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## SENATE JOINT RESOLUTION NO. 333

Offered January 12, 2005

Prefiled January 11, 2005

*Memorializing the Congress of the United States to provide full funding for states under the Help America Vote Act.*

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Patron—Devolites Davis

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Referred to Committee on Rules

WHEREAS, the Help America Vote Act of 2002 (HAVA), Pub. L. 107-252, was enacted by Congress and signed into law by President Bush on October 29, 2002; and

WHEREAS, this new law, based on recommendations by several national study commissions including the National Conference of State Legislatures' Election Reform Task Force, resulted from a consensus that the nation's electoral system needs improvements to ensure that every eligible voter has the opportunity to vote, that every vote will be counted that should be counted, and that no legal vote will be canceled by a fraudulent vote; and

WHEREAS, HAVA authorizes substantial amounts of federal aid to the states to fund the purchase of more reliable voting systems and mandates changes in the conduct of federal elections in all states to ensure greater access to the polls by individuals with disabilities, to provide more information for individuals who wish to vote, to ensure better training for poll workers, and to reduce the possibility of fraud; and

WHEREAS, the states' cost of HAVA implementation will exceed the amounts currently appropriated by Congress; and in the absence of federal funding, these additional costs will have to be absorbed by the states and may result in states reducing the number of polling places, decreasing the number of poll workers, and lessening voter education efforts; and

WHEREAS, Congress must honor its obligation to the states to provide sufficient funding under HAVA that will ensure that states are able to adequately implement all of HAVA's provisions even if such funding exceeds the initial appropriated amounts; and

WHEREAS, given the severe effect of the national economic slowdown on most states and the fact that many of the provisions of HAVA are federal mandates with which the states must comply whether or not federal money is provided, the underfunding of HAVA represents the imposition of expensive requirements on many states at the time when they are least able to afford such requirements; and

WHEREAS, failure to sufficiently fund HAVA will amount to a massive unfunded federal mandate on the states; and

WHEREAS, the General Assembly of Virginia recognizes both the pressing need for election reform and the great difficulty of effectuating such reforms without the funds promised by the federal government; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Congress of the United States be urged to provide full funding for states under the Help America Vote Act; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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