

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 48

Session of  
2019

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

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 26, 2019

AN ACT

1 ~~Amending Title 25 (Elections) of the Pennsylvania Consolidated~~ <--  
2 ~~Statutes, in conduct of elections, providing for voting~~  
3 ~~systems.~~  
4 AMENDING THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320), ENTITLED <--  
5 "AN ACT CONCERNING ELECTIONS, INCLUDING GENERAL, MUNICIPAL,  
6 SPECIAL AND PRIMARY ELECTIONS, THE NOMINATION OF CANDIDATES,  
7 PRIMARY AND ELECTION EXPENSES AND ELECTION CONTESTS; CREATING  
8 AND DEFINING MEMBERSHIP OF COUNTY BOARDS OF ELECTIONS;  
9 IMPOSING DUTIES UPON THE SECRETARY OF THE COMMONWEALTH,  
10 COURTS, COUNTY BOARDS OF ELECTIONS, COUNTY COMMISSIONERS;  
11 IMPOSING PENALTIES FOR VIOLATION OF THE ACT, AND CODIFYING,  
12 REVISING AND CONSOLIDATING THE LAWS RELATING THERETO; AND  
13 REPEALING CERTAIN ACTS AND PARTS OF ACTS RELATING TO  
14 ELECTIONS," IN BALLOTS, FURTHER PROVIDING FOR FORM OF  
15 OFFICIAL ELECTION BALLOT AND FOR NUMBER OF BALLOTS TO BE  
16 PRINTED AND SPECIMEN BALLOTS; IN VOTING MACHINES, FURTHER  
17 PROVIDING FOR REQUIREMENTS OF VOTING MACHINES AND FOR FORM OF  
18 BALLOT LABELS ON VOTING MACHINES; IN ELECTRONIC VOTING  
19 SYSTEMS, FURTHER PROVIDING FOR REQUIREMENTS OF ELECTRONIC  
20 VOTING SYSTEMS, FOR FORMS AND FOR ELECTION DAY PROCEDURES AND  
21 THE PROCESS OF VOTING; PROVIDING FOR VOTING SYSTEMS  
22 ~~DECERTIFICATION~~ AND FOR VOTING SYSTEMS BONDS; ESTABLISHING <--  
23 THE COUNTY VOTING SYSTEM REIMBURSEMENT ACCOUNT; IN <--  
24 PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS,  
25 FURTHER PROVIDING FOR INSTRUCTIONS OF VOTERS AND MANNER OF  
26 VOTING IN DISTRICTS IN WHICH VOTING MACHINES ARE USED, FOR  
27 COUNT AND RETURN OF VOTES IN DISTRICTS IN WHICH BALLOTS ARE  
28 USED AND FOR WHAT BALLOTS SHALL BE COUNTED, MANNER OF  
29 COUNTING AND DEFECTIVE BALLOTS; AND, IN VOTING BY QUALIFIED  
30 ABSENTEE ELECTORS, FURTHER PROVIDING FOR DATE OF APPLICATION

1 FOR ABSENTEE BALLOT, FOR APPROVAL OF APPLICATION FOR ABSENTEE  
2 BALLOT, FOR VOTING BY ABSENTEE ELECTORS ~~AND~~, FOR CANVASSING <--  
3 OF OFFICIAL ABSENTEE BALLOTS AND FOR PUBLIC RECORDS. <--

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.~~

19 ~~§ 3101. Definitions.~~

20 ~~The following words and phrases when used in this chapter~~  
21 ~~shall have the meanings given to them in this section unless the~~  
22 ~~context clearly indicates otherwise:~~

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

25 ~~"Electronic voting system." As defined in section 1101 A of~~  
26 ~~the Election Code.~~

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

28 ~~(1) An electronic voting system.~~

29 ~~(2) A voting machine.~~

30 ~~"Voting machine." A voting machine as described under~~  
31 ~~Article XI of the Election Code.~~

1 ~~§ 3102. Decertification.~~

2 ~~(a) Prohibition. The Commonwealth may not disapprove of or~~  
3 ~~decertify voting apparatuses in 50% or more counties until the~~  
4 ~~requirements of this subchapter have been met.~~

5 ~~(b) Plan. If the Commonwealth intends to disapprove or~~  
6 ~~decertify voting apparatuses in 50% or more counties, the~~  
7 ~~Department of State must submit a written plan to the President~~  
8 ~~Pro Tempore of the Senate and the Speaker of the House of~~  
9 ~~Representatives at least 180 days prior to the effective date of~~  
10 ~~replacement, containing each of the following:~~

11 ~~(1) The reason for disapproval or decertification.~~

12 ~~(2) The estimated cost to replace the disapproved or~~  
13 ~~decertified voting apparatuses and the plan for how funding~~  
14 ~~is anticipated to be obtained.~~

15 ~~(3) A plan for replacing the disapproved or decertified~~  
16 ~~voting apparatuses.~~

17 ~~(4) The effective date of replacement.~~

18 ~~(c) Voting System Decertification Commission.~~

19 ~~(1) Within 10 days of receipt of the written plan under~~  
20 ~~subsection (b) by the President Pro Tempore of the Senate and~~  
21 ~~the Speaker of the House of Representatives, a commission~~  
22 ~~shall be established. The commission shall, within 90 days of~~  
23 ~~establishment, do all of the following:~~

24 ~~(i) Review the written plan.~~

25 ~~(ii) Hold at least two public hearings on the~~  
26 ~~matter, including the plan submitted under subsection~~  
27 ~~(b).~~

28 ~~(iii) Issue a written report consistent with~~  
29 ~~subparagraph (iv) to each of the following:~~

30 ~~(A) The President Pro Tempore of the Senate.~~

1 ~~(B) The Majority Leader of the Senate~~

2 ~~(C) The Minority Leader of the Senate.~~

3 ~~(D) The Speaker of the House of Representatives.~~

4 ~~(E) The Majority Leader of the House of~~  
5 ~~Representatives.~~

6 ~~(F) The Minority Leader of the House of~~  
7 ~~Representatives.~~

8 ~~(G) The majority and minority chair of the State~~  
9 ~~Government Committee of the Senate and the majority~~  
10 ~~and minority chair of the State Government Committee~~  
11 ~~of the House of Representatives.~~

12 ~~(iv) The written report shall include all of the~~  
13 ~~following:~~

14 ~~(A) An estimated cost for the written plan and~~  
15 ~~estimated costs for the implementation of other~~  
16 ~~voting apparatuses and how the costs will be divided.~~

17 ~~(B) Written justification for disapproval or~~  
18 ~~decertification.~~

19 ~~(C) Each dissenting opinion of a member of the~~  
20 ~~commission.~~

21 ~~(D) Recommended legislative action, if~~  
22 ~~necessary, including draft legislation.~~

23 ~~(2) The commission shall be composed of the following~~  
24 ~~members:~~

25 ~~(i) Two members appointed by the Governor, one of~~  
26 ~~whom shall be a county commissioner and one of whom shall~~  
27 ~~be a county election officer at the time of appointment.~~

28 ~~(ii) The Secretary of the Commonwealth or a~~  
29 ~~designee.~~

30 ~~(iii) The chair and minority chair of the State~~

~~Government Committee of the Senate and the chair and  
minority chair of the State Government Committee of the  
House of Representatives or their designees.~~

~~(iv) One legislator from each of the four  
legislative caucuses, to be appointed by the President  
pro tempore of the Senate and the Speaker of the House of  
Representatives, in consultation with the Majority Leader  
and Minority Leader of the Senate and the Majority Leader  
and Minority Leader of the House of Representatives or  
their designees.~~

~~(3) The commission shall appoint a member to serve as  
chair of the commission.~~

~~(4) The commission shall hold meetings at the call of  
the chair.~~

~~(5) The General Assembly shall provide administrative  
support, meeting space and any other assistance required by  
the commission to carry out its duties under this section in  
cooperation with the department.~~

~~(6) A member may not receive compensation for the  
member's services, but shall be reimbursed for necessary  
travel and other reasonable expenses incurred in connection  
with the performance of the member's duties as members of the  
commission.~~

#### ~~SUBCHAPTER B~~

#### ~~VOTING MACHINES~~

~~(Reserved)~~

#### ~~SUBCHAPTER C~~

#### ~~ELECTRONIC VOTING SYSTEMS~~

~~(Reserved)~~

~~Section 2. This act shall take effect immediately.~~

1 SECTION 1. SECTIONS 1003(A), 1007, 1107(B), 1110(H), 1107-  
2 A(3), 1109-A(A) (2) AND (D) AND 1112-A(A) (2) AND (4) OF THE ACT  
3 OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA  
4 ELECTION CODE, ARE AMENDED TO READ:

5 SECTION 1003. FORM OF OFFICIAL ELECTION BALLOT.--

6 (A) THE OFFICIAL BALLOTS FOR GENERAL, MUNICIPAL AND SPECIAL  
7 ELECTIONS SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

8 OFFICIAL BALLOT

9 ..... DISTRICT, ..... WARD,  
10 CITY OF ....., COUNTY OF .....,  
11 STATE OF PENNSYLVANIA .....  
12 ELECTION HELD ON THE ..... DAY OF ....., [19]  
13 20.....

14 A CROSS (X) OR CHECK ( ) MARK IN THE SQUARE OPPOSITE THE NAME OF  
15 ANY CANDIDATE INDICATES A VOTE FOR THAT CANDIDATE.

16 [TO VOTE A STRAIGHT PARTY TICKET, MARK A CROSS (X) OR CHECK  
17 ( ) IN THE SQUARE, IN THE PARTY COLUMN, OPPOSITE THE NAME OF THE  
18 PARTY OF YOUR CHOICE. TO VOTE FOR AN INDIVIDUAL CANDIDATE OF  
19 ANOTHER PARTY AFTER MAKING A MARK IN THE PARTY SQUARE, MARK A  
20 CROSS (X) OR CHECK ( ) OPPOSITE HIS NAME. FOR AN OFFICE WHERE  
21 MORE THAN ONE CANDIDATE IS TO BE VOTED FOR, THE VOTER, AFTER  
22 MARKING IN THE PARTY SQUARE, MAY DIVIDE HIS VOTE BY MARKING A  
23 CROSS (X) OR CHECK ( ) TO THE RIGHT OF EACH CANDIDATE FOR WHOM  
24 HE OR SHE DESIRES TO VOTE. FOR SUCH OFFICE VOTES SHALL NOT BE  
25 COUNTED FOR CANDIDATES NOT INDIVIDUALLY MARKED.]

26 TO VOTE FOR A PERSON WHOSE NAME IS NOT ON THE BALLOT, WRITE,  
27 PRINT OR PASTE [HIS] THE VOTER'S NAME IN THE BLANK SPACE  
28 PROVIDED FOR THAT PURPOSE. A CROSS (X) OR CHECK ( ) MARK IN THE  
29 SQUARE OPPOSITE THE NAMES OF THE CANDIDATES OF ANY PARTY FOR  
30 PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES INDICATES A

1 VOTE FOR ALL THE CANDIDATES OF THAT PARTY FOR PRESIDENTIAL  
2 ELECTOR. TO VOTE FOR INDIVIDUAL CANDIDATES FOR PRESIDENTIAL  
3 ELECTOR, WRITE, PRINT OR PASTE THEIR NAMES IN THE BLANK SPACES  
4 PROVIDED FOR THAT PURPOSE UNDER THE TITLE "PRESIDENTIAL  
5 ELECTORS." MARK BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE  
6 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL  
7 POINT PEN; USE THE SAME PENCIL OR PEN FOR ALL MARKINGS YOU PLACE  
8 ON THE BALLOT.

9 BEFORE LEAVING THE VOTING COMPARTMENT, FOLD THIS BALLOT,  
10 WITHOUT DISPLAYING THE MARKINGS THEREON, IN THE SAME WAY IT WAS  
11 FOLDED WHEN RECEIVED, THEN LEAVE THE COMPARTMENT AND EXHIBIT THE  
12 BALLOT TO ONE OF THE ELECTION OFFICERS WHO SHALL ASCERTAIN BY AN  
13 INSPECTION OF THE NUMBER APPEARING UPON THE RIGHT HAND CORNER OF  
14 THE BACK OF THE BALLOT WHETHER THE BALLOT SO EXHIBITED TO [HIM]  
15 THE VOTER IS THE SAME BALLOT WHICH THE ELECTOR RECEIVED BEFORE  
16 ENTERING THE VOTING COMPARTMENT. IF IT IS THE SAME, THE ELECTION  
17 OFFICER SHALL DIRECT THE ELECTOR, WITHOUT UNFOLDING THE BALLOT,  
18 TO REMOVE THE PERFORATED CORNER CONTAINING THE NUMBER, AND THE  
19 ELECTOR SHALL IMMEDIATELY DEPOSIT THE BALLOT IN THE BALLOT BOX.  
20 ANY BALLOT DEPOSITED IN A BALLOT BOX AT ANY PRIMARY OR ELECTION  
21 WITHOUT HAVING THE SAID NUMBER TORN OFF SHALL BE VOID AND SHALL  
22 NOT BE COUNTED.

23	[PARTY COLUMN	PRESIDENTIAL ELECTORS
24	TO VOTE A STRAIGHT PARTY TICKET	(VOTE FOR THE CANDIDATES OF
25	MARK A CROSS (X) OR CHECK ( ) IN	ONE PARTY FOR PRESIDENT AND
26	THIS COLUMN.	VICE-PRESIDENT, OR INSERT THE
27		NAMES OF CANDIDATES.)
28		FOR
29	DEMOCRATIC	JOHN STILES
30		AND

1 RICHARD DOE,  
 2 DEMOCRATIC .....  
 3 FOR  
 4 REPUBLICAN JOHN DOE  
 5 AND  
 6 RICHARD ROE,  
 7 REPUBLICAN .....  
 8 FOR  
 9 SOCIALIST JOHN SMITH  
 10 AND  
 11 WILLIAM JONES,  
 12 SOCIALIST .....  
 13 CITIZENS]

14 PRESIDENTIAL ELECTORS.

15 (VOTE FOR THE CANDIDATES OF ONE PARTY FOR PRESIDENT AND VICE  
 16 PRESIDENT, OR INSERT THE NAMES OF CANDIDATES)

17 FOR  
 18 JOHN STILES AND RICHARD DOE..... DEMOCRATIC  
 19 FOR  
 20 JOHN DOE AND RICHARD ROE..... REPUBLICAN  
 21 FOR  
 22 JOHN SMITH AND WILLIAM JONES..... SOCIALIST  
 23 FOR  
 24 ..... CITIZENS

25 UNITED STATES SENATOR.

26 (VOTE FOR ONE)

27 RICHARD ROE ..... DEMOCRATIC  
 28 JOHN DOE ..... REPUBLICAN  
 29 RICHARD STILES ..... SOCIALIST

30 GOVERNOR.

1 (VOTE FOR ONE)  
2 RICHARD ROE ..... DEMOCRATIC  
3 JOHN DOE ..... REPUBLICAN  
4 RICHARD STILES ..... SOCIALIST

5 REPRESENTATIVES IN CONGRESS,

6 ..... DISTRICT.

