

119TH CONGRESS
2D SESSION

H. R. 8581

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2026

Mr. MENEFEE (for himself, Mr. RASKIN, Ms. CLARKE of New York, Ms. NORTON, Mrs. BEATTY, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on House Administration

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.”.

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