Act of 1993 () is amended to read as follows:

- (1) by redesignating subsection (k) as subsection (l); and
- (2) By inserting subsection (j) as follows:

(k) Acceptance Of Applications From Individuals Under 18 Years Of Age.—

- (1) A State may not refuse to accept or process an individual’s application to register to vote in elections for Federal office on the grounds that the individual is under 18 years of age at the time

the individual submits the application, so long as the individual is at least 16 years of age at such time.

(2) Nothing in paragraph (1) may be construed to require a State to permit an individual who is under 18 years of age at the time of an election for Federal office to vote in the election.

SECTION 105: VOTER IDENTIFICATION REFORM

Section 2 of the Voting Rights Act of 1965 shall be amended to read as follows:

- (a) “No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote ~~on account of race or color~~, besides:
 - (i) An identification issued by the federal government, such as;
 - (i) A United States Passport;
 - (ii) A birth certificate;
 - (iii) A social security card;
 - (iv) A Department of Defense Identification Card;
 - (v) Any other form of federally issued identification card, such as a medicare enrollment card; or
 - (b) An identification issued by a state government, such as;
 - (i) A birth certificate;
 - (ii) A driver’s license;
 - (iii) Student identification, if the voter is a member in education;
 - (iv) Any other form of identification provided by the state; or
 - (c) A federal voter identification card, which shall be distributed to all voters which details;
 - (i) The full legal name of the voter;
 - (ii) The birth date;
 - (iii) A gender discriminator of M,F, or X;
 - (iv) The current address of the voter;
 - (v) The issued date of the card; and
 - (vi) The expiration date of the card.

(b) It shall be unlawful for any form of voter identification to detail partisan affiliation of the voter.”

SECTION 106. AUTOMATIC VOTER REGISTRATION

[52 U.S. Code § 20504](#), subsections (a), (b), and (c) are amended to read as follows—

- (a)
- (i) Each State motor vehicle ~~driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application~~ authority shall transmit the personal information as defined in paragraph (2) of this subsection of any individual to the appropriate State election official.
 - (ii) ~~An application for voter registration submitted under paragraph (1) shall be considered as updating any previous voter registration by the applicant~~ Personal information for the of this section is defined as
 - (1) Legal name;
 - (2) Age;
 - (3) Address of residence
 - (4) Citizenship status; and,
 - (5) Electronic signature.
- (b) No **such personal information, including but not limited to citizenship status, relating to the failure of an applicant for a State motor vehicle driver's license to sign a voter registration application may be used for any purpose other than voter registration, including but not limited to commercial purposes or criminal prosecution.**
- (c) Upon receipt of such personal information, the State election official shall issue a statement to the individual that, unless the election official is notified within thirty days that the individual does not wish to be registered to vote, the individual shall be considered to have completed and submitted a voter registration application.

SECTION 107. SAME DAY REGISTRATION

[52 U.S. Code § 21081](#) is amended by adding a new subsection (e) to read as follows—

(e) Each state shall permit any individual who is qualified to vote in such election on any day when voting is permitted for a federal election to register to vote and cast a vote in such election at any polling place in their state of residence.

SECTION 108. ONLINE VOTER REGISTRATION

(a) [52 U.S. Code](#) is amended by adding a new section 20506a to read as follows—

- (a) A State election official of every state must make available on their official public internet website the following services—

- (i) Online voter registration applications;
 - (ii) Online submissions for completed voter registration applications; and,
 - (iii) Online submissions to update the registration information of any registered voter, including but not limited to the voter's address.
- (b) A State shall accept an online voter registration application and ensure that the individual who submitted such application is registered to vote as long as such individual meets the following requirements—
 - (i) The individual has submitted with their application their electronic signature; and
 - (ii) The individual meets all requirements to register to vote by mail using the mail voter registration application form.
- (c) No later than seven days after the appropriate State election official has approved or rejected an online voter registration application, the official shall send the submitter a notice that includes whether the application was approved or rejected and, if it was rejected, the reason for rejection.

SECTION 109: PLAIN ENGLISH EXPLANATION

- (a) Title I, section 101 establishes the short title of this title.
- (b) Title I, section 102 outlines the findings of the Congress and the purpose of Title I of this piece of legislation.
- (c) Title I, section 103 improves accessibility for disabled people at polling places
- (d) Title I, section 104 allows registration for people under eighteen year old nationwide
- (e) Title I, section 105 reforms voter identification
- (f) Title I, section 106 automatically registers people to vote
- (g) Title I, section 107 allows same day voter registration
- (h) Title I, section 108 allows online voter registration

TITLE II—

SECTION 201: SHORT TITLE

- (a) This title may be cited as the “Improving Our Democracy Act of 2021.”

SECTION 202: FINDINGS AND PURPOSE

- (a) The Congress of the United States here assembled does find that—
- (1) Elections are more fair, equal, and representative of the public’s opinion when more people have access to vote
 - (2) During the 2020 Presidential Election, due to expanded mail-in and early voting, turnout was increased to record highs in the modern era.
 - (3) Electoral districts are sometimes drawn by political parties to increase chances in their own elections.
- (b) The purpose of this title is provide a strengthened and more equitable electoral system

SECTION 203: ELECTION DAY

[5 US Code § 6103 \(a\)](#) is amended to read as follows:

- (a) The following are legal public holidays:

New Year’s Day, January 1.

Birthday of Martin Luther King, Jr., the third Monday in January.