7 (VOTE FOR ONE)

8 RICHARD ROE ..... DEMOCRATIC  
9 JOHN DOE ..... REPUBLICAN  
10 RICHARD STILES ..... SOCIALIST

11 SENATOR IN THE GENERAL ASSEMBLY,

12 ..... DISTRICT.

13 (VOTE FOR ONE)

14 JOHN DOE ..... DEMOCRATIC  
15 RICHARD ROE ..... REPUBLICAN

16 \* \* \*

17 SECTION 1007. NUMBER OF BALLOTS TO BE PRINTED; SPECIMEN  
18 BALLOTS.--(A) THE COUNTY BOARD OF EACH COUNTY SHALL PROVIDE FOR <--  
19 EACH ELECTION DISTRICT [~~IN WHICH A PAPER BALLOT IS USED IN A~~ <--  
20 ~~PRIMARY [IS] OR ELECTION~~ TO BE HELD, ~~ONE BOOK OF FIFTY OFFICIAL~~ <--  
21 ~~BALLOTS OF EACH PARTY FOR EVERY FORTY-FIVE REGISTERED AND~~  
22 ~~ENROLLED ELECTORS OF SUCH PARTY AND FRACTION THEREOF, APPEARING~~  
23 ~~UPON THE DISTRICT REGISTER,] A SUPPLY OF OFFICIAL BALLOTS EQUAL <--  
24 ~~TO TEN PER CENTUM MORE THAN THE GREATEST NUMBER OF BALLOTS CAST~~  
25 ~~IN THE PRIOR THREE COMPARABLE ELECTIONS IN THE ELECTION~~  
26 ~~DISTRICT~~ AND SHALL PROVIDE FOR EACH ELECTION DISTRICT IN WHICH  
27 AN ELECTION IS TO BE HELD ONE BOOK OF FIFTY OFFICIAL BALLOTS FOR  
28 EVERY FORTY-FIVE REGISTERED ELECTORS AND FRACTION THEREOF  
29 APPEARING UPON THE DISTRICT REGISTER. THEY] A SUPPLY OF OFFICIAL <--  
30 ELECTION BALLOTS FOR:~~

1 (1) THE GENERAL PRIMARY ELECTION HELD IN EVEN-NUMBERED YEARS  
2 IN WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
3 STATES ARE NOT NOMINATED IN AN AMOUNT OF AT LEAST TEN PER CENTUM  
4 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION  
5 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL PRIMARY ELECTIONS  
6 AT WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
7 STATES WERE NOT NOMINATED;

8 (2) THE GENERAL PRIMARY ELECTION HELD IN EVEN-NUMBERED YEARS  
9 IN WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
10 STATES ARE NOMINATED IN AN AMOUNT OF AT LEAST TEN PER CENTUM  
11 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION  
12 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL PRIMARY ELECTIONS  
13 AT WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
14 STATES WERE NOMINATED;

15 (3) THE MUNICIPAL PRIMARY ELECTION HELD IN ODD-NUMBERED  
16 YEARS IN AN AMOUNT OF AT LEAST TEN PER CENTUM GREATER THAN THE  
17 HIGHEST NUMBER OF BALLOTS CAST IN ANY OF THE PREVIOUS THREE  
18 MUNICIPAL PRIMARY ELECTIONS IN THE ELECTION DISTRICT;

19 (4) THE GENERAL ELECTION HELD IN EVEN-NUMBERED YEARS IN  
20 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
21 STATES ARE NOT ELECTED IN AN AMOUNT OF AT LEAST TEN PER CENTUM  
22 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION  
23 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL ELECTIONS AT WHICH  
24 CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES WERE  
25 NOT ELECTED;

26 (5) THE GENERAL ELECTION HELD IN EVEN-NUMBERED YEARS IN  
27 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
28 STATES ARE ELECTED IN AN AMOUNT OF AT LEAST TEN PER CENTUM  
29 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION  
30 DISTRICTS IN ANY OF THE PREVIOUS THREE GENERAL ELECTIONS AT

1 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED  
2 STATES WERE ELECTED; AND

3 (6) THE MUNICIPAL ELECTION HELD IN ODD-NUMBERED YEARS IN AN  
4 AMOUNT OF AT LEAST TEN PER CENTUM GREATER THAN THE HIGHEST  
5 NUMBER OF BALLOTS CAST IN ANY OF THE PREVIOUS THREE MUNICIPAL  
6 ELECTIONS IN THE ELECTION DISTRICT.

7 (B) THE COUNTY BOARD OF EACH COUNTY SHALL ALSO, IN ADDITION <--  
8 TO THE NUMBER OF BALLOTS REQUIRED TO BE PRINTED FOR GENERAL  
9 DISTRIBUTION, MAINTAIN A SUFFICIENT SUPPLY OF SUCH BALLOTS AT  
10 THE OFFICE OF THE COUNTY BOARD FOR THE USE OF ABSENTEE ELECTORS  
11 AND FOR THE USE OF ANY DISTRICT, THE BALLOTS FOR WHICH MAY BE  
12 LOST, DESTROYED OR STOLEN. THEY SHALL ALSO CAUSE TO BE PRINTED  
13 ON TINTED PAPER, AND WITHOUT THE FACSIMILE ENDORSEMENTS,  
14 PERMANENT BINDING OR STUBS, COPIES OF THE FORM OF BALLOTS  
15 PROVIDED FOR EACH POLLING PLACE AT EACH PRIMARY OR ELECTION  
16 THEREIN, WHICH SHALL BE CALLED SPECIMEN BALLOTS, AND WHICH SHALL  
17 BE OF THE SAME SIZE AND FORM AS THE OFFICIAL BALLOTS, AND AT  
18 EACH ELECTION THEY SHALL DELIVER TO THE ELECTION OFFICERS, IN  
19 ADDITION TO THE OFFICIAL BALLOTS TO BE USED AT SUCH ELECTION, A  
20 SUITABLE SUPPLY OF SPECIMEN BALLOTS FOR THE USE OF THE ELECTORS.  
21 AT EACH PRIMARY, A SUITABLE SUPPLY OF SPECIMEN BALLOTS OF EACH  
22 PARTY SHALL BE FURNISHED.

23 SECTION 1107. REQUIREMENTS OF VOTING MACHINES.--NO VOTING  
24 MACHINE SHALL, UPON ANY EXAMINATION OR REEXAMINATION, BE  
25 APPROVED BY THE SECRETARY OF THE COMMONWEALTH, OR BY ANY  
26 EXAMINER APPOINTED BY HIM, UNLESS IT SHALL, AT THE TIME, SATISFY  
27 THE FOLLOWING REQUIREMENTS:

28 \* \* \*

29 [(B) IT SHALL PERMIT EACH VOTER, AT OTHER THAN PRIMARY  
30 ELECTIONS, TO VOTE A STRAIGHT POLITICAL PARTY TICKET IN ONE

1 OPERATION, AND, IN ONE OPERATION, TO VOTE FOR ALL THE CANDIDATES  
2 OF ONE POLITICAL PARTY FOR PRESIDENTIAL ELECTORS, AND, IN ONE  
3 OPERATION, TO VOTE FOR ALL THE CANDIDATES OF ONE POLITICAL PARTY  
4 FOR EVERY OFFICE TO BE VOTED FOR, EXCEPT THOSE OFFICES AS TO  
5 WHICH HE VOTES FOR INDIVIDUAL CANDIDATES.]

6 \* \* \*

7 SECTION 1110. FORM OF BALLOT LABELS ON VOTING MACHINES.--

8 \* \* \*

9 (H) THE NAMES OF ALL CANDIDATES OF A POLITICAL PARTY SHALL  
10 APPEAR IN THE SAME ROW OR COLUMN, AND EXCEPT IN CASES OF NAMES  
11 OF PRESIDENTIAL COMMITMENTS OF NOMINEES FOR DELEGATE OR  
12 ALTERNATE DELEGATE TO POLITICAL PARTY NATIONAL CONVENTIONS NO  
13 OTHER NAMES SHALL APPEAR IN THE SAME ROW OR COLUMN[, TO THE LEFT  
14 OR TOP OF WHICH SHALL BE A STRAIGHT PARTY LEVER, BY MEANS OF  
15 WHICH AN ELECTOR MAY, IN ONE OPERATION, VOTE FOR ALL THE  
16 CANDIDATES OF THAT POLITICAL PARTY FOR EVERY OFFICE TO BE VOTED  
17 FOR]. WHERE THE NAMES OF THE DELEGATE OR ALTERNATE DELEGATE AND  
18 THE PRESIDENTIAL CANDIDATE [HE] THE VOTER IS SUPPORTING SHALL  
19 BOTH APPEAR, THE PRINT SIZE OF THE NAME OF THE DELEGATE OR  
20 ALTERNATE DELEGATE SHALL BE EQUAL TO THE SIZE OF THE NAME OF THE  
21 PARTICULAR PRESIDENTIAL CANDIDATE TO WHOM [HE] THE VOTER IS  
22 COMMITTED, OR IN THE CASE WHERE [HE] THE VOTER IS UNCOMMITTED,  
23 THE WORD "UNCOMMITTED" SHALL APPEAR IN THE SAME SIZE PRINT. THE  
24 NAMES OF SUCH CANDIDATES SHALL BE ARRANGED UNDER OR OPPOSITE THE  
25 TITLE OF THE OFFICE FOR WHICH THEY ARE CANDIDATES, AND SHALL  
26 APPEAR IN THE ORDER OF THE VOTES OBTAINED BY THE CANDIDATE FOR  
27 GOVERNOR OF THE PARTY NOMINATED AT THE LAST GUBERNATORIAL  
28 ELECTION, BEGINNING WITH THE PARTY OBTAINING THE HIGHEST NUMBER  
29 OF VOTES: PROVIDED, HOWEVER, THAT IN THE CASE OF PARTIES OR  
30 BODIES NOT REPRESENTED ON THE BALLOT AT THE LAST GUBERNATORIAL

1 ELECTION, THE NAMES OF THE CANDIDATES OF SUCH PARTIES SHALL BE  
2 ARRANGED ALPHABETICALLY, ACCORDING TO THE PARTY OR BODY NAME.  
3 THE NAMES OF ALL CANDIDATES OF A POLITICAL BODY SHALL APPEAR IN  
4 THE SAME ROW OR COLUMN, AND, IF THE NUMBER OF PARTIES AND BODIES  
5 PERMITS, EACH POLITICAL BODY SHALL BE ENTITLED EXCLUSIVELY TO A  
6 SEPARATE ROW OR COLUMN[, WITH A STRAIGHT PARTY LEVER]. IF,  
7 HOWEVER, THE NUMBER OF POLITICAL PARTIES AND POLITICAL BODIES  
8 RENDERS IT IMPOSSIBLE OR IMPRACTICABLE TO SO ARRANGE THE  
9 POLITICAL BODIES, IN SUCH CASE SAID BODIES SHALL NOT BE ENTITLED  
10 TO A SEPARATE ROW OR COLUMN [AND A STRAIGHT PARTY LEVER], BUT  
11 SHALL BE LISTED BY POLITICAL APPELLATIONS ON THE FIRST LEFT HAND  
12 OR TOP ROW, WITH THE DESIGNATING LETTER AND NUMBER OF THE BALLOT  
13 LABEL WHERE THEIR CANDIDATES MAY BE FOUND, TOGETHER WITH THE  
14 POLITICAL APPELLATIONS OF OTHER POLITICAL BODIES, WHOSE  
15 CANDIDATES MAY BE INTERSPERSED ON THE SAME ROW OR COLUMN.  
16 SUBJECT TO THE AFORESAID LIMITATIONS, THE FORM AND ARRANGEMENT  
17 OF BALLOT LABELS, AS TO THE PLACING THEREON OF POLITICAL BODIES,  
18 SHALL BE WITHIN THE DISCRETION OF THE COUNTY BOARD.

19 \* \* \*

20 SECTION 1107-A. REQUIREMENTS OF ELECTRONIC VOTING SYSTEMS.--  
21 NO ELECTRONIC VOTING SYSTEM SHALL, UPON ANY EXAMINATION OR  
22 REEXAMINATION, BE APPROVED BY THE SECRETARY OF THE COMMONWEALTH,  
23 OR BY ANY EXAMINER APPOINTED BY [HIM] THE SECRETARY OF THE  
24 COMMONWEALTH, UNLESS IT SHALL BE ESTABLISHED THAT SUCH SYSTEM,  
25 AT THE TIME OF SUCH EXAMINATION OR REEXAMINATION:

26 \* \* \*

27 [(3) PERMITS EACH VOTER, AT OTHER THAN PRIMARY ELECTIONS, TO  
28 VOTE A STRAIGHT POLITICAL PARTY TICKET BY ONE MARK OR ACT AND,  
29 BY ONE MARK OR ACT, TO VOTE FOR ALL THE CANDIDATES OF ONE  
30 POLITICAL PARTY FOR PRESIDENTIAL ELECTORS AND, BY ONE MARK OR

1 ACT, TO VOTE FOR ALL THE CANDIDATES OF ONE POLITICAL PARTY FOR  
2 EVERY OFFICE TO BE VOTED FOR, AND EVERY SUCH MARK OR ACT SHALL  
3 BE EQUIVALENT TO AND SHALL BE COUNTED AS A VOTE FOR EVERY  
4 CANDIDATE OF THE POLITICAL PARTY SO MARKED INCLUDING ITS  
5 CANDIDATES FOR PRESIDENTIAL ELECTORS, EXCEPT WITH RESPECT TO  
6 THOSE OFFICES AS TO WHICH THE VOTER HAS REGISTERED A VOTE FOR  
7 INDIVIDUAL CANDIDATES OF THE SAME OR ANOTHER POLITICAL PARTY OR  
8 POLITICAL BODY, IN WHICH CASE THE AUTOMATIC TABULATING EQUIPMENT  
9 SHALL CREDIT THE VOTE FOR THAT OFFICE ONLY FOR THE CANDIDATE  
10 INDIVIDUALLY SO SELECTED, NOTWITHSTANDING THE FACT THAT THE  
11 VOTER MAY NOT HAVE INDIVIDUALLY VOTED FOR THE FULL NUMBER OF  
12 CANDIDATES FOR THAT OFFICE FOR WHICH HE WAS ENTITLED TO VOTE.]

