
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 48 Session of
2019

INTRODUCED BY GORDNER, FOLMER, LANGERHOLC, MARTIN, HUTCHINSON,
DiSANTO, YAW, BARTOLOTTA, K. WARD AND WHITE, JANUARY 11, 2019

REFERRED TO STATE GOVERNMENT, JANUARY 11, 2019

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in conduct of elections, providing for voting
3 systems.

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

6 Section 1. Part IX of Title 25 of the Pennsylvania
7 Consolidated Statutes is amended by adding a chapter to read:

8 CHAPTER 31

9 VOTING SYSTEMS

10 Subchapter

11 A. Preliminary Provisions

12 B. Voting Machines (Reserved)

13 C. Electronic Voting Systems (Reserved)

14 SUBCHAPTER A

15 PRELIMINARY PROVISIONS

16 Sec.

17 3101. Definitions.

18 3102. Decertification.

1 § 3101. Definitions.

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

5 "Election Code." The act of June 3, 1937 (P.L.1333, No.320),
6 known as the Pennsylvania Election Code.

7 "Electronic voting system." As defined in section 1101-A of
8 the Election Code.

9 "Voting apparatus." A kind or type of any of the following:

10 (1) An electronic voting system.

11 (2) A voting machine.

12 "Voting machine." A voting machine as described under
13 Article XI of the Election Code.

14 § 3102. Decertification.

15 (a) Prohibition.--The Commonwealth may not disapprove of or
16 decertify voting apparatuses in 50% or more counties until the
17 requirements of this subchapter have been met.

18 (b) Plan.--If the Commonwealth intends to disapprove or
19 decertify voting apparatuses in 50% or more counties, the
20 Department of State must submit a written plan to the President
21 Pro Tempore of the Senate and the Speaker of the House of
22 Representatives at least 180 days prior to the effective date of
23 replacement, containing each of the following:

24 (1) The reason for disapproval or decertification.

25 (2) The estimated cost to replace the disapproved or
26 decertified voting apparatuses and the plan for how funding
27 is anticipated to be obtained.

28 (3) A plan for replacing the disapproved or decertified
29 voting apparatuses.

30 (4) The effective date of replacement.

1 (c) Voting System Decertification Commission.--

2 (1) Within 10 days of receipt of the written plan under
3 subsection (b) by the President Pro Tempore of the Senate and
4 the Speaker of the House of Representatives, a commission
5 shall be established. The commission shall, within 90 days of
6 establishment, do all of the following:

7 (i) Review the written plan.

8 (ii) Hold at least two public hearings on the
9 matter, including the plan submitted under subsection
10 (b).

11 (iii) Issue a written report consistent with
12 subparagraph (iv) to each of the following:

13 (A) The President Pro Tempore of the Senate.

14 (B) The Majority Leader of the Senate

15 (C) The Minority Leader of the Senate.

16 (D) The Speaker of the House of Representatives.

17 (E) The Majority Leader of the House of
18 Representatives.

19 (F) The Minority Leader of the House of
20 Representatives.

21 (G) The majority and minority chair of the State
22 Government Committee of the Senate and the majority
23 and minority chair of the State Government Committee
24 of the House of Representatives.

25 (iv) The written report shall include all of the
26 following:

27 (A) An estimated cost for the written plan and
28 estimated costs for the implementation of other
29 voting apparatuses and how the costs will be divided.

30 (B) Written justification for disapproval or

1 decertification.

2 (C) Recommended legislative action, if
3 necessary, including draft legislation.

4 (2) The commission shall be composed of the following
5 members:

6 (i) Two members appointed by the Governor, one of
7 whom shall be a county commissioner at the time of
8 appointment.

9 (ii) The Secretary of State.

10 (iii) A member appointed by the President Pro
11 Tempore of the Senate.

12 (iv) A member appointed by the Minority Leader of
13 the Senate.

14 (v) A member appointed by the Speaker of the House
15 of Representatives.

16 (vi) A member appointed by the Minority Leader of
17 the House of Representatives.

18 SUBCHAPTER B

19 VOTING MACHINES

20 (Reserved)

21 SUBCHAPTER C

22 ELECTRONIC VOTING SYSTEMS

23 (Reserved)

24 Section 2. This act shall take effect immediately.