

AMENDMENTS TO HOUSE BILL NO. 227

Sponsor: SENATOR PHILLIPS-HILL

Printer's No. 197

1 Amend Bill, page 1, line 13, by striking out the period after
2 "primaries" and inserting
3 ; in ballots, further providing for form of ballots, printing
4 ballots, stubs and numbers, for number of ballots to be printed
5 and specimen ballots and for record of ballots to be kept; in
6 electronic voting systems, further providing for forms, for
7 supplies, preparation of the voting system and of polling
8 places, for election day procedures and the process of voting
9 and for post election procedures; in preparation for and conduct
10 of primaries and elections, further providing for voter's
11 certificates, for manner of applying to vote, persons entitled
12 to vote, voter's certificates, entries to be made in district
13 register, numbered lists of voters and challenges, for admission
14 of electors within enclosed space, for ballots to be issued by
15 election officers only, ballots not to be removed and official
16 ballots only to be deposited or counted and for duties of
17 election officers after the close of the polls in districts in
18 which ballots are used; in voting by qualified absentee
19 electors, further providing for official absentee voters
20 ballots; in voting by qualified mail-in electors, further
21 providing for official mail-in elector ballots; and, in returns
22 of primaries and elections, further providing for computation of
23 returns by county board, certification and issuance of
24 certificates of election.

25 Amend Bill, page 4, line 23, by striking out all of said line
26 and inserting

27 Section 2. Sections 1004 and 1007(b) of the act, amended
28 October 31, 2019 (P.L.552, No.77), are amended to read:
29 Section 1004. Form of Ballots; Printing Ballots; [Stubs;]
30 Numbers.--From the lists furnished by the Secretary of the
31 Commonwealth under the provisions of sections 915 and 984, and
32 from petitions and papers filed in their office, the county
33 election board shall print the official primary and election
34 ballots in accordance with the provisions of this act: Provided,
35 however, That in no event, shall the name of any person
36 consenting to be a candidate for nomination for any one office,

1 except the office of judge of a court of common pleas, the
2 Philadelphia Municipal Court or the office of school director in
3 districts where that office is elective or the office of justice
4 of the peace be printed as a candidate for such office upon the
5 official primary ballot of more than one party. All ballots for
6 use in the same election district at any primary or election
7 shall be alike. They shall be at least six inches long and four
8 inches wide, and shall have a margin extending beyond any
9 printing thereon. They shall be printed with the same kind of
10 type (which shall not be smaller than the size known as
11 "brevier" or "eight point body") upon white paper of uniform
12 quality, without any impression or mark to distinguish one from
13 another, and with sufficient thickness to prevent the printed
14 matter from showing through. [Each ballot shall be attached to a
15 stub, and all] All the ballots for the same election district
16 shall be bound together in books of fifty, in such manner that
17 each ballot may be detached [from its stub] and removed
18 separately. The ballots for each party to be used at a primary
19 shall be bound separately. [The stubs of the ballots shall be
20 consecutively numbered, and in the case of primary ballots, the
21 number shall be preceded by an initial or abbreviation
22 designating the party name. The number and initial or
23 abbreviation which appears upon the stub shall also be printed
24 in the upper right hand corner of the back of the ballot,
25 separated from the remainder of the ballot by a diagonal
26 perforated line so prepared that the upper right hand corner of
27 the back of the ballot containing the number may be detached
28 from the ballot before it is deposited in the ballot box and
29 beside that corner shall also be printed, "Remove numbered stub
30 immediately before depositing your ballot in ballot box."]

31 Section 1007. Number of Ballots to Be Printed; Specimen
32 Ballots.--* * *

33 (b) The county board of each county shall also, in addition
34 to the number of ballots required to be printed for general
35 distribution, maintain a sufficient supply of such ballots at
36 the office of the county board for the use of absentee electors
37 or mail-in electors and for the use of any district, the ballots
38 for which may be lost, destroyed or stolen. They shall also
39 cause to be printed on tinted paper, and without the facsimile
40 endorsements[, or permanent binding [or stubs], copies of the
41 form of ballots provided for each polling place at each primary
42 or election therein, which shall be called specimen ballots, and
43 which shall be of the same size and form as the official
44 ballots, and at each election they shall deliver to the election
45 officers, in addition to the official ballots to be used at such
46 election, a suitable supply of specimen ballots for the use of
47 the electors. At each primary, a suitable supply of specimen
48 ballots of each party shall be furnished.

