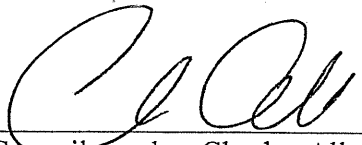
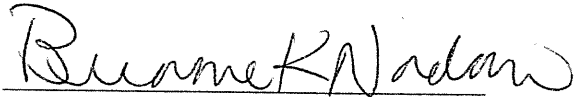


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2 Councilmember Charles Allen



Councilmember Brianne K. Nadeau

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5 Councilmember Robert C. White, Jr.



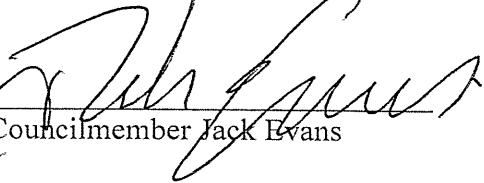
Councilmember Mary M. Cheh

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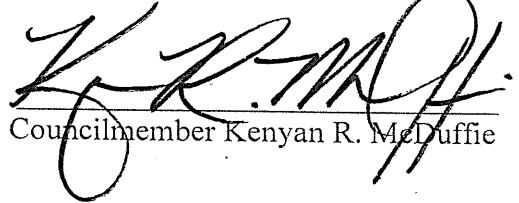
10 Councilmember Anita D. Bonds



Councilmember David Grosso

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13 

14 Councilmember Jack Evans



Councilmember Kenyan R. McDuffie

17
18 A BILL

19
20
21 _____
22 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
23
24
25 _____

26
27 To amend the District of Columbia District of Columbia Election Code of 1955 to require that
28 the Board of Election mail all registered qualified electors a ballot for primary, general,
29 special elections, recall initiative and referendums, and to allow registered qualified
30 electors to mail in their ballots for a three-week window before the selected election day
31 and require all ballots to be in the possession of the Board of Elections by the selected
32 date of election.

33
34 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
35 act may be cited as the "Vote by Mail Amendment Act of 2019".

36 Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69
37 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*) is amended as follows:

38 (a) Section 2 (D.C. Official Code §1-1001.02) is amended as follows:

39 (1) Paragraph (27)(C) is amended to read as follows:

40 "(C) Request a ballot by mail."

41 (2) Insert new paragraphs (31), (32), (33), and (34) to read as follows:

42 “(31) The term “ballot by mail” means the physical ballot received by a qualified
43 elector via mail.

44 “(32) The term “ballot deposit center” means a location selected by the Board
45 where qualified electors may deposit ballots in secrecy envelopes in a secured box in lieu of
46 returning the ballot by mail.

47 “(33) The term “polling place” means a site selected by the Board for qualified
48 electors to vote in person.

49 “(34) The term “vote by mail” means the act of voting by submitting a ballot via
50 mail delivery by a qualified elector.

51 (b) Section 5 (D.C. Official Code §1-1001.05) is amended as follows:

52 (1) Subsection (a) is amended as follows:

53 (A) Paragraphs (10) and (10A) are amended to read as follows:

54 “(10) Provide information regarding procedures for voter registration, and
55 instruction on returning ballots by mail to absent uniformed services and overseas qualified
56 electors in United States elections, accept valid voter registration applications and ballots,
57 including write in ballots from all of those qualified electors, and comply with the Uniformed
58 and Overseas Citizens Absentee Voting Act, approved August 28, 1966 (100 Stat. 924; 42
59 U.S.C. § 1973ff *et seq.*);

60 “(10A) Accept ballots by mail in the following circumstances:

61 “(A) Ballots mailed to the Board if received by the date of the election.

62 “(B) Ballots received by the date of the election by 8 p.m. in a ballot
63 deposit center or polling place.”.

64 (B) New paragraphs (20), (21), (22), (23), (24), and (25) are added to read
65 as follows:

66 “(20) Within 120 days after the effective date of the Vote by Mail Amendment
67 Act of 2019, as introduced on June 4, 2019, provide qualified voters with a ballot by mail for all
68 federal, general, primary, recall elections, and referendums; except that votes cast at polling
69 centers may be by paper ballots or by electronic or electromechanical voting systems.

70 “(21) Accept completed ballots that are returned by:

71 “(A) Mail delivery to the Board; or

72 “(B) Hand delivering the ballot to a ballot deposit center.

73 “(22) Provide a pre-addressed envelope with pre-paid postage for ballots to be
74 returned by mail.

75 “(23) Establish requirements and criteria for the designation of places of deposit
76 for the ballots cast in an election for 15 days prior to the election day. Ballot deposit centers shall
77 be available to the public for at least 10 hours each day.

78 “(24) Select the following types of polling places for early voting and ballot
79 deposit centers:

80 “(A) Recreation centers;

81 “(B) Libraries;

82 “(C) Other District government buildings; and

83 “(D) Any other locations accessible to the public and where ballots may be
84 secured.

85 “(25)(A) The Board shall issue rules on the location of the deposit center,
86 security, and collection and examination of the ballots.

87 “(B) The ballot deposit centers shall display clear signage and be listed on
88 the website of the Board of Elections.

89 “(C) The ballot deposit center shall be available to the public to deposit
90 ballots at least 15 days prior and including the day of the election.”.

91 (2) Subsection (j) is amended by striking the word “absentee”.

92 (c) Section 6(b) (D.C. Official Code §1-1001.06(b)) is amended by striking the word
93 “absentee”.

94 (d) Section 7(g)(3) (D.C. Official Code §1-1001.07(g)(3)) is amended by striking the
95 word “absentee” both times it appears.