13 \* \* \*

14 SECTION 1109-A. FORMS.-- (A) \* \* \*

15 (2) THE PAGES PLACED ON THE VOTING DEVICE SHALL BE OF  
16 SUFFICIENT NUMBER TO INCLUDE, FOLLOWING THE LISTING OF  
17 PARTICULAR CANDIDATES, THE NAMES OF CANDIDATES FOR ANY  
18 NONPARTISAN OFFICES AND ANY MEASURES FOR WHICH A VOTER MAY BE  
19 QUALIFIED TO VOTE ON A GIVEN ELECTION DAY, PROVIDED FURTHER THAT  
20 FOR MUNICIPAL, GENERAL OR SPECIAL ELECTIONS, THE FIRST BALLOT  
21 PAGE SHALL LIST IN THE ORDER THAT SUCH POLITICAL PARTIES ARE  
22 ENTITLED TO PRIORITY ON THE BALLOT, THE NAMES OF SUCH POLITICAL  
23 PARTIES [WITH DESIGNATING ARROWS SO AS TO INDICATE THE VOTING  
24 SQUARE OR POSITION ON THE BALLOT CARD WHERE THE VOTER MAY INSERT  
25 BY ONE MARK OR PUNCH THE STRAIGHT PARTY TICKET OF HIS CHOICE].

26 \* \* \*

27 [(D) IN PARTISAN ELECTIONS THE BALLOT CARDS SHALL INCLUDE A  
28 VOTING SQUARE OR POSITION WHEREBY THE VOTER MAY BY ONE PUNCH OR  
29 MARK RECORD A STRAIGHT PARTY TICKET VOTE FOR ALL THE CANDIDATES  
30 OF ONE PARTY OR MAY VOTE A SPLIT TICKET FOR THE CANDIDATES OF

1 HIS CHOICE.]

2 \* \* \*

3 SECTION 1112-A. ELECTION DAY PROCEDURES AND THE PROCESS OF  
4 VOTING.--(A) IN AN ELECTION DISTRICT WHICH USES AN ELECTRONIC  
5 VOTING SYSTEM IN WHICH VOTES ARE REGISTERED ELECTRONICALLY, THE  
6 FOLLOWING PROCEDURES WILL BE APPLICABLE FOR THE CONDUCT OF THE  
7 ELECTION AT THE ELECTION DISTRICT:

8 \* \* \*

9 (2) AT [PRIMARY] ALL ELECTIONS, THE VOTER SHALL BE ABLE TO  
10 VOTE FOR EACH CANDIDATE INDIVIDUALLY BY THE MEANS PROVIDED. [AT  
11 ALL OTHER ELECTIONS, HE MAY VOTE FOR EACH CANDIDATE  
12 INDIVIDUALLY, OR HE MAY VOTE A STRAIGHT POLITICAL PARTY TICKET  
13 IN ONE OPERATION BY OPERATING THE STRAIGHT POLITICAL PARTY  
14 MECHANISM OF THE POLITICAL PARTY OR POLITICAL BODY OF HIS  
15 CHOICE. HE MAY ALSO, AFTER HAVING OPERATED THE STRAIGHT PARTY  
16 MECHANISM AND BEFORE RECORDING HIS VOTE, CANCEL THE VOTE FOR ANY  
17 CANDIDATE OF SUCH POLITICAL PARTY OR POLITICAL BODY AND MAY  
18 THEREUPON VOTE FOR A CANDIDATE OF ANOTHER PARTY, OR POLITICAL  
19 BODY FOR THE SAME OFFICE.] THE VOTER MAY ALSO VOTE INDIVIDUALLY  
20 FOR OR AGAINST A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS.

21 \* \* \*

22 (4) AT ANY GENERAL ELECTION AT WHICH PRESIDENTIAL ELECTORS  
23 ARE TO BE CHOSEN, EACH ELECTOR SHALL BE PERMITTED TO VOTE BY ONE  
24 OPERATION FOR ALL THE PRESIDENTIAL ELECTORS OF A POLITICAL PARTY  
25 OR POLITICAL BODY. FOR EACH PARTY OR BODY NOMINATING  
26 PRESIDENTIAL ELECTORS, A BALLOT LABEL SHALL BE PROVIDED  
27 CONTAINING ONLY THE WORDS "PRESIDENTIAL ELECTORS," PRECEDED BY  
28 THE NAMES OF THE PARTY OR BODY AND FOLLOWED BY THE NAMES OF THE  
29 CANDIDATES THEREOF FOR THE OFFICE OF PRESIDENT AND VICE-  
30 PRESIDENT, AND THE CORRESPONDING COUNTER OR REGISTERING DEVICE

1 SHALL REGISTER VOTES CAST FOR SAID ELECTORS WHEN THUS VOTED FOR  
2 COLLECTIVELY. IF ANY ELECTOR DESIRES TO VOTE A TICKET FOR  
3 PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS NOMINATED  
4 BY DIFFERENT PARTIES OR BODIES, OR PARTIALLY OF NAMES OF PERSONS  
5 SO IN NOMINATION AND PARTIALLY OF NAMES OF PERSONS NOT IN  
6 NOMINATION BY ANY PARTY OR BODY, [HE] THE VOTER MAY WRITE OR  
7 DEPOSIT A PAPER BALLOT PREPARED BY [HIMSELF] THE VOTER IN THE  
8 RECEPTACLE PROVIDED IN OR ON THE VOTING DEVICE FOR THAT PURPOSE,  
9 OR [HE] THE VOTER MAY LIST THEIR NAMES ON THE WRITE-IN BALLOT OR  
10 ENVELOPE PROVIDED FOR THAT PURPOSE. THE VOTING DEVICE SHALL BE  
11 SO CONSTRUCTED THAT IT WILL NOT BE POSSIBLE FOR ANY ONE VOTER TO  
12 VOTE A STRAIGHT PARTY TICKET FOR PRESIDENTIAL ELECTORS AND AT  
13 THE SAME TIME TO DEPOSIT A BALLOT FOR PRESIDENTIAL ELECTORS IN A  
14 RECEPTACLE AS [HEREINABOVE] PROVIDED IN THIS SECTION. WHEN THE  
15 VOTES FOR PRESIDENTIAL ELECTORS ARE COUNTED, THE VOTES APPEARING  
16 UPON THE COUNTER OR REGISTERING DEVICE CORRESPONDING TO THE  
17 BALLOT LABEL CONTAINING THE NAMES OF THE CANDIDATES FOR  
18 PRESIDENT AND VICE-PRESIDENT OF ANY PARTY OR BODY SHALL BE  
19 COUNTED AS VOTES FOR EACH OF THE CANDIDATES FOR PRESIDENTIAL  
20 ELECTOR OF SUCH PARTY OR BODY, AND THEREUPON ALL CANDIDATES FOR  
21 PRESIDENTIAL ELECTOR SHALL BE CREDITED, IN ADDITION, WITH THE  
22 VOTES CAST FOR THEM UPON THE BALLOTS DEPOSITED IN THE MACHINE,  
23 AS [HEREINABOVE] PROVIDED IN THIS SECTION.

24 \* \* \*

25 SECTION 2. THE ACT IS AMENDED BY ADDING ~~AN ARTICLE~~ ARTICLES <--  
26 TO READ:

27 ARTICLE XI B <--

28 VOTING SYSTEMS DECERTIFICATION

29 SECTION 1101 B. DEFINITIONS.

30 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE

1 ~~SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE~~  
2 ~~CONTEXT CLEARLY INDICATES OTHERWISE:~~

3 ~~"DEPARTMENT." THE DEPARTMENT OF STATE OF THE COMMONWEALTH.~~

4 ~~"ELECTRONIC VOTING SYSTEM." AS DEFINED IN SECTION 1101 A.~~

5 ~~"VOTING APPARATUS." A KIND OR TYPE OF ANY OF THE FOLLOWING:~~

6 ~~(1) AN ELECTRONIC VOTING SYSTEM.~~

7 ~~(2) A VOTING MACHINE.~~

8 ~~"VOTING MACHINE." A VOTING MACHINE AS DESCRIBED UNDER~~  
9 ~~ARTICLE XI.~~

10 ~~SECTION 1102 B. DECERTIFICATION.~~

11 ~~(A) PROHIBITION. THE COMMONWEALTH MAY NOT DISAPPROVE OF OR~~  
12 ~~DECERTIFY VOTING APPARATUSES IN 50% OR MORE COUNTIES UNTIL THE~~  
13 ~~REQUIREMENTS OF THIS ARTICLE HAVE BEEN MET.~~

14 ~~(B) PLAN. IF THE COMMONWEALTH INTENDS TO DISAPPROVE OR~~  
15 ~~DECERTIFY VOTING APPARATUSES IN 50% OR MORE COUNTIES, THE~~  
16 ~~DEPARTMENT MUST SUBMIT A WRITTEN PLAN TO THE PRESIDENT PRO-~~  
17 ~~TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF~~  
18 ~~REPRESENTATIVES, THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE~~  
19 ~~APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE~~  
20 ~~STATE GOVERNMENT COMMITTEE OF THE SENATE AND THE STATE~~  
21 ~~GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AT LEAST~~  
22 ~~180 DAYS PRIOR TO THE EFFECTIVE DATE OF REPLACEMENT, CONTAINING~~  
23 ~~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.~~

ARTICLE XI-B

<--

VOTING SYSTEMS

SECTION 1101-B. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"ELECTRONIC VOTING SYSTEM." AS DEFINED IN SECTION 1101-A.

"VOTING APPARATUS." A KIND OR TYPE OF ELECTRONIC VOTING SYSTEM THAT RECEIVED APPROVAL BY THE SECRETARY OF THE COMMONWEALTH UNDER SECTION 1105-A.

SECTION 1102-B. DISAPPROVAL OR DECERTIFICATION.

(A) PROHIBITION.--THE COMMONWEALTH MAY NOT DISAPPROVE OF OR DECERTIFY VOTING APPARATUSES IN 50% OR MORE COUNTIES UNTIL THE REQUIREMENTS OF THIS ARTICLE HAVE BEEN MET.

(B) PLAN.--IF THE COMMONWEALTH INTENDS TO DISAPPROVE OR DECERTIFY VOTING APPARATUSES IN 50% OR MORE COUNTIES, THE DEPARTMENT OF STATE MUST SUBMIT A WRITTEN PLAN TO THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AT LEAST 180 DAYS PRIOR TO THE EFFECTIVE DATE OF REPLACEMENT, CONTAINING EACH OF THE FOLLOWING:

(1) THE REASON FOR DISAPPROVAL OR DECERTIFICATION.

(2) THE ESTIMATED COST TO REPLACE THE DISAPPROVED OR DECERTIFIED VOTING APPARATUSES AND THE PLAN FOR HOW FUNDING IS ANTICIPATED TO BE OBTAINED.

(3) A PLAN FOR REPLACING THE DISAPPROVED OR DECERTIFIED VOTING APPARATUSES.

(4) THE EFFECTIVE DATE OF REPLACEMENT.

(C) VOTING SYSTEM DECERTIFICATION COMMISSION.--

(1) WITHIN 10 DAYS OF RECEIPT OF THE WRITTEN PLAN UNDER SUBSECTION (B) BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND

1 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, A COMMISSION  
2 SHALL BE ESTABLISHED. THE COMMISSION SHALL, WITHIN 90 DAYS OF  
3 ESTABLISHMENT, DO ALL OF THE FOLLOWING:

4 (I) REVIEW THE WRITTEN PLAN.

5 (II) HOLD AT LEAST TWO PUBLIC HEARINGS ON THE  
6 MATTER, INCLUDING THE PLAN SUBMITTED UNDER SUBSECTION  
7 (B).

8 (III) ISSUE A WRITTEN REPORT CONSISTENT WITH  
9 SUBPARAGRAPH (IV) TO EACH OF THE FOLLOWING:

10 (A) THE PRESIDENT PRO TEMPORE OF THE SENATE.

11 (B) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

12 (C) THE MAJORITY LEADER OF THE SENATE

13 (D) THE MAJORITY LEADER OF THE HOUSE OF  
14 REPRESENTATIVES.

15 (E) THE MINORITY LEADER OF THE SENATE.

16 (F) THE MINORITY LEADER OF THE HOUSE OF  
17 REPRESENTATIVES.

18 (G) THE CHAIR AND MINORITY CHAIR OF THE STATE  
19 GOVERNMENT COMMITTEE OF THE SENATE AND THE CHAIR AND  
20 MINORITY CHAIR OF THE STATE GOVERNMENT COMMITTEE OF  
21 THE HOUSE OF REPRESENTATIVES.

22 (IV) THE WRITTEN REPORT SHALL INCLUDE ALL OF THE  
23 FOLLOWING:

24 (A) AN ESTIMATED COST FOR THE WRITTEN PLAN AND  
25 ESTIMATED COSTS FOR THE IMPLEMENTATION OF OTHER  
26 VOTING APPARATUSES AND HOW THE COSTS WILL BE DIVIDED.

27 (B) WRITTEN JUSTIFICATION FOR DISAPPROVAL OR  
28 DECERTIFICATION.

29 (C) EACH DISSENTING OPINION OF A MEMBER OF THE  
30 COMMISSION.

1                   (D) RECOMMENDED LEGISLATIVE ACTION, IF  
2                   NECESSARY, INCLUDING DRAFT LEGISLATION.

3                   (2) THE COMMISSION SHALL BE COMPOSED OF THE FOLLOWING  
4                   MEMBERS:

5                   (I) TWO MEMBERS APPOINTED BY THE GOVERNOR, ONE OF  
6                   WHOM SHALL BE A COUNTY COMMISSIONER AND ONE OF WHOM SHALL  
7                   BE A COUNTY ELECTION OFFICER AT THE TIME OF APPOINTMENT.

8                   (II) THE SECRETARY OF THE COMMONWEALTH OR A  
9                   DESIGNEE.

10                  (III) THE CHAIR AND MINORITY CHAIR OF THE STATE  
11                  GOVERNMENT COMMITTEE OF THE SENATE AND THE CHAIR AND  
12                  MINORITY CHAIR OF THE STATE GOVERNMENT COMMITTEE OF THE  
13                  HOUSE OF REPRESENTATIVES OR THEIR DESIGNEES.

14                  (IV) ONE LEGISLATOR FROM EACH OF THE FOUR  
15                  LEGISLATIVE CAUCUSES, TO BE APPOINTED BY THE PRESIDENT  
16                  PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
17                  REPRESENTATIVES, IN CONSULTATION WITH THE MAJORITY LEADER  
18                  AND MINORITY LEADER OF THE SENATE AND THE MAJORITY LEADER  
19                  AND MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES OR  
20                  THEIR DESIGNEES.

