

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL****No. 2409** Session of  
1976

INTRODUCED BY BUTERA, MAY 25, 1976

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 25, 1976

## 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," requiring the filing of a written statement  
12 asserting continuing disability.

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

15 Section 1. Subsection (e.1) of section 1302, act of June 3,  
16 1937 (P.L. 1333, No.320), known as the "Pennsylvania Election  
17 Code," added December 6, 1972 (P.L.1405, No.301), is amended to  
18 read:

19 Section 1302. Applications for Official Absentee Ballots. --

20 \* \* \*

21 (e.1) Any qualified registered elector, including any  
22 qualified bedridden or hospitalized veteran, who is unable  
23 because of illness or physical disability to attend his polling

1 place on the day of any primary or election or operate a voting  
2 machine and state distinctly and audibly that he is unable to do  
3 so as required by section 1218 of this act may, with the  
4 certification by his attending physician that he is permanently  
5 disabled, and physically unable to attend the polls or operate a  
6 voting machine and make the distinct and audible statement  
7 required by section 1218 appended to the application  
8 hereinbefore required, be placed on a permanently disabled  
9 absentee ballot list file. An absentee ballot application shall  
10 be mailed to every such person for each primary or election so  
11 long as he does not lose his voting rights by failure to vote as  
12 otherwise required by this act. Such person shall not be  
13 required to file a physician's certificate of disability with  
14 each application as required in subsection (e) of this section  
15 but such person must [file a physician's certificate of  
16 permanent disability] submit a written statement asserting  
17 continuing disability every two years in order to maintain his  
18 eligibility to vote under the provisions of this subsection.  
19 Should any such person lose his disability he shall inform the  
20 county board of elections of the county of his residence.

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