96 (d) A new section 7a is added to read as follows:

97 “Sec. 7a. Polling places; vote by mail.

98 “(a) Polling places shall be open at a minimum for the 7 days period prior to and
99 including the day of the election; except that ballot deposit centers and polling places are may
100 not be available on Sundays.

101 “(b)(1) Each polling places shall provide:

102 “(A) The ability for an eligible elector to register to vote;

103 “(B) The ability for an eligible elector to cast a ballot;

104 “(C) The ability for an eligible voter to update their address;

105 “(D) Facilities and equipment are compliant with the federal Americans
106 with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 327; 42 U.S.C. 12101 *et seq.*),

107 as amended;

108 “(E) Voting booths;

109 “(G) Original and replacement ballots for distribution;

110 “(H) The ability to accept mail ballots that are deposited by electors; and

111 “(I) The ability of a person to cast a provisional ballot.

112 “(2) The rules shall specify the dates and times that polling places and ballot
113 deposit centers must be open and the security requirements for the places of deposit.

114 “(3) At each place of deposit designated under this section, the Board shall
115 prominently display a sign stating that the location is an official ballot drop site.

116 “(c)(1) The Board shall mail by non-forwardable mail an official ballot with a return
117 identification envelope and a secrecy envelope not later than the 45th day before the date of an
118 election to each active qualified elector of the electoral district as of that date.

119 “(2)(A) If the Board determines that a qualified elector of the electoral district as
120 of the 21st day before the date of the election did not receive the ballot by mail, the Board shall
121 attempt to contact the qualified elector and notify that person how he or she may obtain a ballot
122 to vote.

123 “(2)(B) A qualified elector to whom this subsection applies may request a ballot
124 from the Board and make alternate arrangements for receipt of ballot.

125 “(3) In the case of ballots to be mailed to known addresses outside the District to
126 qualified electors who are not military or overseas qualified electors, the Board shall mail the
127 ballots no later than the 45th day before the date of the election; provided, that qualified electors
128 may register to vote and be eligible to vote after the 45th day prior to an election.

129 “(e) For an election held on the date of a primary election:

130 “(1) The Board shall mail the official ballot of a major political party to each
131 qualified elector who is registered as being affiliated with the major political party as of the 46th
132 day before the date of the election.

133 “(2) The Board shall mail the official ballot of a major political party to a
134 qualified elector not affiliated with any political party if the qualified elector has applied for the
135 ballot as provided in this subsection and that party allows for a primary election that admits
136 qualified electors not affiliated with any political party.

137 “(f) For each qualified elector who updates a voter registration after the deadline, the
138 Board shall make the official ballot, the return identification envelope and the secrecy envelope
139 available either by mail or at the office of the Board or at another place designated by the Board.
140 A qualified elector to whom this subsection applies shall be required to request a ballot from the
141 Board.

142 “(g) The ballot shall contain the following warning:

143 “Any person who, by use of force or other means, unduly influences a qualified
144 elector to vote in any particular manner or to refrain from voting is subject to a fine.”

145 “(h)(1) Upon receipt of any ballot described in this section, the qualified elector shall
146 mark the ballot, sign the return identification envelope supplied with the ballot, and comply with
147 the instructions provided with the ballot.

148 “(2) The qualified elector may return the marked ballot to the Board by United
149 States mail or by depositing the ballot at the office of the Board or at any place of deposit
150 designated by the Board.

151 “(3) The ballot must be returned in the return identification envelope.

152 “(i) A ballot must be received at the office of the Board or at the designated place of
153 deposit not later than close of the polls on the date of the election.

154 “(j) A qualified elector may obtain a replacement ballot if the ballot is destroyed, spoiled,
155 lost or not received by the qualified elector.

156 “(1) Replacement ballots shall be issued and processed as described in this
157 section.

158 “(2) The Board shall keep a record of each replacement ballot provided under this
159 subsection.

160 “(3) Notwithstanding any deadline for mailing ballots in subsection (b) of this
161 section, a replacement ballot may be mailed, made available in the office of the Board. A
162 replacement ballot need not be mailed after the seventh day before the date of the election.

163 “(k) A ballot by mail shall be counted if:

164 “(1) It is returned in the return identification envelope;

165 “(2) The envelope is signed by the qualified elector to whom the ballot is issued;

166 and

167 “(3) The signature is verified as provided in subsection (l) of this section.

168 “(j) The Board shall verify the signature of each qualified elector on the return
169 identification envelope with the signature on the qualified elector’s registration record, according
170 to the procedure provided by rules adopted by the Board. If the Board determines that a qualified
171 elector to whom a replacement ballot has been issued has voted more than once, the Board shall
172 count only one ballot cast by that qualified elector.

173 “(k) At 8 p.m. on election day, qualified electors who are at the office of the Board, in
174 line to deposit a ballot at a designated ballot depositing center, or those who are in line waiting to
175 vote at a polling center shall be considered to have begun the act of voting.”.

176 Sec 3. Section 105(c)(2) of the Address Confidentiality Act of 2018, effective July 3,
177 2018 (D.C. Law 22-118; D.C. Official Code § 4-555.05(c)(2)) is amended by striking the word
178 “absentee” in subsection (c)(2) and inserting the word “mailed” in its place.

179 Sec. 4. Fiscal impact statement.

180 The Council adopts the fiscal impact statement in the committee report as the fiscal
181 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
182 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

183 Sec. 5. Effective date.

184 This act shall take effect following approval by the Mayor (or in the event of veto by the
185 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
186 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
187 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
188 Columbia Register.