21                  (3) THE COMMISSION SHALL APPOINT A MEMBER TO SERVE AS  
22                  CHAIR OF THE COMMISSION.

23                  (4) THE COMMISSION SHALL HOLD MEETINGS AT THE CALL OF  
24                  THE CHAIR.

25                  (5) THE GENERAL ASSEMBLY SHALL PROVIDE ADMINISTRATIVE  
26                  SUPPORT, MEETING SPACE AND ANY OTHER ASSISTANCE REQUIRED BY  
27                  THE COMMISSION TO CARRY OUT ITS DUTIES UNDER THIS SECTION IN  
28                  COOPERATION WITH THE DEPARTMENT.

29                  (6) A MEMBER MAY NOT RECEIVE COMPENSATION FOR THE  
30                  MEMBER'S SERVICES, BUT SHALL BE REIMBURSED FOR NECESSARY

1 TRAVEL AND OTHER REASONABLE EXPENSES INCURRED IN CONNECTION  
2 WITH THE PERFORMANCE OF THE MEMBER'S DUTIES AS A MEMBER OF  
3 THE COMMISSION.

4 ARTICLE XI-C <--

5 VOTING SYSTEMS BONDS

6 SECTION 1101-C. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
8 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
9 CONTEXT CLEARLY INDICATES OTHERWISE:

10 "ACCOUNT." THE COUNTY VOTING SYSTEM REIMBURSEMENT ACCOUNT  
11 ESTABLISHED UNDER SECTION 1106-C.

12 "AUTHORITY." THE PENNSYLVANIA ECONOMIC DEVELOPMENT FINANCING  
13 AUTHORITY.

14 "BOND." ANY TYPE OF REVENUE OBLIGATION, INCLUDING A BOND OR  
15 SERIES OF BONDS, NOTE, CERTIFICATE OR OTHER INSTRUMENT, ISSUED  
16 BY THE AUTHORITY FOR THE BENEFIT OF THE DEPARTMENT UNDER THIS  
17 ARTICLE.

18 "BOND ADMINISTRATIVE EXPENSES." EXPENSES INCURRED TO  
19 ADMINISTER BONDS AS PROVIDED UNDER THE FINANCING LAW, OR AS  
20 OTHERWISE NECESSARY TO ENSURE COMPLIANCE WITH APPLICABLE FEDERAL  
21 OR STATE LAW.

22 "BOND OBLIGATIONS." THE PRINCIPAL OF A BOND AND ANY PREMIUM  
23 AND INTEREST PAYABLE ON A BOND, TOGETHER WITH ANY AMOUNT OWED  
24 UNDER A RELATED CREDIT AGREEMENT OR A RELATED RESOLUTION OF THE  
25 AUTHORITY AUTHORIZING A BOND.

26 "CREDIT AGREEMENT." A LOAN AGREEMENT, A REVOLVING CREDIT  
27 AGREEMENT, AN AGREEMENT ESTABLISHING A LINE OF CREDIT, A LETTER  
28 OF CREDIT OR ANOTHER AGREEMENT THAT ENHANCES THE MARKETABILITY,  
29 SECURITY OR CREDITWORTHINESS OF A BOND.

30 "DEPARTMENT." THE DEPARTMENT OF STATE OF THE COMMONWEALTH.

1 "ELECTRONIC VOTING SYSTEM." AS DEFINED IN SECTION 1101-A.  
2 "FINANCING LAW." THE ACT OF AUGUST 23, 1967 (P.L.251,  
3 NO.102), KNOWN AS THE ECONOMIC DEVELOPMENT FINANCING LAW.

4 "VOTING APPARATUS." A KIND OR TYPE OF ELECTRONIC VOTING  
5 SYSTEM THAT RECEIVED THE APPROVAL OF THE SECRETARY OF THE  
6 COMMONWEALTH UNDER SECTION 1105-A.  
7 SECTION 1102-C. BOND ISSUANCE.

8 (A) DECLARATION OF POLICY.--THE GENERAL ASSEMBLY FINDS AND  
9 DECLARES THAT FUNDING THE REPLACEMENT OF VOTING APPARATUSES,  
10 INCLUDING INTEREST, THROUGH THE AUTHORITY, IS IN THE BEST  
11 INTEREST OF THIS COMMONWEALTH.

12 (B) AUTHORITY.--NOTWITHSTANDING ANY OTHER LAW, THE FOLLOWING  
13 SHALL APPLY:

14 (1) THE DEPARTMENT MAY BE A PROJECT APPLICANT UNDER THE  
15 FINANCING LAW AND MAY APPLY TO THE AUTHORITY FOR THE FUNDING  
16 OF THE REPLACEMENT OF VOTING APPARATUSES.

17 (2) THE AUTHORITY MAY ISSUE BONDS UNDER THE FINANCING  
18 LAW, CONSISTENT WITH THIS ARTICLE, TO FINANCE A PROJECT TO  
19 FUND THE REPLACEMENT OF COUNTY VOTING APPARATUSES OR TO  
20 REIMBURSE COUNTIES FOR THEIR COST TO PURCHASE VOTING  
21 APPARATUSES.

22 (3) PARTICIPATION OF AN INDUSTRIAL AND COMMERCIAL  
23 DEVELOPMENT AUTHORITY SHALL NOT BE REQUIRED TO FINANCE THE  
24 REPLACEMENT OF VOTING APPARATUSES.

25 (C) DEBT OR LIABILITY.--

26 (1) BONDS ISSUED UNDER THIS ARTICLE SHALL NOT BE A DEBT  
27 OR LIABILITY OF THE COMMONWEALTH AND SHALL NOT CREATE OR  
28 CONSTITUTE ANY INDEBTEDNESS, LIABILITY OR OBLIGATION OF THE  
29 COMMONWEALTH.

30 (2) BOND OBLIGATIONS AND BOND ADMINISTRATIVE EXPENSES

1 SHALL BE PAYABLE SOLELY FROM REVENUES OR MONEY PLEDGED OR  
2 AVAILABLE FOR REPAYMENT AS AUTHORIZED UNDER THIS ARTICLE.  
3 THIS PARAGRAPH SHALL INCLUDE THE PROCEEDS OF ANY ISSUANCE OF  
4 BONDS.

5 (3) EACH BOND SHALL CONTAIN ON ITS FACE A STATEMENT  
6 THAT:

7 (I) THE AUTHORITY IS OBLIGATED TO PAY THE PRINCIPAL  
8 OR INTEREST ON THE BONDS ONLY FROM THE REVENUES OR MONEY  
9 PLEDGED OR AVAILABLE FOR REPAYMENT AS AUTHORIZED UNDER  
10 THIS ARTICLE;

11 (II) NEITHER THE COMMONWEALTH NOR A COUNTY IS  
12 OBLIGATED TO PAY THE PRINCIPAL OR INTEREST; AND

13 (III) THE FULL FAITH AND CREDIT OF THE COMMONWEALTH  
14 OR ANY COUNTY IS NOT PLEDGED TO THE PAYMENT OF THE  
15 PRINCIPAL OF OR THE INTEREST ON THE BONDS.

16 SECTION 1103-C. CRITERIA FOR BOND ISSUANCE.

17 (A) DETERMINATION.--IF THE DEPARTMENT DECERTIFIES A VOTING  
18 APPARATUS IN THIS COMMONWEALTH THAT IS IN USE IN A COUNTY, THE  
19 DEPARTMENT SHALL APPLY TO THE AUTHORITY TO ISSUE BONDS FOR  
20 REIMBURSEMENTS TO THE COUNTY FOR THE COST OF PROCURING A NEW  
21 VOTING APPARATUS.

22 (B) TERMS.--

23 (1) THE DEPARTMENT, WITH THE APPROVAL OF THE OFFICE OF  
24 THE BUDGET, SHALL SPECIFY IN ITS APPLICATION TO THE  
25 AUTHORITY:

26 (I) THE MAXIMUM PRINCIPAL AMOUNT OF THE BONDS FOR  
27 EACH SEPARATE BOND ISSUE; AND

28 (II) THE MAXIMUM TERM OF THE BONDS CONSISTENT WITH  
29 APPLICABLE LAW.

30 (2) THE TOTAL PRINCIPAL AMOUNT OF BONDS OUTSTANDING

1 UNDER THIS ARTICLE FOR ALL BOND ISSUES MAY NOT EXCEED  
2 \$90,000,000.

3 (3) THE TERM OF THE BONDS ISSUED UNDER THIS ARTICLE MAY  
4 NOT EXCEED 10 YEARS.

5 SECTION 1104-C. ISSUANCE OF BONDS AND SECURITY.

6 (A) ISSUANCE.--THE AUTHORITY SHALL CONSIDER ISSUANCE OF  
7 BONDS UPON APPLICATION BY THE DEPARTMENT. BONDS ISSUED UNDER  
8 THIS ARTICLE SHALL BE SUBJECT TO THE PROVISIONS OF THE FINANCING  
9 LAW, UNLESS OTHERWISE SPECIFIED UNDER THIS ARTICLE.

10 (B) SERVICE AGREEMENT AUTHORIZED.--THE AUTHORITY AND THE  
11 DEPARTMENT MAY ENTER INTO AN AGREEMENT OR SERVICE AGREEMENT TO  
12 EFFECTUATE THIS ARTICLE, INCLUDING AN AGREEMENT TO SECURE BONDS  
13 ISSUED FOR THE PURPOSES UNDER SECTION 1102-C(B), PURSUANT TO  
14 WHICH THE DEPARTMENT SHALL AGREE TO PAY THE BOND OBLIGATIONS AND  
15 BOND ADMINISTRATIVE EXPENSES TO THE AUTHORITY IN EACH FISCAL  
16 YEAR THAT THE BONDS OR REFUNDING BONDS ARE OUTSTANDING IN  
17 AMOUNTS SUFFICIENT TO TIMELY PAY IN FULL THE DEBT SERVICE AND  
18 ANY OTHER FINANCING COSTS DUE ON THE BONDS ISSUED FOR THE  
19 PURPOSES UNDER SECTION 1102-C(B). THE DEPARTMENT'S PAYMENT OF  
20 THE SERVICE CHARGES SHALL BE SUBJECT TO AND DEPENDENT UPON THE  
21 APPROPRIATION OF FUNDS BY THE GENERAL ASSEMBLY TO THE DEPARTMENT  
22 FOR PAYMENT OF THE SERVICE CHARGES. THE SERVICE AGREEMENT MAY BE  
23 AMENDED OR SUPPLEMENTED BY THE AUTHORITY AND THE DEPARTMENT IN  
24 CONNECTION WITH THE ISSUANCE OF ANY SERIES OF BONDS OR REFUNDING  
25 BONDS AUTHORIZED UNDER THIS SECTION.

26 (C) SECURITY.--BOND OBLIGATIONS AND BOND ADMINISTRATIVE  
27 EXPENSES ARE SECURED, FOR THE BENEFIT OF THE HOLDERS OF THE  
28 BONDS AND THE OBLIGEEES UNDER CREDIT AGREEMENTS OR THE AGREEMENTS  
29 UNDER SUBSECTION (B), BY PLEDGE OF A SECURITY INTEREST IN AND  
30 FIRST LIEN ON THE FOLLOWING:

1           (1) MONEY DEPOSITED INTO THE ACCOUNT, INCLUDING  
2           INVESTMENT INCOME ON MONEY IN THE ACCOUNT.

3           (2) MONEY RELATING TO THE BONDS HELD ON DEPOSIT IN ANY  
4           OTHER FUND OR ACCOUNT UNDER AN INSTRUMENT OR AGREEMENT  
5           PERTAINING TO THE BONDS, INCLUDING BOND RESERVES AND INTEREST  
6           INCOME ON THE MONEY.

7           (3) THE SECURITY PROVIDED UNDER THIS SUBSECTION SHALL  
8           NOT APPLY TO MONEY IN ANY FUND RELATING TO ARBITRAGE REBATE  
9           OBLIGATIONS.

10 SECTION 1105-C. SALE OF BONDS.

11           THE AUTHORITY SHALL OFFER THE BONDS FOR SALE BY MEANS OF A  
12           PUBLIC, COMPETITIVE SALE OR BY MEANS OF A NEGOTIATED SALE BASED  
13           ON THE AUTHORITY'S DETERMINATION OF WHICH METHOD WILL PRODUCE  
14           THE MOST BENEFIT TO COUNTIES AND THE COMMONWEALTH.

15 SECTION 1106-C. DEPOSIT OF BOND PROCEEDS.

16           THE NET PROCEEDS OF BONDS, OTHER THAN REFUNDING BONDS,  
17           EXCLUSIVE OF COSTS OF ISSUANCE, RESERVES AND ANY OTHER FINANCING  
18           CHARGES, SHALL BE TRANSFERRED BY THE AUTHORITY TO THE STATE  
19           TREASURER FOR DEPOSIT INTO A RESTRICTED ACCOUNT ESTABLISHED IN  
20           THE STATE TREASURY AND HELD SOLELY FOR THE PURPOSES UNDER  
21           SECTION 1102-C(B) TO BE KNOWN AS THE COUNTY VOTING SYSTEM  
22           REIMBURSEMENT ACCOUNT. THE DEPARTMENT SHALL PAY OUT THE BOND  
23           PROCEEDS TO THE COUNTIES FROM THE ACCOUNT IN ACCORDANCE WITH  
24           THIS ARTICLE.

25 SECTION 1107-C. PAYMENT OF BOND-RELATED OBLIGATIONS.

26           FOR EACH FISCAL YEAR IN WHICH BOND OBLIGATIONS AND BOND  
27           ADMINISTRATIVE EXPENSES WILL BE DUE, THE AUTHORITY SHALL NOTIFY  
28           THE DEPARTMENT OF THE AMOUNT OF BOND OBLIGATIONS AND THE  
29           ESTIMATED AMOUNT OF BOND ADMINISTRATIVE EXPENSES IN SUFFICIENT  
30           TIME, AS DETERMINED BY THE DEPARTMENT, TO PERMIT THE DEPARTMENT

1 TO REQUEST AN APPROPRIATION SUFFICIENT TO PAY BOND OBLIGATIONS  
2 AND BOND ADMINISTRATIVE EXPENSES THAT WILL BE DUE AND PAYABLE IN  
3 THE FOLLOWING FISCAL YEAR. THE AUTHORITY'S CALCULATION OF THE  
4 AMOUNT OF BOND OBLIGATIONS AND BOND ADMINISTRATIVE EXPENSES THAT  
5 WILL BE DUE SHALL BE SUBJECT TO VERIFICATION BY THE DEPARTMENT.  
6 SECTION 1108-C. COMMONWEALTH NOT TO IMPAIR BOND-RELATED  
7 OBLIGATIONS.

