Prohibition on Paid Ballot Trafficking and Ballot Harvesting Ban

BACKGROUND

Mail-in voting is uniquely vulnerable to fraud and undue influence. In a polling place, strict rules regulate the handling of ballots and bar attempts to influence voters as they cast ballots. With mail voting, however, ballot traffickers have a relatively free hand to influence how citizens vote and harvesters can collect ballots virtually unchecked. Unsurprisingly, this has manifested in documented instances of tampering with ballots and inappropriately influencing voters, including our most vulnerable citizens.

The solution is two-fold: First, states should prohibit anyone from handling another voter's ballot unless he is the voter's relative, caregiver, or shares a dwelling. And second, states should target organized vote trafficking for-hire.

This problem is neither new nor resolved. Florida's well-documented history of problems with ballot brokers was the basis for its own recent ballot harvesting ban. The 1998 mayoral election for the city of Miami was riddled with mail ballot fraud ranging from stolen to falsely witnessed ballots. In 2008, investigators discovered one Florida ballot harvester had notebooks containing the names and addresses of more than 500 voters, most of whom were vulnerable voters. In 2018, an investigation revealed a political operative ran an operation so extensive it forced the state to hold a new election in North Carolina's 9th congressional district. Traffickers gathered hundreds of ballots and were instructed to collect blank or absentee ballots, forge signatures, and even fill in votes. In 2023, the mayoral primary in Bridgeport, Connecticut drew national attention after video footage showed individuals depositing stacks of ballots at a drop box, despite state restrictions on who could return ballots. Legal documents describe forged signatures and harvesters filling out ballots for voters. In 2025, multiple indictments were issued in Frio County, Texas alleging campaign operatives and elected officials engaged in vote harvesting. And in February 2026, Attorney General Marshall of Alabama announced three individuals were arrested for vote harvesting. Fraud like this erodes election integrity and weakens public confidence in the process.

KEY PROVISIONS

- The Ballot Harvesting Ban Act limits possession of absentee ballots to close family members, persons living in the same dwelling, election workers, lawful assistants, postal employees, and common carriers.
- The Prohibition on Paid Ballot Trafficking Act[1] defines vote harvesting services as in-person interaction with voters in the physical presence of a ballot that is intended to deliver votes for a particular candidate or measure. The act prohibits hiring or offering to hire a paid vote harvester, offering or providing paid vote harvesting services, and collecting or possessing a mail ballot in connection with vote harvesting services.

1 This model legislation is based on Texas law. See Tex. Elec. Code § 276.015. In 2021, Texas enacted a ban on paid vote harvesting. The Fifth Circuit upheld the law, recognizing the state's legitimate interests in protecting voters from confusion and undue influence, ensuring an individual's right to vote is not undermined by fraud, preserving the integrity of the election process, and preventing the pressure and intimidation common in third-party ballot collection.