A BILL

To protect election workers and polling places.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Election Worker and
Polling Place Protection Act”.

SEC. 2. PROHIBITION ON INTERFERENCE AND INTIMIDA-
TION.

Section 11 of the Voting Rights Act of 1965 (52
U.S.C. 10307) is amended by adding at the end the fol-
lowing:

“(f)(1)(A) Whoever, whether or not acting under
color of law, by force or threat of force, or by violence
or threat of violence to any person or property, willfully interferes with or attempts to interfere with, the ability of any person or any class of persons to vote or qualify to vote, or to qualify or act as a poll watcher or as any legally authorized election official, in any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election, shall be fined not more than $2,500, or imprisoned not more than 6 months, or both.

“(B) Whoever, whether or not acting under color of law, by force or threat of force, or by violence or threat of violence to any person or property, willfully intimidates or attempts to intimidate, any person or any class of persons seeking to vote or qualify to vote, or to qualify or act as a poll watcher or as any legally authorized election official, in any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election, shall be fined not more than $2,500, or imprisoned not more than 6 months, or both.

“(C) If bodily injury results from an act committed in violation of this paragraph or if such act includes the
use, attempted use, or threatened use of a dangerous
weapon, an explosive, or fire, then, in lieu of the remedy
described in subparagraph (A) or (B), the violator shall
be fined not more than $5,000 or imprisoned not more
than 1 year, or both.

“(2)(A) Whoever, whether or not acting under color
of law, willfully physically damages or threatens to phys-
ically damage any physical property being used as a poll-
ing place or tabulation center or other election infrastruc-
ture, with the intent to interfere with the administration
of a primary, general, or special election or the tabulation
or certification of votes for such an election, shall be fined
not more than $2,500, or imprisoned not more than 6
months, or both.

“(B) If bodily injury results from an act committed
in violation of this paragraph or if such act includes the
use, attempted use, or threatened use of a dangerous
weapon, an explosive, or fire, then, in lieu of the remedy
described in subparagraph (A), the violator shall be fined
not more than $5,000 or imprisoned not more than 1 year,
or both.

“(3) For purposes of this subsection, de minimus
damage or a threat of de minimus damage to physical
property shall not be considered a violation of this sub-
section.
“(4) For purposes of this subsection, the term ‘election infrastructure’ means any office of a legally authorized election official, or a staffer, worker, or volunteer, assisting such an election official or any physical, mechanical, or electrical device, structure, or tangible item, used in the process of creating, distributing, voting, returning, counting, tabulating, auditing, storing, or other handling of voter registration or ballot information.

“(g) No prosecution of any offense described in subsection (f) may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

“(1) the State does not have jurisdiction;

“(2) the State has requested that the Federal Government assume jurisdiction; or

“(3) a prosecution by the United States is in the public interest and necessary to secure substantial justice.”.