8 THE COMMONWEALTH PLEDGES THAT IT SHALL NOT DO ANY OF THE  
9 FOLLOWING:

10 (1) LIMIT OR ALTER THE RIGHTS AND RESPONSIBILITIES OF  
11 THE AUTHORITY OR THE DEPARTMENT UNDER THIS ARTICLE, INCLUDING  
12 THE RESPONSIBILITY TO:

13 (I) PAY BOND OBLIGATIONS AND BOND ADMINISTRATIVE  
14 EXPENSES; AND

15 (II) COMPLY WITH ANY OTHER INSTRUMENT OR AGREEMENT  
16 PERTAINING TO BONDS.

17 (2) ALTER OR LIMIT THE SERVICE AGREEMENT UNDER SECTION  
18 1104-C(B).

19 (3) IMPAIR THE RIGHTS AND REMEDIES OF THE HOLDERS OF  
20 BONDS, UNTIL EACH BOND ISSUED AT ANY TIME AND THE INTEREST ON  
21 THE BOND, ARE FULLY MET AND DISCHARGED.

22 SECTION 1109-C. (RESERVED).

23 SECTION 1110-C. PERSONAL LIABILITY.

24 THE MEMBERS, DIRECTORS, OFFICERS AND EMPLOYEES OF THE  
25 DEPARTMENT AND THE AUTHORITY SHALL NOT BE PERSONALLY LIABLE AS A  
26 RESULT OF GOOD FAITH EXERCISE OF THE RIGHTS AND RESPONSIBILITIES  
27 GRANTED UNDER THIS ARTICLE.

28 SECTION 1111-C. ANNUAL REPORT.

29 NO LATER THAN MARCH 1 OF THE YEAR FOLLOWING THE FIRST FULL  
30 YEAR IN WHICH BONDS HAVE BEEN ISSUED UNDER THIS ARTICLE AND FOR

1 EACH YEAR THEREAFTER IN WHICH BOND OBLIGATIONS EXISTED IN THE  
2 PRIOR YEAR, THE DEPARTMENT SHALL SUBMIT AN ANNUAL REPORT TO THE  
3 CHAIR AND MINORITY CHAIR OF THE STATE GOVERNMENT COMMITTEE OF  
4 THE SENATE AND TO THE CHAIR AND MINORITY CHAIR OF THE STATE  
5 GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES PROVIDING  
6 ALL DATA AVAILABLE ON BONDS ISSUED OR EXISTING IN THE PRIOR  
7 YEAR. THE REPORT SHALL INCLUDE EXISTING AND ANTICIPATED BOND  
8 PRINCIPAL, INTEREST AND ADMINISTRATIVE COSTS, REVENUE,  
9 REPAYMENTS, REFINANCING, OVERALL BENEFITS TO COUNTIES AND ANY  
10 OTHER RELEVANT DATA, FACTS AND STATISTICS THAT THE DEPARTMENT  
11 BELIEVES NECESSARY IN THE CONTENT OF THE REPORT.

12 SECTION 1112-C. REIMBURSEMENT OF COUNTY VOTING APPARATUS  
13 EXPENSES.

14 (A) APPLICATION.--A COUNTY MAY APPLY TO THE DEPARTMENT TO  
15 RECEIVE FUNDING TO REPLACE THE COUNTY'S VOTING APPARATUSES OR TO  
16 REIMBURSE THE COUNTY'S COST TO PURCHASE VOTING APPARATUSES. EACH  
17 COUNTY SHALL SUBMIT AN APPLICATION FOR FUNDING ON A FORM  
18 CONTAINING INFORMATION AND DOCUMENTATION PRESCRIBED BY THE  
19 DEPARTMENT NO LATER THAN DECEMBER 31, 2019.

20 (B) DOCUMENTATION FOR PRIOR PURCHASE.--IF A COUNTY SEEKS  
21 REIMBURSEMENT OF THE COUNTY'S COST TO PURCHASE A VOTING  
22 APPARATUS THAT THE COUNTY PURCHASED BEFORE THE DATE THAT THE  
23 COUNTY SUBMITS ITS APPLICATION TO THE DEPARTMENT, THE COUNTY'S  
24 APPLICATION SHALL INCLUDE DOCUMENTATION PRESCRIBED BY THE  
25 DEPARTMENT TO SUBSTANTIATE THE COUNTY'S COST TO PURCHASE THE  
26 VOTING APPARATUS, INCLUDING COPIES OF FULLY EXECUTED VOTING  
27 APPARATUS CONTRACTS, INVOICES AND PROOF OF PAYMENT TO THE VENDOR  
28 OF THE VOTING APPARATUS.

29 (C) DOCUMENTATION FOR SUBSEQUENT PURCHASE.--IF A COUNTY  
30 SEEKS FUNDING TO PURCHASE A VOTING APPARATUS THAT THE COUNTY

1 WILL PURCHASE AFTER THE DATE THAT THE COUNTY SUBMITS ITS  
2 APPLICATION TO THE DEPARTMENT, THE COUNTY'S APPLICATION SHALL  
3 INCLUDE DOCUMENTATION PRESCRIBED BY THE DEPARTMENT TO  
4 SUBSTANTIATE THE COUNTY'S ESTIMATE TO PURCHASE THE VOTING  
5 APPARATUS INCLUDING COPIES OF FULLY EXECUTED VOTING APPARATUS  
6 CONTRACTS, BIDS OR PRICE QUOTES SUBMITTED TO THE COUNTY BY  
7 VOTING APPARATUS VENDORS AND OTHER PRICE ESTIMATES OR COST  
8 PROPOSALS.

9 (D) REVIEW.--THE DEPARTMENT SHALL REVIEW EACH COUNTY  
10 APPLICATION ON A ROLLING BASIS AND SHALL EITHER APPROVE OR DENY  
11 EACH COUNTY'S APPLICATION WITHIN 90 DAYS OF THE DATE THE  
12 APPLICATION IS RECEIVED BY THE DEPARTMENT. A COUNTY MAY  
13 SUPPLEMENT OR AMEND SUBMITTED APPLICATIONS DURING THE 90-DAY  
14 REVIEW PERIOD IN CONSULTATION WITH THE DEPARTMENT.

15 (E) APPROVAL FOR PRIOR PURCHASE.--IF THE DEPARTMENT APPROVES  
16 A COUNTY'S APPLICATION SUBMITTED UNDER SUBSECTION (B), THE  
17 DEPARTMENT AND THE COUNTY SHALL ENTER INTO A WRITTEN GRANT  
18 AGREEMENT THROUGH WHICH THE DEPARTMENT SHALL REIMBURSE THE  
19 COUNTY AT THE AMOUNT APPROVED BY THE DEPARTMENT.

20 (F) APPROVAL FOR SUBSEQUENT PURCHASE.--IF THE DEPARTMENT  
21 APPROVES A COUNTY'S APPLICATION UNDER SUBSECTION (C), THE  
22 DEPARTMENT AND THE COUNTY SHALL ENTER INTO A WRITTEN GRANT  
23 AGREEMENT THROUGH WHICH THE DEPARTMENT WILL PROVIDE FUNDING TO  
24 REIMBURSE THE COUNTY'S COST TO PURCHASE A VOTING APPARATUS AT  
25 THE AMOUNT APPROVED BY THE DEPARTMENT. THE COUNTY SHALL HOLD THE  
26 GRANT MONEY IN AN ACCOUNT OF THE COUNTY THAT IS SEPARATE FROM  
27 EACH OTHER COUNTY ACCOUNT. THE COUNTY SHALL DELIVER QUARTERLY  
28 REPORTS TO THE DEPARTMENT OF THE VOTING APPARATUS COSTS PAID  
29 FROM THE GRANT MONEY IN A FORM PRESCRIBED BY THE DEPARTMENT. THE  
30 COUNTY SHALL RETURN ANY UNSPENT GRANT MONEY TO THE DEPARTMENT

1 WITHIN 30 DAYS OF THE EXPIRATION OF THE GRANT AGREEMENT.

2 (G) PAYMENTS.--

3 (1) A COUNTY SHALL ONLY RECEIVE GRANT PAYMENTS UNDER  
4 THIS SECTION TO THE EXTENT THAT THE DEPARTMENT HAS BOND  
5 PROCEEDS AVAILABLE IN THE ACCOUNT FROM WHICH TO MAKE  
6 PAYMENTS.

7 (2) A COUNTY MAY NOT RECEIVE AMOUNTS GREATER THAN 60% OF  
8 THE TOTAL COST TO PURCHASE A VOTING APPARATUS.

9 (3) IF THE TOTAL AMOUNT OF COSTS INCURRED TO PURCHASE  
10 VOTING APPARATUSES UNDER SUBSECTIONS (B) AND (C) EXCEEDS THE  
11 TOTAL AMOUNT AVAILABLE, THEN EACH COUNTY SHALL RECEIVE A PRO  
12 RATA AMOUNT OF THE TOTAL AMOUNT AVAILABLE.

13 (H) CERTIFICATION.--FOR EACH YEAR IN WHICH A COUNTY IS  
14 ELIGIBLE TO RECEIVE REIMBURSEMENT OR FUNDING UNDER THIS ARTICLE,  
15 A COUNTY SHALL ONLY RECEIVE THE REIMBURSEMENT OR FUNDING AFTER  
16 MAKING A CERTIFICATION TO THE DEPARTMENT, THE PRESIDENT PRO  
17 TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF  
18 REPRESENTATIVES, THE MINORITY LEADER OF THE SENATE, THE MINORITY  
19 LEADER OF THE HOUSE OF REPRESENTATIVES, THE CHAIR AND MINORITY  
20 CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIR  
21 AND MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE  
22 OF REPRESENTATIVES, THE CHAIR AND MINORITY CHAIR OF THE STATE  
23 GOVERNMENT COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY  
24 CHAIR OF THE STATE GOVERNMENT COMMITTEE OF THE HOUSE OF  
25 REPRESENTATIVES THAT THE COUNTY HAS COMPLETED A PROGRAM UNDER 25  
26 PA.C.S. § 1901(B) (1) (RELATING TO REMOVAL OF ELECTORS) AND  
27 MAILED NOTICES REQUIRED UNDER 25 PA.C.S. § 1901(B) (3) WITHIN THE  
28 PRIOR 12 MONTHS. THE CERTIFICATION SHALL INCLUDE INFORMATION ON  
29 WHETHER THE COUNTY HAS UNDERTAKEN A CANVASS UNDER 25 PA.C.S. §  
30 1901(B) (2).

1       (I) DEPARTMENT APPLICATION.--THE DEPARTMENT SHALL APPLY TO  
2 THE AUTHORITY FOR FUNDING UNDER SECTION 1102-C ONLY IF THE  
3 DEPARTMENT HAS APPROVED COUNTY APPLICATIONS UNDER THIS ARTICLE  
4 WHICH TOTAL AT LEAST \$50,000,000.

5       SECTION 3. SECTIONS 1216(D) AND (F), 1222(A) AND (B),  
6 1223(A), 1302.1 AND 1302.2 OF THE ACT ARE AMENDED TO READ:

7       SECTION 1216. INSTRUCTIONS OF VOTERS AND MANNER OF VOTING IN  
8 DISTRICTS IN WHICH VOTING MACHINES ARE USED.--

9       \* \* \*

10       (D) AT [PRIMARYES] ALL ELECTIONS, [HE] THE VOTER SHALL VOTE  
11 FOR EACH CANDIDATE INDIVIDUALLY BY OPERATING THE KEY, HANDLE,  
12 POINTER OR KNOB, UPON OR ADJACENT TO WHICH THE NAME OF SUCH  
13 CANDIDATE IS PLACED. [AT ELECTIONS, HE MAY VOTE FOR EACH  
14 CANDIDATE INDIVIDUALLY BY OPERATING THE KEY, HANDLE, POINTER OR  
15 KNOB, UPON OR ADJACENT TO WHICH THE NAMES OF CANDIDATES OF HIS  
16 CHOICE ARE PLACED, OR HE MAY VOTE A STRAIGHT POLITICAL PARTY  
17 TICKET IN ONE OPERATION BY OPERATING THE STRAIGHT POLITICAL  
18 PARTY LEVER OF THE POLITICAL PARTY OR POLITICAL BODY OF HIS  
19 CHOICE, IF SUCH MACHINE HAS THEREON A SEPARATE LEVER FOR ALL THE  
20 CANDIDATES OF THE POLITICAL BODY. HE MAY ALSO, AFTER HAVING  
21 OPERATED THE STRAIGHT PARTY LEVER, AND BEFORE RECORDING HIS  
22 VOTE, CANCEL THE VOTE FOR ANY CANDIDATE OF SUCH POLITICAL PARTY  
23 OR POLITICAL BODY BY REPLACING THE INDIVIDUAL KEY, HANDLE,  
24 POINTER OR KNOB OF SUCH CANDIDATE, AND MAY THEREUPON VOTE FOR A  
25 CANDIDATE OF ANOTHER PARTY, OR POLITICAL BODY FOR THE SAME  
26 OFFICE BY OPERATING THE KEY, HANDLE, POINTER OR KNOB, UPON OR  
27 ADJACENT TO WHICH THE NAME OF SUCH CANDIDATE APPEARS.] IN THE  
28 CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS, THE  
29 ELECTOR SHALL OPERATE THE KEY, HANDLE, POINTER OR KNOB  
30 CORRESPONDING TO THE ANSWER WHICH [HE] THE ELECTOR DESIRES TO

