
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2719 Session of
2022

INTRODUCED BY RABB, BULLOCK, DAWKINS, KRAJEWSKI, DELLOSO,
PARKER, SANCHEZ AND SIMS, JUNE 30, 2022

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 30, 2022

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," in preliminary provisions, further providing for
12 definitions; in voting by qualified absentee electors,
13 further providing for qualified absentee electors and
14 providing for voting by absentee electors in correctional
15 institutions; and imposing duties on the Department of State.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 102(w)(14) and last paragraph of the act
19 of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
20 Election Code, are amended, the subsection is amended by adding
21 a paragraph and the section is amended by adding a subsection to
22 read:

23 Section 102. Definitions.--The following words, when used in
24 this act, shall have the following meanings, unless otherwise

1 clearly apparent from the context:

2 * * *

3 (w) The words "qualified absentee elector" shall mean:

4 * * *

5 (14) Any qualified elector who will not attend a polling
6 place because of the observance of a religious holiday[:]; or

7 (15) Any qualified elector who is confined in a correctional
8 institution:

9 Provided, however, That the words "qualified absentee
10 elector" shall in nowise be construed to include persons
11 confined in [a penal institution or] a mental institution nor
12 shall it in anywise be construed to include a person not
13 otherwise qualified as a qualified elector in accordance with
14 the definition set forth in section 102(t) of this act.

15 * * *

16 (z.7) The words "correctional institution" shall mean any
17 penal institution, penitentiary, State farm, reformatory,
18 prison, jail, house of correction or other institution for the
19 incarceration or custody of persons under sentence for offenses
20 or awaiting trial or sentence for offenses.

21 Section 2. Section 1301(n) and last paragraph of the act are
22 amended and the section is amended by adding a subsection to
23 read:

24 Section 1301. Qualified Absentee Electors.--The following
25 persons shall be entitled to vote by an official absentee ballot
26 in any primary or election held in this Commonwealth in the
27 manner hereinafter provided:

28 * * *

29 (n) Any qualified elector who will not attend a polling
30 place because of the observance of a religious holiday[:]; or

1 (o) Any qualified elector who is confined in a correctional
2 institution:

3 Provided, however, That the words "qualified absentee
4 elector" shall in nowise be construed to include persons
5 confined in [a penal institution or] a mental institution nor
6 shall it in anywise be construed to include a person not
7 otherwise qualified as a qualified elector in accordance with
8 the definition set forth in section 102(t) of this act.

9 Section 3. The act is amended by adding a section to read:

10 Section 1306.2. Voting by Absentee Electors in Correctional
11 Institutions.--(a) The department shall establish a uniform
12 policy for civic education in State and county correctional
13 institutions, including, but not limited to, nonpartisan voting
14 guides and notifications of all Federal, State, county and local
15 elections. The department shall provide correctional
16 institutions with:

17 (1) information pertaining to voter registration, absentee
18 ballots and eligibility requirements;

19 (2) the necessary forms and applications; and

20 (3) the necessary training.

21 (b) The department shall require a correctional institution
22 to designate at least one individual to help inmates vote. The
23 designated individuals in each correctional institution shall
24 provide the information under subsection (a) to each inmate upon
25 intake and oversee the distribution, collection and submission
26 of voter registration applications and absentee ballots.

27 (c) The superintendent, warden or other authorized
28 individual in charge of a State or county correctional
29 institution shall collect data that includes, but is not limited
30 to, the following:

- 1 (1) demographic information;
2 (2) the number of qualified absentee electors in the
3 correctional institution;
4 (3) the number of inmates registered to vote;
5 (4) the number of inmates that have applied for a ballot;
6 (5) the number of inmates that submitted a completed ballot;

7 and

- 8 (6) any other information requested by the department.

9 (d) The superintendent, warden or other authorized
10 individual in charge of a State or county correctional
11 institution shall submit a report of the data collected under
12 subsection (c) to the department within thirty (30) days after
13 the general election. The department shall determine the form of
14 the report and shall promulgate guidelines to implement the
15 provisions of this section.

16 (e) As used in this section:

17 "Department" shall mean the Department of State of the
18 Commonwealth.

19 "Inmate" shall mean an offender who is committed to, under
20 sentence to or confined in a correctional institution.

21 Section 4. This act shall take effect immediately.