49 Section 3. Sections 1011 and 1109-A(f) of the act are
50 amended to read:

51 Section 1011. Record of Ballots to Be Kept.--The county

1 board shall keep a record of the number of official ballots
2 printed and furnished to each election district at each primary
3 and election, and of the number of [stubs,] unused ballots and
4 cancelled ballots subsequently returned therefrom, and also of
5 the disposition of the additional official ballots provided, as
6 required by section 1007 of this act.

7 Section 1109-A. Forms.--* * *

8 (f) Ballot cards, or the portion thereof on which the voter
9 registers his vote, shall be of a size, design and stock
10 suitable for processing by the automatic tabulating equipment
11 used in the voting system. [Each ballot card shall have an
12 attached serially numbered perforated stub, which shall be
13 removed by an election officer before the ballot card is
14 deposited in the district automatic tabulating equipment or in a
15 secure ballot box. The name of the county, and a facsimile of
16 the signature of the members of the county board shall be
17 printed on the ballot card stub.]

18 * * *

19 Section 4. Section 1110-A of the act is amended by adding a
20 subsection to read:

21 Section 1110-A. Supplies; Preparation of the Voting System
22 and of Polling Places.--* * *

23 (b.1) The county board of elections shall furnish supplies
24 to each election district which shall enable the voter to insert
25 the ballot into the district automatic tabulating equipment in
26 secret. The supplies shall be in the form and according to the
27 specifications prescribed by the Secretary of the Commonwealth.

28 * * *

29 Section 5. Sections 1112-A(b)(6), 1113-A(a), 1203, 1210(a.3)
30 (3) and (4), 1214(b), 1219, 1221 and 1303(a) of the act are
31 amended to read:

32 Section 1112-A. Election Day Procedures and the Process of
33 Voting.--* * *

34 (b) In an election district which uses an electronic voting
35 system which utilizes paper ballots or ballot cards to register
36 the votes, the following procedures will be applicable for the
37 conduct of the election at the election district:

38 * * *

39 (6) Following the completion of his vote, the voter shall
40 leave the voting booth and return the ballot to the election
41 officer by a means designed to insure its secrecy[; upon removal
42 of the stub of the ballot by the election officer,] as
43 prescribed by the Secretary of the Commonwealth; the voter shall
44 insert the ballot into the district automatic tabulating
45 equipment or, in the event district tabulation is not provided
46 for by the voting system or such district tabulation equipment
47 is inoperative for any reason, into a secure ballot box. [No
48 ballot card from which the stub has been detached shall be
49 accepted by the election officer in charge of such equipment or
50 ballot box, but it shall be marked "spoiled" and shall be placed
51 in the envelope marked "Spoiled Ballots."]

Section 1113-A. Post Election Procedures.--(a) As soon as the polls have been closed and the last elector has voted in districts having an electronic voting system which employs paper ballots or ballot cards, and district tabulation is provided for, the number of such ballots issued to electors (at primary elections, the number issued to the electors of each party)[, as shown by the stubs,] and the number of ballots (at primaries the number of ballots of each party), if any, spoiled and returned by voters and cancelled, shall be announced to all present in the polling place and entered on the general returns of votes cast at such primary or election. The district election officers shall then compare the number of names marked as voting in the district register, "Voting Check List" and numbered lists of voters, shall announce the result, and shall enter on the general returns the number of electors who have voted, as shown by the "Voter's Check List." Any differences which exist shall be reconciled where possible, and where reconciliation is not possible such differences shall be noted on the general returns. The district register, the "Voting Check [List,"] List" and the numbered lists of voters [and the stubs of all ballots used], together with all unused ballots, and all spoiled and cancelled ballots, and all rejected voters certificates shall then be placed in separate packages, containers or envelopes and sealed before the tabulation of any ballots.