1 GIVE.

2 \* \* \*

3 (F) AT ANY GENERAL ELECTION AT WHICH PRESIDENTIAL ELECTORS  
4 ARE TO BE CHOSEN, EACH ELECTOR SHALL BE PERMITTED TO VOTE BY ONE  
5 OPERATION FOR ALL THE PRESIDENTIAL ELECTORS OF A POLITICAL PARTY  
6 OR POLITICAL BODY. FOR EACH PARTY OR BODY NOMINATING  
7 PRESIDENTIAL ELECTORS, A BALLOT LABEL SHALL BE PROVIDED  
8 CONTAINING ONLY THE WORDS "PRESIDENTIAL ELECTORS," PRECEDED BY  
9 THE NAMES OF THE PARTY OR BODY AND FOLLOWED BY THE NAMES OF THE  
10 CANDIDATES THEREOF FOR THE OFFICE OF PRESIDENT AND VICE-  
11 PRESIDENT, AND THE CORRESPONDING COUNTER OR REGISTERING DEVICE  
12 SHALL REGISTER VOTES CAST FOR SAID ELECTORS WHEN THUS VOTED FOR  
13 COLLECTIVELY. IF AN ELECTOR DESIRES TO VOTE A TICKET FOR  
14 PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS NOMINATED  
15 BY DIFFERENT PARTIES OR BODIES, OR PARTIALLY OF NAMES OF PERSONS  
16 SO IN NOMINATION AND PARTIALLY OF NAMES OF PERSONS NOT IN  
17 NOMINATION BY ANY PARTY OR BODY, OR WHOLLY OF NAMES OF PERSONS  
18 NOT IN NOMINATION BY ANY PARTY OR BODY, [HE] THE ELECTOR MAY  
19 WRITE OR DEPOSIT A PAPER BALLOT PREPARED BY [HIMSELF] THE VOTER  
20 IN THE RECEPTACLE PROVIDED IN OR ON THE MACHINE FOR THE PURPOSE.  
21 THE MACHINE SHALL BE SO CONSTRUCTED THAT IT WILL NOT BE POSSIBLE  
22 FOR ANY ONE VOTER TO VOTE A STRAIGHT PARTY TICKET FOR  
23 PRESIDENTIAL ELECTORS AND AT THE SAME TIME TO DEPOSIT A BALLOT  
24 FOR PRESIDENTIAL ELECTORS IN A RECEPTACLE AS [HEREINABOVE]  
25 PROVIDED IN THIS SECTION. WHEN THE VOTES FOR PRESIDENTIAL  
26 ELECTORS ARE COUNTED, THE VOTES APPEARING UPON THE COUNTER OR  
27 REGISTERING DEVICE CORRESPONDING TO THE BALLOT LABEL CONTAINING  
28 THE NAMES OF THE CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT OF  
29 ANY PARTY OR BODY SHALL BE COUNTED AS VOTES FOR EACH OF THE  
30 CANDIDATES FOR PRESIDENTIAL ELECTOR OF SUCH PARTY OR BODY, AND

1 THEREUPON ALL CANDIDATES FOR PRESIDENTIAL ELECTOR SHALL BE  
2 CREDITED, IN ADDITION, WITH THE VOTES CAST FOR THEM UPON THE  
3 BALLOTS DEPOSITED IN THE MACHINE, AS [HEREINABOVE] PROVIDED IN  
4 THIS SECTION.

5 \* \* \*

6 SECTION 1222. COUNT AND RETURN OF VOTES IN DISTRICTS IN  
7 WHICH BALLOTS ARE USED.--

8 (A) AS SOON AS ALL THE BALLOTS HAVE BEEN PROPERLY ACCOUNTED  
9 FOR, AND THOSE OUTSIDE THE BALLOT BOX, AS WELL AS THE "VOTING  
10 CHECK LIST," NUMBERED LISTS OF VOTERS AND DISTRICT REGISTER  
11 SEALED, THE ELECTION OFFICERS SHALL FORTHWITH OPEN THE BALLOT  
12 BOX, AND TAKE THEREFROM ALL BALLOTS THEREIN, AND AT PRIMARIES,  
13 SEPARATE THE SAME ACCORDING TO THE PARTY TO WHICH THEY BELONG.  
14 THE BALLOTS SHALL THEN BE COUNTED ONE BY ONE, AND A RECORD MADE  
15 OF THE TOTAL NUMBER, AND AT PRIMARIES OF THE TOTAL NUMBER CAST  
16 FOR EACH PARTY. THEN THE JUDGE, UNDER THE SCRUTINY OF THE  
17 MINORITY INSPECTOR, OR THE MINORITY INSPECTOR, UNDER THE  
18 SCRUTINY OF THE JUDGE, IN THE PRESENCE OF THE OTHER OFFICERS,  
19 CLERKS, AND OF THE OVERSEERS, IF ANY, AND WITHIN THE HEARING AND  
20 SIGHT OF THE WATCHERS OUTSIDE THE ENCLOSED SPACE, SHALL READ  
21 ALOUD THE NAMES OF THE CANDIDATES MARKED OR INSERTED UPON EACH  
22 BALLOT (AT PRIMARIES THE BALLOTS OF EACH PARTY BEING READ IN  
23 SEQUENCE), TOGETHER WITH THE OFFICE FOR WHICH THE PERSON NAMED  
24 IS A CANDIDATE, AND THE ANSWERS CONTAINED ON THE BALLOTS TO THE  
25 QUESTIONS SUBMITTED, IF ANY, AND THE MAJORITY INSPECTOR AND  
26 CLERKS SHALL CAREFULLY ENTER EACH VOTE AS READ, AND KEEP ACCOUNT  
27 OF THE SAME IN INK IN TRIPLICATE TALLY PAPERS (TRIPPLICATE TALLY  
28 PAPERS FOR EACH PARTY AT PRIMARIES) TO BE PROVIDED BY THE COUNTY  
29 BOARD OF ELECTIONS FOR THAT PURPOSE, ALL THREE OF WHICH SHALL BE  
30 MADE AT THE SAME TIME. [ : PROVIDED, THAT AT ALL GENERAL,

1 MUNICIPAL AND SPECIAL ELECTIONS, IN ENTERING EACH VOTE RECEIVED  
2 BY CANDIDATES AT SUCH ELECTION, IT SHALL NOT BE NECESSARY TO  
3 ENTER SEPARATE TALLY MARKS FOR EACH VOTE RECEIVED BY SUCH  
4 CANDIDATES UPON THE BALLOTS CONTAINING THE SAME VOTES FOR THE  
5 SAME NAMES, COMMONLY KNOWN, AND IN THIS ACT DESIGNATED AS  
6 "STRAIGHT PARTY TICKETS" FOR SUCH PURPOSE STRAIGHT PARTY TICKET  
7 VOTES SHALL BE ENTERED CAREFULLY AS EACH STRAIGHT PARTY TICKET  
8 VOTE IS READ ON THE TRIPLICATE TALLY SHEETS UNDER THE HEADING  
9 "NUMBER OF VOTES RECEIVED UPON THE ..... STRAIGHT PARTY  
10 TICKETS." UPON COMPLETING THE NUMBER OF VOTES RECEIVED BY EACH  
11 STRAIGHT PARTY TICKET, THE NUMBER SO TALLIED FOR EACH PARTY  
12 SHALL BE ENTERED NUMERICALLY ON THE EXTREME RIGHT HAND MARGIN OF  
13 EACH SUCH TALLY PAPER.] ALL BALLOTS, AFTER BEING REMOVED FROM  
14 THE BOX, SHALL BE KEPT WITHIN THE UNOBSTRUCTED VIEW OF ALL  
15 PERSONS IN THE VOTING ROOM UNTIL REPLACED IN THE BOX. NO PERSON  
16 WHILE HANDLING THE BALLOTS SHALL HAVE IN [HIS] THE PERSON'S HAND  
17 ANY PENCIL, PEN, STAMP OR OTHER MEANS OF MARKING OR SPOILING ANY  
18 BALLOT. THE ELECTION OFFICERS SHALL FORTHWITH PROCEED TO CANVASS  
19 AND COMPUTE THE VOTES CAST, AND SHALL NOT ADJOURN OR POSTPONE  
20 THE CANVASS OR COMPUTATION UNTIL IT SHALL HAVE BEEN FULLY  
21 COMPLETED.

22 (B) WHEN THE VOTE CAST FOR THE DIFFERENT PERSONS NAMED UPON  
23 THE BALLOTS AND UPON THE QUESTIONS, IF ANY, APPEARING THEREON,  
24 SHALL HAVE BEEN FULLY RECORDED IN THE TALLY PAPERS AND COUNTED,  
25 THE ELECTION OFFICERS SHALL DULY CERTIFY TO THE NUMBER OF VOTES  
26 CAST FOR EACH PERSON (UPON THE RESPECTIVE PARTY TICKETS AT  
27 PRIMARIES), AND SHALL PREPARE IN INK TWO (2) GENERAL RETURNS,  
28 SHOWING, IN ADDITION TO THE ENTRIES MADE THEREON AS AFORESAID,  
29 THE TOTAL NUMBER OF BALLOTS RECEIVED FROM THE COUNTY BOARD (THE  
30 TOTAL OF EACH PARTY AT PRIMARIES), THE NUMBER OF BALLOTS CAST

1 (THE NUMBER OF EACH PARTY AT PRIMARIES), THE NUMBER OF BALLOTS  
2 (OF EACH PARTY AT PRIMARIES) DECLARED VOID, AND THE NUMBER OF  
3 BALLOTS SPOILED AND CANCELLED, AND ANY BLANK BALLOTS CAST, AS  
4 WELL AS THE VOTES CAST FOR EACH CANDIDATE. AT ELECTIONS, THE  
5 NUMBER OF VOTES CAST FOR EACH CANDIDATE BY EACH POLITICAL PARTY  
6 OR POLITICAL BODY OF WHICH SUCH CANDIDATE IS A NOMINEE SHALL BE  
7 SEPARATELY STATED. [ : PROVIDED, THAT THE NUMBER OF VOTES RECEIVED  
8 BY EACH SET OF CANDIDATES UPON "STRAIGHT PARTY TICKETS" SHALL BE  
9 ENTERED OPPOSITE THE NAMES OF THE RESPECTIVE CANDIDATES IN A  
10 COLUMN IMMEDIATELY ADJOINING UPON THE LEFT WHICH COLUMN SHALL BE  
11 OF CONVENIENT WIDTH AND SHALL BE HEADED "NUMBER OF VOTES  
12 RECEIVED UPON STRAIGHT PARTY TICKETS." ] IN AN IMMEDIATE COLUMN  
13 TO THE LEFT THERETO, THE NUMBER OF VOTES RECEIVED BY EACH  
14 CANDIDATE UPON ALL BALLOTS [ OTHER THAN "STRAIGHT PARTY TICKETS"  
15 INCLUDING ALL BALLOTS KNOWN AS "SPLIT TICKETS" ] SHALL BE  
16 ENTERED, SUCH COLUMN TO BE OF CONVENIENT WIDTH AND SHALL BE  
17 HEADED "NUMBER OF VOTES [ RECEIVED OTHER THAN UPON STRAIGHT PARTY  
18 TICKETS." THE NUMBER OF VOTES RECEIVED BY EACH CANDIDATE AS  
19 SHOWN IN THE COLUMN HEADED "NUMBER OF VOTES RECEIVED UPON  
20 STRAIGHT PARTY TICKETS" SHALL THEN BE ADDED, TOGETHER WITH THE  
21 NUMBER OF VOTES RECEIVED BY EACH CANDIDATE AS SHOWN IN THE  
22 COLUMN HEADED "NUMBER OF VOTES RECEIVED OTHER THAN UPON STRAIGHT  
23 PARTY TICKETS" AND THEREUPON, THE] RECEIVED." THE TOTAL NUMBER  
24 OF VOTES RECEIVED BY EACH CANDIDATE SHALL BE ENTERED IN A COLUMN  
25 ON THE EXTREME RIGHT-HAND SIDE OF THE RETURN SHEETS, WHICH  
26 COLUMN SHALL BE OF CONVENIENT WIDTH AND SHALL BE HEADED "TOTAL  
27 NUMBER OF VOTES."

28 NOTHING IN THIS SECTION CONTAINED SHALL BE CONSTRUED TO  
29 AUTHORIZE OR PERMIT THE CANVASSING, COUNTING OR TALLYING BALLOTS  
30 WITH ANY LESS DEGREE OF STRICTNESS THAN OTHERWISE REQUIRED BY

1 LAW. [ , THE INTENTION OF THIS SECTION BEING TO DISPENSE WITH THE  
2 INDIVIDUAL TALLY MARKS ONLY SO FAR AS THE SO-CALLED "STRAIGHT  
3 PARTY TICKETS" ARE CONCERNED, AND ALL OTHER OPERATIONS OF  
4 TALLYING, COUNTING, CANVASSING AND ANNOUNCING THE VOTES SHALL  
5 PROCEED AS NEAR AS MAY BE IN ACCORDANCE WITH THE OTHER  
6 PROVISIONS OF THIS ACT.]

7 \* \* \*

8 SECTION 1223. WHAT BALLOTS SHALL BE COUNTED; MANNER OF  
9 COUNTING; DEFECTIVE BALLOTS.-- (A) NO BALLOT WHICH IS SO MARKED  
10 AS TO BE CAPABLE OF IDENTIFICATION SHALL BE COUNTED. ANY BALLOT  
11 THAT IS MARKED IN BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN  
12 OR BALL POINT PEN, OR BLACK LEAD PENCIL OR INDELIBLE PENCIL,  
13 SHALL BE VALID AND COUNTED: PROVIDED, THAT ALL MARKINGS ON THE  
14 BALLOT ARE MADE BY THE SAME PEN OR PENCIL. ANY BALLOT MARKED BY  
15 ANY OTHER MARK THAN AN (X) OR CHECK ( ) IN THE SPACES PROVIDED  
16 FOR THAT PURPOSE SHALL BE VOID AND NOT COUNTED: PROVIDED,  
17 HOWEVER, THAT NO VOTE RECORDED THEREON SHALL BE DECLARED VOID  
18 BECAUSE A CROSS (X) OR CHECK ( ) MARK THEREON IS IRREGULAR IN  
19 FORM. [ANY ERASURE, MUTILATION OR DEFECTIVE MARKING OF THE  
20 STRAIGHT PARTY COLUMN AT NOVEMBER ELECTIONS SHALL RENDER THE  
21 ENTIRE BALLOT VOID, UNLESS THE VOTER HAS PROPERLY INDICATED HIS  
22 CHOICE FOR CANDIDATES IN ANY OFFICE BLOCK, IN WHICH CASE THE  
23 VOTE OR VOTES FOR SUCH CANDIDATES ONLY SHALL BE COUNTED.] ANY  
24 ERASURE OR MUTILATION IN THE VOTE IN ANY OFFICE BLOCK SHALL  
25 RENDER VOID THE VOTE FOR ANY CANDIDATES IN SAID BLOCK, BUT SHALL  
26 NOT INVALIDATE THE VOTES CAST ON THE REMAINDER OF THE BALLOT, IF  
27 OTHERWISE PROPERLY MARKED. ANY BALLOT INDICATING A VOTE FOR ANY  
28 PERSON WHOSE NAME IS NOT PRINTED ON THE BALLOT, BY WRITING,  
29 STAMPING OR STICKER, SHALL BE COUNTED AS A VOTE FOR SUCH PERSON,  
30 IF PLACED IN THE PROPER SPACE OR SPACES PROVIDED FOR THAT

1 PURPOSE, WHETHER OR NOT AN (X) OR CHECK ( ) IS PLACED AFTER THE  
2 NAME OF SUCH PERSON: PROVIDED, HOWEVER, THAT IF SUCH WRITING,  
3 STAMPING OR STICKER IS PLACED OVER THE NAME OF A CANDIDATE  
4 PRINTED ON THE BALLOT, IT SHALL RENDER THE ENTIRE VOTE IN SAID  
5 OFFICE BLOCK VOID. IF AN ELECTOR SHALL MARK [HIS] THEIR BALLOT  
6 FOR MORE PERSONS FOR ANY OFFICE THAN THERE ARE CANDIDATES TO BE  
7 VOTED FOR FOR SUCH OFFICE, OR IF, FOR ANY REASON, IT MAY BE  
8 IMPOSSIBLE TO DETERMINE [HIS] THEIR CHOICE FOR ANY OFFICE, [HIS]  
9 THEIR BALLOT SHALL NOT BE COUNTED FOR SUCH OFFICE, BUT THE  
10 BALLOT SHALL BE COUNTED FOR ALL OFFICES FOR WHICH IT IS PROPERLY  
11 MARKED. BALLOTS NOT MARKED, OR IMPROPERLY OR DEFECTIVELY MARKED,  
12 SO THAT THE WHOLE BALLOT IS VOID, SHALL BE SET ASIDE AND SHALL  
13 BE PRESERVED WITH THE OTHER BALLOTS.

