

(Pub. L. 107-252, title II, §254, Oct. 29, 2002, 116 Stat. 1694; Pub. L. 111-84, div. A, title V, §588(b)(1)(A), Oct. 28, 2009, 123 Stat. 2333; Pub. L. 112-74, div. C, title VI, §622(3), (4), Dec. 23, 2011, 125 Stat. 927.)

## REFERENCES IN TEXT

Subchapter III of this chapter, referred to in subsec. (a)(1), (3), (6)(A), was in the original “title III”, meaning title III of Pub. L. 107-252, Oct. 29, 2002, 116 Stat. 1704, which is classified principally to subchapter III (§15481 et seq.) of this chapter. For complete classification of title III to the Code, see Tables.

The Military and Overseas Voter Empowerment Act, referred to in subsec. (a)(14), is subtitle H (§§575-589) of title V of div. A of Pub. L. 111-84, Oct. 28, 2009, 123 Stat. 2318, which enacted sections 1973ff-2a, 1973ff-2b, 1973ff-4a, and 1973ff-7 of this title and section 1566a of Title 10, Armed Forces, amended sections 1973ff to 1973ff-2, 1973ff-3, 1973ff-4, 15401, 15403, 15404, and 15407 of this title, and enacted provisions set out as notes under sections 1971 and 1973ff to 1973ff-2 of this title. For complete classification of this Act to the Code, see Short Title of 2009 Amendment note set out under section 1971 of this title and Tables.

This chapter, referred to in subsec. (c)(1), was in the original “this Act”, meaning Pub. L. 107-252, Oct. 29, 2002, 116 Stat. 1666, known as the Help America Vote Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 15301 of this title and Tables.

## AMENDMENTS

2011—Subsec. (a)(11). Pub. L. 112-74 inserted “notice of” before “the change” in introductory provisions and subpar. (C).

2009—Subsec. (a)(14). Pub. L. 111-84 added par. (14).

### § 15405. Process for development and filing of plan; publication by Commission

#### (a) In general

The chief State election official shall develop the State plan under this part through a committee of appropriate individuals, including the chief election officials of the two most populous jurisdictions within the States, other local election officials, stake holders (including representatives of groups of individuals with disabilities), and other citizens, appointed for such purpose by the chief State election official.

#### (b) Publication of plan by Commission

After receiving the State plan of a State under this part, the Commission shall cause to have the plan posted on the Commission’s website with a notice published in the Federal Register.

(Pub. L. 107-252, title II, §255, Oct. 29, 2002, 116 Stat. 1697; Pub. L. 112-74, div. C, title VI, §622(1), Dec. 23, 2011, 125 Stat. 926.)

## AMENDMENTS

2011—Subsec. (b). Pub. L. 112-74 inserted “posted on the Commission’s website with a notice” after “cause to have the plan”.

### § 15406. Requirement for public notice and comment

For purposes of section 15401(a)(1)(C)<sup>1</sup> of this title, a State plan meets the public notice and comment requirements of this section if—

<sup>1</sup> See References in Text note below.

(1) not later than 30 days prior to the submission of the plan, the State made a preliminary version of the plan available for public inspection and comment;

(2) the State publishes notice that the preliminary version of the plan is so available; and

(3) the State took the public comments made regarding the preliminary version of the plan into account in preparing the plan which was filed with the Commission.

(Pub. L. 107-252, title II, §256, Oct. 29, 2002, 116 Stat. 1697.)

## REFERENCES IN TEXT

Section 15401(a)(1)(C) of this title, referred to in text, probably should be a reference to section 15403(b)(1)(C) of this title because there is no subsec. (a)(1)(C) in section 15401 and subsec. (b)(1)(C) of section 15403 relates to public notice and comment requirements of section 15406 of this title.

### § 15407. Authorization of appropriations

#### (a) In general

In addition to amounts transferred under section 15304(c) of this title, there are authorized to be appropriated for requirements payments under this subpart the following amounts:

(1) For fiscal year 2003, \$1,400,000,000.

(2) For fiscal year 2004, \$1,000,000,000.

(3) For fiscal year 2005, \$600,000,000.

(4) For fiscal year 2010 and subsequent fiscal years, such sums as are necessary for purposes of making requirements payments to States to carry out the activities described in section 15401(b)(3) of this title.

#### (b) Availability

Any amounts appropriated pursuant to the authority of subsection (a) of this section shall remain available without fiscal year limitation until expended.

(Pub. L. 107-252, title II, §257, Oct. 29, 2002, 116 Stat. 1697; Pub. L. 111-84, div. A, title V, §588(c), Oct. 28, 2009, 123 Stat. 2334.)

## AMENDMENTS

2009—Subsec. (a)(4). Pub. L. 111-84 added par. (4).

### § 15408. Reports

Not later than 6 months after the end of each fiscal year for which a State received a requirements payment under this subpart, the State shall submit a report to the Commission on the activities conducted with the funds provided during the year, and shall include in the report—

(1) a list of expenditures made with respect to each category of activities described in section 15401(b) of this title;

(2) the number and type of articles of voting equipment obtained with the funds; and

(3) an analysis and description of the activities funded under this subpart to meet the requirements of this chapter and an analysis and description of how such activities conform to the State plan under section 15404 of this title.

(Pub. L. 107-252, title II, §258, Oct. 29, 2002, 116 Stat. 1697.)

## REFERENCES IN TEXT

This chapter, referred to in par. (3), was in the original “this Act”, meaning Pub. L. 107-252, Oct. 29, 2002,