

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2532 Session of 2020

INTRODUCED BY RABB, BURGOS, GALLOWAY, SHUSTERMAN, YOUNGBLOOD,  
 DELLOSO, KINSEY, DeLUCA, BRIGGS, HILL-EVANS, HOHENSTEIN,  
 SCHWEYER, NEILSON AND ROZZI, MAY 19, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 19, 2020

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 voting by qualified absentee electors, further  
 12 providing for canvassing of official absentee ballots and  
 13 mail-in ballots.

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

16 Section 1. Section 1308(g)(1) and (2) of the act of June 3,  
 17 1937 (P.L.1333, No.320), known as the Pennsylvania Election  
 18 Code, amended March 27, 2020 (P.L.41, No.12), are amended to  
 19 read:

20 Section 1308. Canvassing of Official Absentee Ballots and  
 21 Mail-in Ballots.--\* \* \*

22 (g) (1) (i) An absentee ballot cast by any absentee  
 23 elector as defined in section 1301(a), (b), (c), (d), (e), (f),

1 (g) and (h) shall be canvassed in accordance with this  
2 subsection if the ballot is cast, submitted and received in  
3 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to  
4 uniform military and overseas voters).

5 (ii) An absentee ballot cast by any absentee elector as  
6 defined in section 1301(i), (j), (k), (l), (m) and (n), an  
7 absentee ballot under section 1302(a.3) or a mail-in ballot cast  
8 by a mail-in elector shall be canvassed in accordance with this  
9 subsection if the absentee ballot or mail-in ballot is received  
10 in the office of the county board of elections no later than  
11 eight o'clock P.M. on the day of the primary or election.

12 (iii) Notwithstanding any other provision of this act to the  
13 contrary, during a disaster emergency and for sixty (60) days  
14 following the termination or conclusion of a disaster emergency,  
15 an absentee ballot cast by any absentee elector, an absentee  
16 ballot under section 1302.1(a.3) or a mail-in ballot cast by a  
17 mail-in elector shall be canvassed in accordance with this  
18 subsection if the absentee ballot or mail-in ballot is received  
19 in the office of the county board of elections no later than  
20 five o'clock P.M. on the seventh day following the primary or  
21 election. For the purposes of this subparagraph, the term  
22 "disaster emergency" shall have the same meaning as provided  
23 under 35 Pa.C.S. § 7102 (relating to definitions) and declared  
24 pursuant to the provisions of 35 Pa.C.S. § 7301 (relating to  
25 general authority of Governor).

26 \* \* \*

27 (2) The county board of elections shall meet no earlier than  
28 the close of polls on the day of the election and no later than  
29 the third day following the election to begin canvassing  
30 absentee ballots and mail-in ballots not included in the pre-

1 canvass meeting. The meeting under this paragraph shall continue  
2 until all absentee ballots and mail-in ballots received prior to  
3 the close of the polls have been canvassed. The county board of  
4 elections shall not record or publish any votes reflected on the  
5 ballots prior to the close of the polls. The canvass process  
6 shall continue through the eighth day following the election for  
7 valid military-overseas ballots timely received under 25 Pa.C.S.  
8 § 3511 (relating to receipt of voted ballot) and for absentee  
9 ballots and mail-in ballots timely received under paragraph (1)  
10 (iii). A county board of elections shall provide at least forty-  
11 eight hours' notice of a canvass meeting by publicly posting a  
12 notice on its publicly accessible Internet website. One  
13 authorized representative of each candidate in an election and  
14 one representative from each political party shall be permitted  
15 to remain in the room in which the absentee ballots and mail-in  
16 ballots are canvassed.

17 \* \* \*

18 Section 2. This act shall take effect immediately.