14 \* \* \*

15 SECTION 1302.1. DATE OF APPLICATION FOR ABSENTEE BALLOT.--

16 (A) EXCEPT AS PROVIDED IN SUBSECTIONS (A.1) AND (A.2),  
17 APPLICATIONS FOR ABSENTEE BALLOTS SHALL BE RECEIVED IN THE  
18 OFFICE OF THE COUNTY BOARD OF ELECTIONS NOT EARLIER THAN FIFTY  
19 (50) DAYS BEFORE THE PRIMARY OR ELECTION [AND], EXCEPT THAT IF A  
20 COUNTY BOARD OF ELECTIONS DETERMINES THAT IT WOULD BE DESIRABLE  
21 AND CONSISTENT WITH ITS OPERATIONAL NEEDS, ANY APPLICATIONS FOR  
22 ABSENTEE BALLOTS RECEIVED MORE THAN FIFTY (50) DAYS BEFORE THE  
23 PRIMARY OR ELECTION MAY BE PROCESSED BEFORE THAT TIME.  
24 APPLICATIONS FOR ABSENTEE BALLOTS MAY BE PROCESSED IF RECEIVED  
25 NOT LATER THAN FIVE O'CLOCK P.M. OF THE FIRST TUESDAY PRIOR TO  
26 THE DAY OF ANY PRIMARY OR ELECTION.

27 [(A.1) EXCEPT AS PROVIDED IN SUBSECTION (A.2), IN THE EVENT  
28 ANY ELECTOR OTHERWISE QUALIFIED WHO IS SO PHYSICALLY DISABLED OR  
29 ILL ON OR BEFORE THE FIRST TUESDAY PRIOR TO ANY PRIMARY OR  
30 ELECTION THAT HE IS UNABLE TO FILE HIS APPLICATION OR WHO

1 BECOMES PHYSICALLY DISABLED OR ILL AFTER THE FIRST TUESDAY PRIOR  
2 TO ANY PRIMARY OR ELECTION AND IS UNABLE TO APPEAR AT HIS  
3 POLLING PLACE OR ANY ELECTOR OTHERWISE QUALIFIED WHO BECAUSE OF  
4 THE CONDUCT OF HIS BUSINESS, DUTIES OR OCCUPATION WILL  
5 NECESSARILY BE ABSENT FROM THE MUNICIPALITY OF HIS RESIDENCE ON  
6 THE DAY OF THE PRIMARY OR ELECTION, WHICH FACT WAS NOT AND COULD  
7 NOT REASONABLY BE KNOWN TO SAID ELECTOR ON OR BEFORE THE FIRST  
8 TUESDAY PRIOR TO ANY PRIMARY OR ELECTION, THE ELECTOR SHALL BE  
9 ENTITLED TO AN ABSENTEE BALLOT AT ANY TIME PRIOR TO FIVE O'CLOCK  
10 P.M. ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION UPON  
11 EXECUTION OF AN EMERGENCY APPLICATION IN SUCH FORM PRESCRIBED BY  
12 THE SECRETARY OF THE COMMONWEALTH.

13 (A.2) IN THE EVENT ANY ELECTOR OTHERWISE QUALIFIED WHO  
14 BECOMES SO PHYSICALLY DISABLED OR ILL BETWEEN FIVE O'CLOCK P.M.  
15 ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION AND EIGHT  
16 O'CLOCK P.M. ON THE DAY OF ANY PRIMARY OR ELECTION THAT HE IS  
17 UNABLE TO APPEAR AT HIS POLLING PLACE OR ANY ELECTOR OTHERWISE  
18 QUALIFIED WHO BECAUSE OF THE CONDUCT OF HIS BUSINESS, DUTIES OR  
19 OCCUPATION WILL NECESSARILY BE ABSENT FROM THE MUNICIPALITY OF  
20 HIS RESIDENCE ON THE DAY OF THE PRIMARY OR ELECTION, WHICH FACT  
21 WAS NOT AND COULD NOT REASONABLY BE KNOWN TO SAID ELECTOR PRIOR  
22 TO FIVE O'CLOCK P.M. ON THE FIRST FRIDAY PRECEDING ANY PRIMARY  
23 OR ELECTION, THE ELECTOR SHALL BE ENTITLED TO AN ABSENTEE BALLOT  
24 IF THE ELECTOR COMPLETES AND FILES WITH THE COURT OF COMMON  
25 PLEAS IN THE COUNTY IN WHICH THE ELECTOR IS QUALIFIED TO VOTE AN  
26 EMERGENCY APPLICATION OR A LETTER OR OTHER SIGNED DOCUMENT,  
27 WHICH INCLUDES THE SAME INFORMATION AS IS PROVIDED ON THE  
28 EMERGENCY APPLICATION. UPON A DETERMINATION THAT THE ELECTOR IS  
29 A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301, THE JUDGE SHALL  
30 ISSUE AN ABSENTEE BALLOT TO THE ELECTOR.]

1 (A.3) (1) THE FOLLOWING CATEGORIES OF ELECTORS MAY APPLY  
2 FOR AN ABSENTEE BALLOT UNDER THIS SUBSECTION, IF OTHERWISE  
3 QUALIFIED:

4 (I) AN ELECTOR WHOSE PHYSICAL DISABILITY OR ILLNESS  
5 PREVENTED THE ELECTOR FROM APPLYING FOR AN ABSENTEE BALLOT  
6 BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY  
7 OF THE PRIMARY OR ELECTION.

8 (II) AN ELECTOR WHO, BECAUSE OF THE ELECTOR'S BUSINESS,  
9 DUTIES OR OCCUPATION, WAS UNABLE TO APPLY FOR AN ABSENTEE BALLOT  
10 BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY  
11 OF THE PRIMARY OR ELECTION.

12 (III) AN ELECTOR WHO BECOMES SO PHYSICALLY DISABLED OR ILL  
13 AFTER FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY OF  
14 THE PRIMARY OR ELECTION THAT THE ELECTOR IS UNABLE TO APPEAR AT  
15 THE POLLING PLACE ON THE DAY OF THE PRIMARY OR ELECTION.

16 (IV) AN ELECTOR WHO, BECAUSE OF THE CONDUCT OF THE ELECTOR'S  
17 BUSINESS, DUTIES OR OCCUPATION, WILL NECESSARILY BE ABSENT FROM  
18 THE ELECTOR'S MUNICIPALITY OF RESIDENCE ON THE DAY OF THE  
19 PRIMARY OR ELECTION, WHICH FACT WAS NOT AND COULD NOT REASONABLY  
20 BE KNOWN TO THE ELECTOR ON OR BEFORE FIVE O'CLOCK P.M. ON THE  
21 FIRST TUESDAY PRIOR TO THE DAY OF THE PRIMARY OR ELECTION.

22 (2) AN ELECTOR DESCRIBED IN PARAGRAPH (1) MAY SUBMIT AN  
23 APPLICATION FOR AN ABSENTEE BALLOT AT ANY TIME UP UNTIL THE TIME  
24 OF THE CLOSING OF THE POLLS ON THE DAY OF THE PRIMARY OR  
25 ELECTION. THE APPLICATION SHALL INCLUDE A DECLARATION DESCRIBING  
26 THE CIRCUMSTANCES THAT PREVENTED THE ELECTOR FROM APPLYING FOR  
27 AN ABSENTEE BALLOT BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY  
28 PRIOR TO THE DAY OF THE PRIMARY OR ELECTION OR THAT PREVENT THE  
29 ELECTOR FROM APPEARING AT THE POLLING PLACE ON THE DAY OF THE  
30 PRIMARY OR ELECTION, AND THE ELECTOR'S QUALIFICATIONS UNDER

1 PARAGRAPH (1). THE DECLARATION SHALL BE MADE SUBJECT TO THE  
2 PROVISIONS OF 18 PA.C.S. § 4904 (RELATING TO UNSWORN  
3 FALSIFICATION TO AUTHORITIES).

4 (3) IF THE COUNTY BOARD OF ELECTIONS DETERMINES THAT THE  
5 ELECTOR MEETS THE REQUIREMENTS OF THIS SECTION, THE BOARD SHALL  
6 ISSUE AN ABSENTEE BALLOT TO THE ELECTOR.

7 (4) IF THE ELECTOR IS UNABLE TO APPEAR [IN COURT] AT THE  
8 OFFICE OF THE COUNTY BOARD OF ELECTIONS TO RECEIVE THE BALLOT,  
9 THE [JUDGE] BOARD SHALL GIVE THE ELECTOR'S ABSENTEE BALLOT TO AN  
10 AUTHORIZED REPRESENTATIVE OF THE ELECTOR WHO IS DESIGNATED IN  
11 WRITING BY THE ELECTOR. THE AUTHORIZED REPRESENTATIVE SHALL  
12 DELIVER THE ABSENTEE BALLOT TO THE ELECTOR AND RETURN THE  
13 COMPLETED ABSENTEE BALLOT, SEALED IN THE OFFICIAL ABSENTEE  
14 BALLOT ENVELOPES, TO THE OFFICE OF THE COUNTY BOARD OF  
15 ELECTIONS, [WHO] WHICH SHALL [DISTRIBUTE] RETAIN THE BALLOT,  
16 UNOPENED, [TO THE ABSENTEE VOTER'S ELECTION DISTRICT] UNTIL THE  
17 CANVASSING OF ALL ABSENTEE BALLOTS.

18 (5) IF THE ELECTOR IS UNABLE TO APPEAR [IN COURT] AT THE  
19 OFFICE OF THE COUNTY BOARD OF ELECTIONS OR UNABLE TO OBTAIN  
20 ASSISTANCE FROM AN AUTHORIZED REPRESENTATIVE, THE COUNTY BOARD  
21 MAY PROVIDE AN AUTHORIZED REPRESENTATIVE OR ASK THE JUDGE  
22 [SHALL] OF THE COURT OF COMMON PLEAS IN THE COUNTY IN WHICH THE  
23 ELECTOR IS QUALIFIED TO VOTE TO DIRECT A DEPUTY SHERIFF OF THE  
24 COUNTY TO DELIVER THE ABSENTEE BALLOT TO THE ELECTOR IF THE  
25 ELECTOR IS AT A PHYSICAL LOCATION WITHIN THE COUNTY AND RETURN  
26 THE COMPLETED ABSENTEE BALLOT, SEALED IN THE OFFICIAL ABSENTEE  
27 BALLOT ENVELOPES, TO THE COUNTY BOARD OF ELECTIONS [ , WHO SHALL <--  
28 DISTRIBUTE THE BALLOTS, UNOPENED, TO THE ABSENTEE VOTER'S  
29 RESPECTIVE ELECTION DISTRICT] . IF THERE IS NO AUTHORIZED <--  
30 REPRESENTATIVE AND A DEPUTY SHERIFF IS UNAVAILABLE TO DELIVER AN

1 ABSENTEE BALLOT UNDER THIS SECTION, THE JUDGE MAY DIRECT A  
2 CONSTABLE TO MAKE SUCH DELIVERY IN ACCORDANCE WITH THE  
3 PROVISIONS OF THIS SECTION.

4 (6) IN THE CASE OF AN ELECTOR WHO REQUIRES ASSISTANCE IN  
5 MARKING THE ELECTOR'S BALLOT, THE ELECTOR SHALL DESIGNATE IN  
6 WRITING THE PERSON WHO WILL ASSIST IN MARKING THE BALLOT. SUCH  
7 PERSON SHALL BE OTHERWISE ELIGIBLE TO PROVIDE ASSISTANCE TO  
8 ELECTORS ELIGIBLE FOR ASSISTANCE, AND SUCH PERSON SHALL DECLARE  
9 IN WRITING THAT ASSISTANCE WAS RENDERED. ANY PERSON OTHER THAN  
10 THE DESIGNEE WHO SHALL RENDER ASSISTANCE IN MARKING A BALLOT OR  
11 ANY PERSON RENDERING ASSISTANCE WHO SHALL FAIL TO EXECUTE A  
12 DECLARATION SHALL BE GUILTY OF A VIOLATION OF THIS ACT.

13 (7) NO ABSENTEE BALLOT UNDER THIS SUBSECTION SHALL BE  
14 COUNTED WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF  
15 ELECTIONS LATER THAN [EIGHT O'CLOCK P.M. ON THE DAY OF THE  
16 PRIMARY OR ELECTION] THE DEADLINE FOR ITS RECEIPT AS PROVIDED IN  
17 SECTION 1308(G).

18 (B) IN THE CASE OF AN ELECTOR WHOSE APPLICATION FOR AN  
19 ABSENTEE BALLOT IS RECEIVED BY THE OFFICE OF THE COUNTY BOARD OF  
20 ELECTIONS EARLIER THAN FIFTY (50) DAYS BEFORE THE PRIMARY OR  
21 ELECTION, THE APPLICATION SHALL BE HELD AND PROCESSED UPON  
22 COMMENCEMENT OF THE FIFTY-DAY PERIOD OR AT SUCH EARLIER TIME AS  
23 THE COUNTY BOARD OF ELECTIONS DETERMINES MAY BE APPROPRIATE.

