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(Original Signature of Member)

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

To require States to hold special elections to fill vacancies in the House of Representatives not later than 180 days after a vacancy occurs in the House of Representatives, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. MENEFEE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To require States to hold special elections to fill vacancies in the House of Representatives not later than 180 days after a vacancy occurs in the House of Representatives, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Special Election Time-  
5       liness Act” or the “SET Act”.

1 **SEC. 2. REQUIRING SPECIAL ELECTIONS TO BE HELD TO**  
2 **FILL VACANCIES IN HOUSE.**

3 (a) IN GENERAL.—Section 26(a) of the Revised Stat-  
4 utes of the United States (2 U.S.C. 8(a)) is amended to  
5 read as follows:

6 “(a) IN GENERAL.—

7 “(1) SPECIAL ELECTION TO FILL VACANCY.—

8 Except as provided in subsection (b) and subject to  
9 the requirements under paragraph (2), the time for  
10 holding elections in any State, District, or Territory  
11 for a Representative or Delegate to fill a vacancy,  
12 whether such vacancy is caused by a failure to elect  
13 at the time prescribed by law, or by the death, res-  
14 ignation, or incapacity of a person elected, may be  
15 prescribed by the laws of the several States and Ter-  
16 ritories respectively.

17 “(2) DEADLINE FOR SPECIAL ELECTION.—A

18 special election to fill a vacancy under paragraph (1)  
19 shall occur not later than 180 days after the date  
20 the vacancy occurs, unless a regularly scheduled gen-  
21 eral election for the office involved is to be held at  
22 any time during the 180-day period which begins on  
23 the date the vacancy occurs.

24 “(3) CIVIL ENFORCEMENT.—

25 “(A) IN GENERAL.—The Attorney General  
26 may bring a civil action against the chief execu-

1           tive of the State concerned in an appropriate  
2           district court for such declaratory or injunctive  
3           relief as is necessary to carry out this sub-  
4           section.

5           “(B) PRIVATE RIGHT OF ACTION.—A per-  
6           son who is aggrieved by a violation of this sub-  
7           section, including the Speaker of the House of  
8           Representatives or the Minority Leader of the  
9           House, may bring a civil action against the  
10          chief executive of the State concerned in an ap-  
11          propriate district court for such declaratory or  
12          injunctive relief as may be necessary to carry  
13          out this subsection.

14          “(4) SPECIAL ELECTION DEFINED.—For pur-  
15          poses of this subsection, the term ‘special election’  
16          means an election for purposes of electing a can-  
17          didate to fill a vacancy described in paragraph (1)  
18          and does not include an election for purposes of  
19          nominating candidates to fill such a vacancy.”.