

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 772 Session of  
2007

INTRODUCED BY DINNIMAN, BAKER, COSTA, ERICKSON, FOLMER, FONTANA,  
KASUNIC, MUSTO, ORIE, PILEGGI, PIPPY, RAFFERTY, ROBBINS,  
STOUT, TARTAGLIONE, WASHINGTON, WAUGH AND WOZNIAK,  
APRIL 20, 2007

REFERRED TO STATE GOVERNMENT, APRIL 20, 2007

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 absentee elector files and  
12 lists.

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

15 Section 1. Section 1302.3 of the act of June 3, 1937  
16 (P.L.1333, No.320), known as the Pennsylvania Election Code,  
17 amended December 11, 1968 (P.L.1183, No.375), is amended to  
18 read:

19 Section 1302.3. Absentee Electors Files and Lists.--(a) The  
20 county board of elections shall maintain at its office a file  
21 containing the duplicate absentee voter's temporary registration  
22 cards of every registered elector to whom an absentee ballot has

1 been sent. Such duplicate absentee voter's temporary  
2 registration cards shall be filed by election districts and  
3 within each election district in exact alphabetical order and  
4 indexed. The registration cards so filed shall constitute the  
5 Registered Absentee Voters File for the Primary or Election of  
6 (date of primary or election) and shall be kept on file for a  
7 period commencing the Tuesday prior to the day of the primary or  
8 election until the day following the primary or election or the  
9 day the county board of elections certifies the returns of the  
10 primary or election, whichever date is later. Such file shall be  
11 open to public inspection at all times subject to reasonable  
12 safeguards, rules and regulations.

13 (b) The county board of elections shall post in a  
14 conspicuous public place at its office a master list arranged in  
15 alphabetical order by election districts setting forth the name  
16 and residence, and at primaries, the party enrollment, of [(1)  
17 every military elector to whom an absentee ballot is being sent,  
18 each such name to be prefixed with an "M";] (2) every bedridden  
19 or hospitalized veteran outside the county of his residence who  
20 is not registered and to whom an absentee ballot is being sent,  
21 each such name to be prefixed with a "V"; and (3) every  
22 registered elector who has filed his application for an absentee  
23 ballot too late for the extraction of his original registration  
24 card and to whom a ballot is being sent and every qualified  
25 elector who has filed his application for an absentee ballot and  
26 is entitled, under provisions of [the Permanent Registration Law  
27 as now or hereinafter enacted by the General Assembly] law, to  
28 absentee registration prior to or concurrently with the time of  
29 voting, each such name to be prefixed with a "C." This list  
30 shall be known as the Military, Veterans and Emergency Civilians

1 Absentee Voters File for the Primary or Election of (date of  
2 primary or election) and shall be posted for a period commencing  
3 the Tuesday prior to the day of the primary or election until  
4 the eighth day following the primary or election or the day on  
5 which the county board of elections certifies the returns of the  
6 primary or election, whichever date is later. Such file shall be  
7 open to public inspection at all times subject to reasonable  
8 safeguards, rules and regulations. [This] Except as provided in  
9 subsection (b.1), this posted list shall not contain any  
10 military address or references to any military organization.  
11 Upon written request, the county board shall furnish a copy of  
12 such list to any candidate or party county chairman.

13 (b.1) The county board shall also maintain a list of all  
14 absentee ballots which are received from electors qualified in  
15 accordance with section 1301(a), (b), (c) and (d) after five  
16 o'clock P. M. on the Friday before the election but before eight  
17 o'clock P. M. on the day of the election, and those received up  
18 to the seventh day following the election and which contain  
19 postmarks dated no later than the day preceding the election.  
20 This list shall be available for public inspection upon written  
21 request at the office of the county board of elections subject  
22 to reasonable safeguards, rules and regulations. Upon written  
23 request, the county board shall furnish a copy of such list to  
24 any candidate or party county chairman.

25 (c) Not less than five days preceding the election, the  
26 chief clerk shall prepare a list for each election district  
27 showing the names and post office addresses of all voting  
28 residents thereof to whom official absentee ballots shall have  
29 been issued. Each such list shall be prepared in duplicate,  
30 shall be headed "Persons in (give identity of election district)

1 to whom absentee ballots have been issued for the election of  
2 (date of election)," and shall be signed by him not less than  
3 four days preceding the election. [He] Except as provided in  
4 subsection (b.1), he shall post the original of each such list  
5 in a conspicuous place in the office of the county election  
6 board and see that it is kept so posted until the close of the  
7 polls on election day subject to reasonable safeguards, rules  
8 and regulations. He shall cause the duplicate of each such list  
9 to be delivered to the judge of election in the election  
10 district in the same manner and at the same time as are provided  
11 in this act for the delivery of other election supplies, and it  
12 shall be the duty of such judge of election to post such  
13 duplicate list in a conspicuous place within the polling place  
14 of his district and see that it is kept so posted throughout the  
15 time that the polls are open. Upon written request, he shall  
16 furnish a copy of such list to any candidate or party county  
17 chairman.

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