

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2577 Session of
1998

INTRODUCED BY WILT, PESCI, MANDERINO, STABACK, RUBLEY, FARGO,
WAUGH, EGOLF, HERSHEY, BUNT, YOUNGBLOOD, TRELLO, MELIO,
PLATTS, MILLER, HENNESSEY AND MAHER, MAY 4, 1998

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 4, 1998

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," further providing for applications for absentee
12 ballots.

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

15 Section 1. Section 1302.1 of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code,
17 amended February 13, 1998 (P.L.72, No.18), is amended to read:

18 Section 1302.1. Date of Application for Absentee Ballot.--

19 Applications for absentee ballots unless otherwise specified
20 shall be received in the office of the county board of elections
21 not earlier than fifty (50) days before the primary or election
22 and not later than five o'clock P.M. of the first Tuesday prior

1 to the day of any primary or election: Provided, however, That
2 in the event any elector otherwise qualified who is so
3 physically disabled or ill on or before the first Tuesday prior
4 to any primary or election that he is unable to file his
5 application or who becomes physically disabled or ill after the
6 first Tuesday prior to any primary or election and is unable to
7 appear at his polling place or any elector otherwise qualified
8 who because of the conduct of his business, duties or occupation
9 will necessarily be absent from the municipality of his
10 residence on the day of the primary or election, which fact was
11 not and could not reasonably be known to said elector on or
12 before the first Tuesday prior to any primary or election, shall
13 be entitled to an absentee ballot at any time prior to five
14 o'clock P.M. on the [first Friday preceding any] day of the
15 primary or election upon execution of an Emergency Application
16 in such form prescribed by the Secretary of the Commonwealth.

17 In the case of an elector who is physically disabled or ill
18 on or before the first Tuesday prior to a primary or election or
19 becomes physically disabled or ill after the first Tuesday prior
20 to a primary or election, such Emergency Application shall
21 contain a supporting affidavit from his attending physician
22 stating that due to physical disability or illness said elector
23 was unable to apply for an absentee ballot on or before the
24 first Tuesday prior to the primary or election or became
25 physically disabled or ill after that period.

26 In the case of an elector who is necessarily absent because
27 of the conduct of his business, duties or occupation under the
28 unforeseen circumstances specified in this subsection, such
29 Emergency Application shall contain a supporting affidavit from
30 such elector stating that because of the conduct of his

1 business, duties or occupation said elector will necessarily be
2 absent from the municipality of his residence on the day of the
3 primary or election which fact was not and could not reasonably
4 be known to said elector on or before the first Tuesday prior to
5 the primary or election.

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