

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 445 Session of 2009

INTRODUCED BY LEACH, FONTANA, WILLIAMS, O'PAKE, TARTAGLIONE,  
WOZNIAK AND BOSCOLA, FEBRUARY 24, 2009

REFERRED TO STATE GOVERNMENT, FEBRUARY 24, 2009

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated  
2 Statutes, providing for early voting.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Title 25 of the Pennsylvania Consolidated Statutes  
6 is amended by adding a section to read:

7 § 3303. Early voting.

8 (a) Establishment.--The Secretary of State shall allow  
9 electors to vote early at the polling place where they are  
10 registered in the Commonwealth.

11 (b) Sites.--The Secretary of State may designate any city  
12 hall or permanent public library facility as early voting sites.  
13 If designated, the sites must be geographically located to  
14 provide voters in the county an equal opportunity to cast a  
15 ballot, as is practicable.

16 (c) Results.--The results or tabulation of votes cast during  
17 early voting may not be made before the close of the polls on  
18 election day. Early voting results shall be reported in the same

1 manner as votes cast on election day.

2 (d) Designation of sites.--The Secretary of State shall  
3 designate each early voting site by no later than the 30th day  
4 prior to an election.

5 (e) Opening and closing.--Voting sites shall be open on the  
6 same days for the same amount of time and shall allow any person  
7 in line at the closing of an early voting site to vote. Early  
8 voting sites shall open no sooner than 7 a.m. and close no later  
9 than 8 p.m. on each applicable day.

10 (f) Duration.--Early voting shall begin on the 15th day  
11 before an election and end on the second day before an election.  
12 For a special election, early voting shall begin on the eighth  
13 day before an election and end on the second day before an  
14 election. Early voting shall be provided for eight hours per  
15 weekday and eight hours in the aggregate each weekend at each  
16 site during the applicable periods.

17 (g) Municipalities.--Municipalities may provide early voting  
18 in municipal elections that are not held in conjunction with  
19 county or state elections. If a municipality provides early  
20 voting, it may designate as many sites as necessary and shall  
21 conduct its activities in accordance with the provisions of  
22 subsections (a), (b), (c), (d) and (e).

23 (h) Early voting period.--During early voting periods, each  
24 judge of elections shall make available the total number of  
25 voters casting a ballot at each early voting location during the  
26 previous day. The information shall be updated and made  
27 available no later than 12 noon of each day and shall be  
28 contemporaneously provided to the Department of State. The  
29 ballot of each elector voting early shall be counted even if the  
30 elector dies on or before election day.

1     (i) Early voting voter certificate.--The elector must  
2     provide identification and must complete an early voting voter  
3     certificate in substantially the following form:

4                     EARLY VOTING VOTER CERTIFICATE

5     I, \_\_\_\_\_, am a qualified elector in this election and  
6     registered voter of \_\_\_\_\_ County, Pennsylvania. I do solemnly  
7     swear or affirm that I am the person listed on the voter  
8     registration rolls of \_\_\_\_\_ County and that I reside at the  
9     listed address. I understand that if I vote unlawfully or  
10    attempt to vote unlawfully, I could be convicted of a  
11    misdemeanor of the first degree and shall, upon conviction, be  
12    sentenced to pay a fine not exceeding \$10,000 and to  
13    imprisonment for not more than five years. I understand that my  
14    failure to sign this certificate invalidates my ballot.

15     (Voter's Signature)

16     (Address)

17     (City/State)

18    (j) Challenges.--A challenged voter shall vote a provisional  
19    ballot. The judge of elections and the minority and majority  
20    inspectors shall review the ballot and decide the validity of  
21    the ballot by majority vote.

22    (k) Returns.--The canvass of returns for ballots cast under  
23    this section shall be substantially the same as votes cast by  
24    qualified electors in election districts.

25     Section 2. This act shall take effect in 60 days.