Washington’s Birthday, the third Monday in February.

Memorial Day, the last Monday in May.

Independence Day, July 4.

Labor Day, the first Monday in September.

First People’s Day, the second Monday in October.

Election Day, the first Tuesday in November

Veterans Day, November 11.

Thanksgiving Day, the fourth Thursday in November.

Christmas Day, December 25.

SECTION 204: INDEPENDENT REDISTRICTING

- (a) All districts used for federal elections shall be drawn by an independent commission to:
- (i) Provide an amount equal to the number in the most recent census
 - (ii) At least make one district as detailed in Section 2 of The Voting Rights Act of 1965 (79 Stat. 437; 52 U.S.C. 10301 et seq.)
 - (iii) Provide a fair and balanced map for elections

- (b) Each commission of seven shall be appointed for each state with a gender balance, as well as equal minority representation.

SECTION 205: BANNING OF MID-CYCLE REDISTRICTING

A State that has been redistricted for a congressional seat may not be redistricted again until after the next apportionment of Representatives under section 22(a) of the Act entitled ``An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 , unless a court requires the State to conduct such subsequent redistricting to comply with the Constitution of the United States, the Voting Rights Act of 1965 or the Constitution of the State.

SECTION 206: MAIL IN BALLOT EXPANSION

- (a) Each State shall, in all general, special, primary, and runoff elections for Federal office—
 - (i) establish a process by which registered or eligible voters may request an absentee postal ballot no less than 90 days before the election via both Internet and post;
 - (ii) prominently advertise in both English and other majority spoken languages in that state the process by which an absentee ballot may be obtained in a manner designed to reach a large number of voters;
 - (iii) approve any registered or eligible voter who submits an application which is received not less than 30 days before the election to cast an absentee ballot;
 - (iv) make all reasonable effort to ensure that all absentee ballots reach voters prior to Election Day;
 - (v) ensure that all otherwise valid absentee ballots postmarked for return by the date of the day of election are counted in final results; and
 - (vi) ensure that all absentee ballots may be mailed back to the State election board without need for the voter to purchase postage.

SECTION 207: EARLY VOTING

- (a) Each State shall allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, in the same manner as voting is allowed on such date which the election is occurring on.
- (b) The early voting period shall be open for forty-five (45) days before the date of the election, and close no less than two (2) days before but no more than five (5) days before the election.

SECTION 208: PLAIN ENGLISH EXPLANATION

- (a) Title II, section 201 establishes the short title of this title.
- (b) Title II, section 202 outlines the findings of the Congress and the purpose of Title II of this piece of legislation.
- (c) Title II, section 203 makes election day a public holiday
- (d) Title II, section 204 mandates redistricting by an independent commission
- (e) Title II, section 205 bans mid-cycle redistricting
- (f) Title II, section 206 expands mail-in voting
- (g) Title II, section 207 expands early voting

TITLE III—

SECTION 301: SHORT TITLE

- (a) This title may be cited as the “Government Ethics Act of 2021.”

SECTION 302: FINDINGS AND PURPOSE

- (a) The Congress of the United States here assembled does find that—
 - (i) After retiring from political office, many officeholders decide to enter lobbying
 - (ii) Governmental transparency is vital in regards to the accountability of the government
 - (iii) Insider trading, or using classified information to make gains on investment, is not ethical
- (b) The purpose of this title is to strengthen ethics rules in the federal government.

SECTION 303: SERVING AS A LOBBYIST

- (a) Upon the ending of serving in Congress, it is forbidden for members to engage in lobbying activities for five years after leaving office.
- (b) Upon the end of serving as an official in the executive branch, either as an appointed official or as a member of the cabinet, is forbidden to serve as a lobbyist for five years after leaving office.
- (c) It shall be illegal for former Presidents and Vice Presidents of the United States to engage in any lobbying activities after leaving office.
- (d) It shall be illegal for any former federal judge to engage in any lobbying activities after leaving office.

SECTION 304: PRESIDENT AND VICE PRESIDENT TAX RETURN DISCLOSURE

- (a) 15 days after filing with the Federal Elections Commission, a candidate for President or Vice President of the United States, the Internal Revenue Service shall make public any tax returns of the candidate from the last ten years.

SECTION 305: BANNING OF INSIDER TRADING

- (a) The Securities Exchange Act of 1934 is amended by inserting after section 16 the following new section:

SECTION 16A: PROHIBITION OF INSIDER TRADING

- (a) It shall be unlawful for any person, directly or indirectly, to purchase, sell, or enter into, or cause the purchase or sale of or entry into, any security, security-based swap, or security-based swap agreement, while aware of material, nonpublic information relating to such security, security-based swap, or security-based swap agreement, or any nonpublic information, from whatever source, that has, or would reasonably be expected to have, a material effect on the market price of any such security, security-based swap, or security-based swap agreement, if such person knows, or recklessly disregards, that such information has been obtained wrongfully, or that such purchase or sale would constitute a wrongful use of such information.

SECTION 306: PLAIN ENGLISH EXPLANATION

- (a) Title III, section 301 establishes the short title of this title.
- (b) Title III, section 302 outlines the findings of the Congress and the purpose of Title III of this piece of legislation.
- (c) Title III, section 303 puts restrictions on becoming a lobbyist after leaving political office
- (d) Title II, section 304 requires Presidential and Vice Presidential candidates to release tax returns
- (e) Title III, section 305 criminalizes the trading of stocks by federal employees and congresspeople.