

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 45

Session of  
1989

INTRODUCED BY LLOYD, WOGAN, HALUSKA, GIGLIOTTI, BUNT, JOHNSON,  
VEON, BARLEY, SCHULER, STABACK, DOMBROWSKI, E. Z. TAYLOR,  
MRKONIC, ARGALL, DIETTERICK, LASHINGER, WOZNIAK, BELFANTI,  
HERMAN, NOYE, CAWLEY, STUBAN, DISTLER, GODSHALL, COLAIZZO,  
HESS AND KAISER, JANUARY 18, 1989

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 18, 1989

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled  
2 "An act concerning elections, including general, municipal,  
3 special and primary elections, the nomination of candidates,  
4 primary and election expenses and election contests; creating  
5 and defining membership of county boards of elections;  
6 imposing duties upon the Secretary of the Commonwealth,  
7 courts, county boards of elections, county commissioners;  
8 imposing penalties for violation of the act, and codifying,  
9 revising and consolidating the laws relating thereto; and  
10 repealing certain acts and parts of acts relating to  
11 elections," extending time limits for absentee balloting for  
12 armed forces personnel residing outside the United States.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Section 1305 of the act of June 3, 1937  
16 (P.L.1333, No.320), known as the Pennsylvania Election Code, is  
17 amended by adding a subsection to read:

18 Section 1305. Delivering or Mailing Ballots.--\* \* \*

19 (c) Any qualified elector who is in the military service of  
20 the United States and who will be outside the United States on  
21 the day of a primary or election and any qualified elector who

1 is a spouse or a dependent of a member of the military service  
2 of the United States who is residing with or accompanying such  
3 member and who will be outside the United States on the day of a  
4 primary or election shall be mailed absentee ballots not less  
5 than forty-five (45) days prior to the primary or election,  
6 provided that the board of electors, with the approval of the  
7 Secretary of the Commonwealth, may utilize a special absentee  
8 ballot for any such qualified elector if the official absentee  
9 ballot cannot be printed in time for mailing forty-five (45)  
10 days prior to such primary or election.

11 Section 2. Section 1308(a) of the act, amended December 11,  
12 1968 (P.L.1183, No.375), is amended to read:

13 Section 1308. Canvassing of Official Absentee Ballots.--

14 (a) The county boards of election, upon receipt of official  
15 absentee ballots in such envelopes, shall safely keep the same  
16 in sealed or locked containers until they distribute same to the  
17 appropriate local election districts in a manner prescribed by  
18 the Secretary of the Commonwealth.

19 The county board of elections shall then distribute the  
20 absentee ballots, unopened, to the absentee voter's respective  
21 election district concurrently with the distribution of the  
22 other election supplies. Absentee ballots shall be canvassed  
23 immediately and continuously without interruption until  
24 completed after the close of the polls on the day of the  
25 election in each election district. The results of the canvass  
26 of the absentee ballots shall then be included in and returned  
27 to the county board with the returns of that district. No  
28 absentee ballot shall be counted which is received in the office  
29 of the county board of election later than five o'clock P. M. on  
30 the Friday immediately preceding the primary or November

1 election, except that an absentee ballot of any qualified  
2 elector who is in the military service of the United States and  
3 who was outside the United States on the day of a primary or  
4 election and any qualified elector who is a spouse or a  
5 dependent of a member of the military service of the United  
6 States who was residing with or accompanying such member and who  
7 was outside the United States on the day of a primary or  
8 election shall be counted if it is received on or before fifteen  
9 (15) days after the election date.

10 \* \* \*

11 Section 3. This act shall take effect in 60 days.