

[DISCUSSION DRAFT]118TH CONGRESS
2D SESSION**H. R.** _____

To amend the Internal Revenue Code of 1986 to prohibit 501(c)(3) organizations from providing direct funding to official election organizations and to amend the Help America Vote Act of 2002 to prohibit the District of Columbia from receiving or using funds or certain donations from private entities for the administration of a District of Columbia election, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to prohibit 501(c)(3) organizations from providing direct funding to official election organizations and to amend the Help America Vote Act of 2002 to prohibit the District of Columbia from receiving or using funds or certain donations from private entities for the administration of a District of Columbia election, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **[SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “_____ Act”.]

3 **SEC. 2. 501(c)(3) ORGANIZATIONS PROHIBITED FROM PRO-**
4 **VIDING DIRECT FUNDING TO ELECTION OR-**
5 **GANIZATIONS.**

6 (a) IN GENERAL.—Section 501(c)(3) of the Internal
7 Revenue Code of 1986 is amended—

8 (1) by striking “and which does not partici-
9 pate” and inserting “which does not participate”,
10 and

11 (2) by striking the period at the end and insert-
12 ing “, and which does not provide below-cost serv-
13 ices, scholarships, subsidies, or direct, in-kind, or in-
14 direct funding to official election organizations, in-
15 cluding any State or local government entity or any
16 government election organization.”.

17 (b) RULE OF CONSTRUCTION.—Nothing in the
18 amendments made by subsection (a) shall be construed to
19 prevent a house of worship, community center, or similar
20 private or public facility from serving as a polling place
21 in an election for public office.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to funding provided in taxable
24 years beginning after December 31, 2025.

1 **SEC. 3. PROHIBITION AGAINST THE RECEIPT OR USE OF**
2 **FUNDS OR CERTAIN DONATIONS FROM PRI-**
3 **VATE ENTITIES WITH RESPECT TO DISTRICT**
4 **OF COLUMBIA ELECTIONS.**

5 (a) SHORT TITLE.—This section may be cited as the
6 “American Confidence in Elections: Protect District of
7 Columbia Election Administration Act”.

8 (b) REQUIREMENTS.—Title III of the Help America
9 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

10 (1) by redesignating sections 304 and 305 as
11 sections 305 and 306, respectively; and

12 (2) by inserting after section 303 the following
13 new section:

14 **“SEC. 304. PROHIBITION AGAINST THE RECEIPT OR USE OF**
15 **FUNDS OR CERTAIN DONATIONS FROM PRI-**
16 **VATE ENTITIES FOR THE ADMINISTRATION**
17 **OF A DISTRICT OF COLUMBIA ELECTION.**

18 “(a) IN GENERAL.—The District of Columbia may
19 not solicit, receive, or expend any payment or donation of
20 funds, property, or personal services from a private entity
21 for the purpose of the administration of a District of Co-
22 lumbia election, including any programs with respect to
23 voter education, voter outreach, and voter registration.

24 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion shall be construed to prevent a house of worship, com-
26 munity center, or similar private or public facility from

1 serving as a polling place in a District of Columbia elec-
2 tion.

3 “(c) DISTRICT OF COLUMBIA ELECTION DEFINED.—
4 In this section, the term ‘District of Columbia election’
5 means any election for public office in the District of Co-
6 lumbia, including an election for Federal office, and any
7 ballot initiative or referendum.”.

8 (c) CONFORMING AMENDMENT RELATING TO EN-
9 FORCEMENT.—Section 401 of the Help America Vote Act
10 of 2002 (52 U.S.C. 21111) is amended by striking “and
11 303” and inserting “303, and 304”.

12 (d) CLERICAL AMENDMENT.—The table of contents
13 of such Act is amended—

14 (1) by redesignating the items relating to sec-
15 tions 304 and 305 as relating to sections 305 and
16 306, respectively; and

17 (2) by inserting after the item relating to sec-
18 tion 303 the following new item:

“Sec. 304. Prohibition against the receipt or use of funds or certain donations
from private entities for the administration of a District of Co-
lumbia election.”.

19 (e) EFFECTIVE DATE.—The amendments made by
20 this section shall apply with respect to District of Colum-
21 bia elections held on or after **January 1, 2025?**. For
22 purposes of this section, the term “District of Columbia
23 election” has the meaning given such term in section 304

1 of the Help America Vote Act of 2002, as added by this
2 section.