* * *

Section 1203. Voter's Certificates.--At each primary and election each county board shall prepare a suitable number of voter's certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows:

Voter's Certificate

(Primary) (Election) 19....

I hereby certify that I am qualified to vote at this
(primary) (election)

Signature

Address

.....Pa.

Approved.....

Number [of stub of ballot issued or number] of admission to voting machines (and party, at primary).....

The voter's certificate shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county board. One such file or binder shall be furnished by the county board for each election district for each primary and election, and shall have printed or written thereon the words "Voting Check List," together with the number of the district and ward, if any, and the date of the primary or election.

Section 1210. Manner of Applying to Vote; Persons Entitled

1 to Vote; Voter's Certificates; Entries to Be Made in District
2 Register; Numbered Lists of Voters; Challenges.--* * *

3 (a.3) * * *

4 (3) When an elector has been found entitled to vote, the
5 election officer who examined his voter's certificate and
6 compared his signature shall sign his name or initials on the
7 voter's certificate, shall, if the elector's signature is not
8 readily legible, print such elector's name over his signature,
9 and [the number of the stub of the ballot issued to him or] his
10 number in the order of admission to the voting machines, and at
11 primaries a letter or abbreviation designating the party in
12 whose primary he votes shall also be entered by one of the
13 election officers or clerks.

14 (4) As each voter is found to be qualified and votes, the
15 election officer in charge of the district register shall write
16 or stamp the date of the election or primary, [the number of the
17 stub of the ballot issued to him or] his number in the order of
18 admission to the voting machines, and at primaries a letter or
19 abbreviation designating the party in whose primary he votes,
20 and shall sign his name or initials in the proper space on the
21 registration card of such voter contained in the district
22 register.

23 * * *

24 Section 1214. Admission of Electors Within Enclosed Space.--

25 * * *

26 (b) As soon as an elector has been admitted within the
27 enclosed space, the election officer having charge of the
28 ballots in districts in which ballots are used, shall detach a
29 ballot [from the stub] and give it to the elector, first folding
30 it so that the words and figures printed on the back shall be
31 the only words and figures visible, and no ballots shall be
32 deposited in the ballot box unless folded in the same manner.
33 Not more than one ballot shall be detached [from its stub] in
34 any book of ballots at any one time. Not more than one ballot
35 shall be given to an elector, but if an elector inadvertently
36 spoils a ballot, he may obtain another upon returning the
37 spoiled one. The ballots thus returned shall be immediately
38 cancelled and at the close of the polls shall be enclosed in an
39 envelope, sealed and returned to the county board.

40 * * *

41 Section 1219. Ballots to Be Issued by Election Officers
42 Only; Ballots Not to Be Removed; Official Ballots Only to Be
43 Deposited or Counted.--No official ballot shall be taken [or
44 detached from its stub in] from any book of ballots, except by
45 an election officer or clerk when a person desiring to vote has
46 been found to be a qualified elector entitled to vote. Not more
47 than one ballot shall be removed at any one time or given to an
48 elector, except in the case of a spoiled ballot as provided by
49 this act. No person other than the election officers shall take
50 or remove any ballot from the polling place. No ballot without
51 the official endorsement shall, except as herein otherwise

1 provided, be deposited in the ballot box, and no other ballots
2 shall be counted. If any ballot appears to have been obtained
3 otherwise than from the county board as provided by this act,
4 the same shall not be counted, and the judge of election shall
5 transmit such ballot to the district attorney without delay,
6 together with whatever information he may have regarding the
7 same.

