

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 563 Session of 2017

INTRODUCED BY STEFANO, BROWNE, GORDNER, MENSCH, FOLMER, GREENLEAF, VULAKOVICH, BARTOLOTTA, BREWSTER, TARTAGLIONE, WARD, FARNESE, YUDICHAK, LANGERHOLC, AUMENT, HUTCHINSON, SABATINA, VOGEL, HAYWOOD, RAFFERTY AND STREET, MARCH 28, 2017

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, OCTOBER 17, 2017

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in uniform military and overseas voters, further
3 providing for definitions, for duties and responsibilities of
4 secretary and for registering to vote.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "military-overseas ballot" in
8 section 3502 of Title 25 of the Pennsylvania Consolidated
9 Statutes is amended and the section is amended by adding a
10 definition to read:

11 § 3502. Definitions.

12 The following words and phrases when used in this chapter
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 * * *

16 "Electronic submission of a paper ballot." A vote cast and
17 submitted through electronic means, including, but not limited
18 to, e-mail and facsimile.

1 * * *

2 "Military-overseas ballot." All of the following:

3 (1) A Federal write-in absentee ballot.

4 (2) A ballot specifically prepared or distributed for
5 use by a covered voter in accordance with this chapter.

6 (3) A ballot cast by a covered voter in accordance with
7 this chapter.

8 (4) An electronic submission of a paper ballot.

9 * * *

10 ~~Section 2. Sections 3503(c) and 3505(c) of Title 25 are~~ <--
11 ~~amended to read:~~

12 SECTION 2. SECTION 3503(C) OF TITLE 25 IS AMENDED AND THE <--
13 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

14 § 3503. Duties and responsibilities of secretary.

15 * * *

16 (c) Other duties.--The secretary shall do all of the
17 following:

18 (1) Establish an electronic transmission system through
19 which a covered voter may apply for and receive voter
20 registration materials, military-overseas ballots and other
21 information under this chapter.

22 (2) Develop standardized absentee-voting materials and
23 their electronic equivalents, authentication materials and
24 voting instructions to be used with the military-overseas
25 ballot of a voter authorized to vote in any jurisdiction in
26 this Commonwealth.

27 (3) To the extent reasonably possible, coordinate with
28 other states to carry out the provisions of this subsection.

29 (4) Prescribe the form and content of a declaration for
30 use by a covered voter who does not use the Federal write-in

1 absentee ballot in accordance with the following:

2 (i) The declaration shall require the covered voter
3 to swear or affirm, under penalty of perjury, specific
4 representations pertaining to the voter's:

5 (A) identity;

6 (B) eligibility to vote;

7 (C) status as a covered voter; and

8 (D) timely and proper completion of a military-
9 overseas ballot.

10 (ii) The declaration shall be based on the FWAB
11 declaration, as modified to be consistent with this
12 chapter.

13 (iii) The secretary shall ensure that a form for the
14 execution of the declaration, including an indication of
15 the date of execution of the declaration, is a prominent
16 part of all balloting materials for which the declaration
17 is required.

18 ~~(5) Establish an electronic transmission system in which~~ <--

19 ~~(5) ESTABLISH THE FOLLOWING:~~ <--

20 ~~(I) AN ELECTRONIC TRANSMISSION SYSTEM IN WHICH a~~
21 ~~covered voter under this chapter may cast an electronic~~
22 ~~ballot. The electronic transmission system shall be~~
23 ~~operational by January 1, 2019.~~

24 ~~(II) REGULATIONS FOR THE ELECTRONIC TRANSMISSION~~ <--
25 ~~SYSTEM ESTABLISHED UNDER SUBPARAGRAPH (I), WHICH MAY~~
26 ~~INCLUDE:~~

27 ~~(A) A STANDARD FOR ELECTRONIC TRANSMISSION OF~~
28 ~~ELECTION MATERIALS;~~

29 ~~(B) THE MEANS FOR DELIVERY OF VOTER REGISTRATION~~
30 ~~MATERIALS;~~

1 (C) THE MEANS FOR DELIVERY AND RETURN OF
2 MILITARY BALLOTS FROM OVERSEAS; AND

3 (D) THE FORM AND CONTENT OF THE VOTER
4 DECLARATION.

5 (D) NOTICE OF FINAL RULEMAKING.--NOTICE OF FINAL RULEMAKING
6 FOR REGULATIONS ESTABLISHED UNDER SUBSECTION (C) (5) (II) SHALL BE
7 PUBLISHED IN THE PENNSYLVANIA BULLETIN WITHIN 18 MONTHS OF THE
8 EFFECTIVE DATE OF THIS SUBSECTION.

9 SECTION 3. SECTION 3505(C) OF TITLE 25 IS AMENDED TO READ:

10 § 3505. Registering to vote.

11 * * *

12 (c) Electronic transmission system.--The secretary shall
13 ensure that the electronic transmission system described in
14 section 3503(c) (relating to duties and responsibilities of
15 secretary) is capable of accepting a Federal postcard
16 application, military-overseas ballot and any other approved
17 electronic registration application sent to the appropriate
18 county election board. The voter may use the electronic
19 transmission system or any other approved method to register to
20 vote.

21 * * *

22 Section ~~3~~ 4. This act shall take effect in 60 days.

<--