

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa1249/1dn  
JTK:jld:jf

October 21, 2003

Representative Grothman:

Section 291 (a) of the federal Help America Vote Act of 2002 (HAVA) provides that the U.S. secretary of health and human services shall pay this state's protection and advocacy agency to ensure full participation in the electoral process for individuals with disabilities. It is possible that the time limitation imposed under this amendment could be considered to be in tension with this federal directive. If so, it may not be enforceable. As an alternative, you may wish to consider a restriction upon candidate- or issue-specific advocacy or partisan advocacy (which was not contemplated by HAVA) or an oversight or "sunshine" procedure, such as preparation or submittal of a plan or budget, a report itemizing actual expenditures made, or a periodic audit of activities or expenditures by the Legislative Audit Bureau.

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