8 Section 1221. Duties of Election Officers After the Close of
9 the Polls in Districts in Which Ballots are Used.--After the
10 polls are closed and the last elector has voted in districts in
11 which ballots are used, the election officers, clerks and
12 overseers, if any, shall remain within the enclosed space.
13 Before the ballot box is opened, the number of ballots issued to
14 electors (at primaries the number issued to the electors of each
15 party)[, as shown by the stubs,] and the number of ballots (at
16 primaries the number of ballots of each party), if any, spoiled
17 and returned by voters and cancelled, shall be announced to all
18 present in the voting room, and entered on the general returns
19 of votes cast at such primary or election. The election officers
20 shall then compare the number of electors voting [as shown by
21 the stubs] with the number of names marked as voting in the
22 district register, "Voting Check List," and numbered lists of
23 voters, shall announce the result, and shall enter on the
24 general returns the number of electors who have voted, as shown
25 by the "Voter's Check List." If any differences exist, they
26 shall be reconciled, if possible, otherwise they shall be noted
27 on the general returns. The district register, the "Voting Check
28 [List,"] List" and the numbered lists of voters [and the stubs
29 of all ballots used], together with all unused ballots, and all
30 spoiled and cancelled ballots, and all rejected voter's
31 certificates shall then be placed in separate packages,
32 containers or envelopes, and sealed, before the ballot box is
33 opened.

34 Section 1303. Official Absentee Voters Ballots.--(a) In
35 districts in which ballots are used, the ballots for use by such
36 absentee electors under the provisions of this act shall be the
37 official ballots printed in accordance with sections 1002 and
38 1003: Provided, however, That the county board of elections when
39 detaching the official ballots for absentee electors shall be
40 required to [indicate on the stub of each ballot so detached]
41 track the name of the applicant to which [that precise] a ballot
42 is being sent. The county board of elections shall also be
43 required to [remove the numbered stub from each such ballot and
44 shall thereupon] print, stamp or endorse in red color upon such
45 official ballots the words, Official Absentee Ballot. Such
46 ballots shall be distributed by such boards as hereinafter
47 provided.

48 * * *

49 Section 6. Section 1303-D(a.1) of the act, amended October
50 31, 2019 (P.L.552, No.77), is amended to read:
51 Section 1303-D. Official mail-in elector ballots.

1 * * *

2 (a.1) Duties of county boards of elections.--The county
3 board of elections, when detaching the official ballots for
4 mail-in voters, shall be required to [indicate on the stub of
5 each detached ballot] track the name of the applicant to which
6 [that precise] a ballot is being sent. The county board of
7 elections shall also [remove the numbered stub from each ballot
8 and shall] print, stamp or endorse in red color on the official
9 ballots the words, "Official Mail-in Ballot." The ballots shall
10 be distributed by a board as provided under this section.

11 * * *

12 Section 7. Section 1404(c) of the act is amended to read:

13 Section 1404. Computation of Returns by County Board;
14 Certification; Issuance of Certificates of Election.--

15 * * *

16 (c) The county board shall first publicly account for all
17 extra official ballots printed under the provisions of section
18 1007 of this act. The general returns made by the election
19 officers from the various election districts shall then be read
20 one after another in the usual order, slowly and audibly, by one
21 of the clerks who shall, in each case of a return from a
22 district in which ballots were used, read therefrom the number
23 of ballots (in the case of primaries the number of ballots of
24 each party) issued, spoiled and cancelled, and cast,
25 respectively, whereupon the clerk having charge of the records
26 of the county board showing the number of ballots furnished for
27 each election district, including the number of extra official
28 ballots as provided by section 1007 of this act as so furnished,
29 and the number of [stubs and] unused ballots and spoiled and
30 cancelled ballots returned, shall publicly announce the number
31 of the same respectively, and unless it appears by said number
32 or calculations therefrom that said records, and the said
33 general return correspond, no further returns shall be read from
34 the latter until all discrepancies are explained to the
35 satisfaction of the county board. In the case of districts in
36 which voting machines are used, there shall be read from the
37 general return the identifying number or other designation of
38 each voting machine used, the numbers registered on the
39 protective counter or device on each machine prior to the
40 opening of the polls and immediately after close of the same,
41 whereupon the clerk having charge of the records of the county
42 board showing the number registered on the protective counter or
43 device of each voting machine prior to delivery at the polling
44 place, shall publicly announce the numbers so registered, and
45 unless it appears that the said records, and the said general
46 return correspond, no further returns shall be read from the
47 latter until any and all discrepancies are explained to the
48 satisfaction of the county board.

49 * * *

50 Section 8. This act shall take effect immediately.