24 [(C) IN THE CASE OF AN ELECTOR WHO IS PHYSICALLY DISABLED OR  
25 ILL ON OR BEFORE THE FIRST TUESDAY PRIOR TO A PRIMARY OR  
26 ELECTION OR BECOMES PHYSICALLY DISABLED OR ILL AFTER THE FIRST  
27 TUESDAY PRIOR TO A PRIMARY OR ELECTION, SUCH EMERGENCY  
28 APPLICATION, LETTER OR OTHER SIGNED DOCUMENT SHALL CONTAIN A  
29 SUPPORTING AFFIDAVIT FROM HIS ATTENDING PHYSICIAN STATING THAT  
30 DUE TO PHYSICAL DISABILITY OR ILLNESS SAID ELECTOR WAS UNABLE TO

1 APPLY FOR AN ABSENTEE BALLOT ON OR BEFORE THE FIRST TUESDAY  
2 PRIOR TO THE PRIMARY OR ELECTION OR BECAME PHYSICALLY DISABLED  
3 OR ILL AFTER THAT PERIOD.

4 (D) IN THE CASE OF AN ELECTOR WHO IS NECESSARILY ABSENT  
5 BECAUSE OF THE CONDUCT OF HIS BUSINESS, DUTIES OR OCCUPATION  
6 UNDER THE UNFORESEEN CIRCUMSTANCES SPECIFIED IN SUBSECTIONS  
7 (A.1) AND (A.2), SUCH EMERGENCY APPLICATION, LETTER OR OTHER  
8 SIGNED DOCUMENT SHALL CONTAIN A SUPPORTING AFFIDAVIT FROM SUCH  
9 ELECTOR STATING THAT BECAUSE OF THE CONDUCT OF HIS BUSINESS,  
10 DUTIES OR OCCUPATION SAID ELECTOR WILL NECESSARILY BE ABSENT  
11 FROM THE MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY  
12 OR ELECTION WHICH FACT WAS NOT AND COULD NOT REASONABLY BE KNOWN  
13 TO SAID ELECTOR ON OR BEFORE THE FIRST TUESDAY PRIOR TO THE  
14 PRIMARY OR ELECTION.]

15 SECTION 1302.2. APPROVAL OF APPLICATION FOR ABSENTEE  
16 BALLOT.--

17 (A) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY  
18 APPLICATION FILED BY A QUALIFIED ELECTOR NOT REQUIRED TO BE  
19 REGISTERED UNDER PRECEDING SECTION 1301, SHALL ASCERTAIN FROM  
20 THE INFORMATION ON SUCH APPLICATION, DISTRICT REGISTER OR FROM  
21 ANY OTHER SOURCE THAT SUCH APPLICANT POSSESSES ALL THE  
22 QUALIFICATIONS OF A QUALIFIED ELECTOR OTHER THAN BEING  
23 REGISTERED OR ENROLLED. IF THE BOARD IS SATISFIED THAT THE  
24 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,  
25 THE APPLICATION SHALL BE MARKED APPROVED SUCH APPROVAL DECISION  
26 SHALL BE FINAL AND BINDING EXCEPT THAT CHALLENGES MAY BE MADE  
27 ONLY ON THE GROUND THAT THE APPLICANT DID NOT POSSESS  
28 QUALIFICATIONS OF AN ABSENTEE ELECTOR. SUCH CHALLENGES MUST BE  
29 MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR TO [5:00 O'CLOCK  
30 P.M. ON THE FIRST FRIDAY PRIOR TO THE ELECTION.] THE APPLICABLE

1 DEADLINE FOR THE ABSENTEE BALLOTS TO BE RECEIVED, AS PROVIDED IN  
2 SECTION 1308(G). WHEN SO APPROVED, THE COUNTY BOARD OF ELECTIONS  
3 SHALL CAUSE THE APPLICANT'S NAME AND RESIDENCE (AND AT A  
4 PRIMARY, THE PARTY ENROLLMENT) TO BE INSERTED IN THE MILITARY,  
5 VETERANS AND EMERGENCY CIVILIANS ABSENTEE VOTERS FILE AS  
6 PROVIDED IN SECTION 1302.3, SUBSECTION (B): PROVIDING, HOWEVER,  
7 THAT NO APPLICATION OF ANY QUALIFIED ELECTOR IN MILITARY SERVICE  
8 SHALL BE REJECTED FOR FAILURE TO INCLUDE ON [HIS] THE ELECTOR'S  
9 APPLICATION ANY INFORMATION IF SUCH INFORMATION MAY BE  
10 ASCERTAINED WITHIN A REASONABLE TIME BY THE COUNTY BOARD OF  
11 ELECTIONS.

12 (B) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY  
13 APPLICATION FILED BY A QUALIFIED ELECTOR WHO IS ENTITLED, UNDER  
14 THE PROVISIONS OF THE PERMANENT REGISTRATION LAW AS NOW OR  
15 HEREINAFTER ENACTED BY THE GENERAL ASSEMBLY, TO ABSENTEE  
16 REGISTRATION PRIOR TO OR CONCURRENTLY WITH THE TIME OF VOTING AS  
17 PROVIDED UNDER PRECEDING SECTION 1301, SHALL ASCERTAIN FROM THE  
18 INFORMATION ON SUCH APPLICATION OR FROM ANY OTHER SOURCE THAT  
19 SUCH APPLICANT POSSESSES ALL THE QUALIFICATIONS OF A QUALIFIED  
20 ELECTOR. IF THE BOARD IS SATISFIED THAT THE APPLICANT IS  
21 ENTITLED, UNDER THE PROVISIONS OF THE PERMANENT REGISTRATION LAW  
22 AS NOW OR HEREINAFTER ENACTED BY THE GENERAL ASSEMBLY, TO  
23 ABSENTEE REGISTRATION PRIOR TO OR CONCURRENTLY WITH THE TIME OF  
24 VOTING AND THAT THE APPLICANT IS QUALIFIED TO RECEIVE AN  
25 OFFICIAL ABSENTEE BALLOT, THE APPLICATION SHALL BE MARKED  
26 "APPROVED." SUCH APPROVAL DECISION SHALL BE FINAL AND BINDING  
27 EXCEPT THAT CHALLENGES MAY BE MADE ONLY ON THE GROUND THAT THE  
28 APPLICANT DID NOT POSSESS THE QUALIFICATIONS OF AN ABSENTEE  
29 ELECTOR PRIOR TO OR CONCURRENTLY WITH THE TIME OF VOTING. SUCH  
30 CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR

1 TO [5:00 O'CLOCK P.M. ON THE FIRST FRIDAY PRIOR TO THE  
2 ELECTION.] THE APPLICABLE DEADLINE FOR THE ABSENTEE BALLOTS TO  
3 BE RECEIVED, AS PROVIDED IN SECTION 1308(G). WHEN SO APPROVED,  
4 THE COUNTY BOARD OF ELECTIONS SHALL CAUSE THE APPLICANT'S NAME  
5 AND RESIDENCE (AND AT A PRIMARY, THE PARTY ENROLLMENT) TO BE  
6 INSERTED IN THE MILITARY, VETERANS AND EMERGENCY CIVILIAN  
7 ABSENTEE VOTERS FILE AS PROVIDED IN SECTION 1302.3 SUBSECTION  
8 (B).

9 (C) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY  
10 APPLICATION OF A QUALIFIED ELECTOR REQUIRED TO BE REGISTERED  
11 UNDER THE PROVISIONS OF PRECEDING SECTION 1301, SHALL DETERMINE  
12 THE QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF  
13 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH  
14 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S  
15 PERMANENT REGISTRATION CARD. IF THE BOARD IS SATISFIED THAT THE  
16 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,  
17 THE APPLICATION SHALL BE MARKED "APPROVED." SUCH APPROVAL  
18 DECISION SHALL BE FINAL AND BINDING, EXCEPT THAT CHALLENGES MAY  
19 BE MADE ONLY ON THE GROUND THAT THE APPLICANT DID NOT POSSESS  
20 THE QUALIFICATIONS OF AN ABSENTEE ELECTOR. SUCH CHALLENGES MUST  
21 BE MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR TO [5:00 O'CLOCK  
22 P.M. ON THE FIRST FRIDAY PRIOR TO THE ELECTION.] THE APPLICABLE  
23 DEADLINE FOR THE ABSENTEE BALLOTS TO BE RECEIVED, AS PROVIDED IN  
24 SECTION 1308(G). WHEN SO APPROVED, THE REGISTRATION COMMISSION  
25 SHALL CAUSE AN ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD TO  
26 BE INSERTED IN THE DISTRICT REGISTER ON TOP OF AND ALONG WITH  
27 THE PERMANENT REGISTRATION CARD. THE ABSENTEE VOTER'S TEMPORARY  
28 REGISTRATION CARD SHALL BE IN THE COLOR AND FORM PRESCRIBED IN  
29 SUBSECTION (E) OF THIS SECTION:

30 PROVIDED, HOWEVER, THAT THE DUTIES OF THE COUNTY BOARDS OF

1 ELECTIONS AND THE REGISTRATION COMMISSIONS WITH RESPECT TO THE  
2 INSERTION OF THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD OF  
3 ANY ELECTOR FROM THE DISTRICT REGISTER AS SET FORTH IN SECTION  
4 1302.2 SHALL INCLUDE ONLY SUCH APPLICATIONS AND EMERGENCY  
5 APPLICATIONS AS ARE RECEIVED ON OR BEFORE THE FIRST TUESDAY  
6 PRIOR TO THE PRIMARY OR ELECTION. IN ALL CASES WHERE  
7 APPLICATIONS ARE RECEIVED AFTER THE FIRST TUESDAY PRIOR TO THE  
8 PRIMARY OR ELECTION AND BEFORE [FIVE O'CLOCK P. M. ON THE FIRST <--  
9 FRIDAY PRIOR TO] EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR <--  
10 ELECTION, THE COUNTY BOARD OF ELECTIONS SHALL DETERMINE THE  
11 QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF  
12 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH  
13 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S  
14 DUPLICATE REGISTRATION CARD ON FILE IN THE GENERAL REGISTER  
15 (ALSO REFERRED TO AS THE MASTER FILE) IN THE OFFICE OF THE  
16 REGISTRATION COMMISSION AND SHALL CAUSE THE NAME AND RESIDENCE  
17 (AND AT PRIMARIES, THE PARTY ENROLLMENT) TO BE INSERTED IN THE  
18 MILITARY, VETERANS AND EMERGENCY CIVILIAN ABSENTEE VOTERS FILE  
19 AS PROVIDED IN SECTION 1302.3, SUBSECTION (B). [IN ADDITION, THE <--  
20 LOCAL DISTRICT BOARDS OF ELECTIONS SHALL, UPON CANVASSING THE  
21 OFFICIAL ABSENTEE BALLOTS UNDER SECTION 1308, EXAMINE THE VOTING  
22 CHECK LIST OF THE ELECTION DISTRICT OF SAID ELECTOR'S RESIDENCE  
23 AND SATISFY ITSELF THAT SUCH ELECTOR DID NOT CAST ANY BALLOT  
24 OTHER THAN THE ONE PROPERLY ISSUED TO {HIM} ~~THE ELECTOR~~ UNDER <--  
25 {HIS} ~~THE ELECTOR'S~~ ABSENTEE BALLOT APPLICATION. IN ALL CASES <--  
26 WHERE THE EXAMINATION OF THE LOCAL DISTRICT BOARD OF ELECTIONS  
27 DISCLOSES THAT AN ELECTOR DID VOTE A BALLOT OTHER THAN THE ONE  
28 PROPERLY ISSUED TO {HIM} ~~THE ELECTOR~~ UNDER THE ABSENTEE BALLOT <--  
29 APPLICATION, THE LOCAL DISTRICT BOARD OF ELECTIONS SHALL  
30 THEREUPON CANCEL SAID ABSENTEE BALLOT AND SAID ELECTOR SHALL BE

1 SUBJECT TO THE PENALTIES AS HEREINAFTER SET FORTH.]

2 (D) IN THE EVENT THAT ANY APPLICATION FOR AN OFFICIAL  
3 ABSENTEE BALLOT IS NOT APPROVED BY THE COUNTY BOARD OF  
4 ELECTIONS, THE ELECTOR SHALL BE NOTIFIED IMMEDIATELY TO THAT  
5 EFFECT WITH A STATEMENT BY THE COUNTY BOARD OF THE REASONS FOR  
6 THE DISAPPROVAL. FOR THOSE APPLICANTS WHOSE PROOF OF  
7 IDENTIFICATION WAS NOT PROVIDED WITH THE APPLICATION OR COULD  
8 NOT BE VERIFIED BY THE BOARD, THE BOARD SHALL SEND NOTICE TO THE  
9 ELECTOR WITH THE ABSENTEE BALLOT REQUIRING THE ELECTOR TO  
10 PROVIDE PROOF OF IDENTIFICATION WITH THE ABSENTEE BALLOT OR THE  
11 BALLOT WILL NOT BE COUNTED.

12 (E) [THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD SHALL  
13 BE IN DUPLICATE AND THE SAME SIZE AS THE PERMANENT REGISTRATION  
14 CARD, IN A DIFFERENT AND CONTRASTING COLOR TO THE PERMANENT  
15 REGISTRATION CARD AND SHALL CONTAIN THE ABSENTEE VOTER'S NAME  
16 AND ADDRESS AND SHALL CONSPICUOUSLY CONTAIN THE WORDS "ABSENTEE  
17 VOTER." SUCH CARD SHALL ALSO CONTAIN THE AFFIDAVIT REQUIRED BY  
18 SUBSECTION (B) OF SECTION 1306.] THE VOTER'S RECORD IN THE  
19 DISTRICT REGISTER SHALL CONTAIN THE WORDS "ABSENTEE VOTER."

20 (F) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A  
21 QUALIFIED ABSENTEE ELECTOR SHALL NOT BE REQUIRED TO PROVIDE  
22 PROOF OF IDENTIFICATION IF THE ELECTOR IS ENTITLED TO VOTE BY  
23 ABSENTEE BALLOT UNDER THE UNIFORMED AND OVERSEAS CITIZENS  
24 ABSENTEE VOTING ACT (PUBLIC LAW 99-410, 100 STAT. 924) OR BY AN  
25 ALTERNATIVE BALLOT UNDER THE VOTING ACCESSIBILITY FOR THE  
26 ELDERLY AND HANDICAPPED ACT (PUBLIC LAW 98-435, 98 STAT. 1678).

27 SECTION 4. SECTION 1306(A)(1) OF THE ACT IS AMENDED AND THE  
28 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

29 SECTION 1306. VOTING BY ABSENTEE ELECTORS.--(A) EXCEPT AS  
30 PROVIDED IN PARAGRAPHS [(1),] (2) AND (3), AT ANY TIME AFTER

1 RECEIVING AN OFFICIAL ABSENTEE BALLOT, BUT ON OR BEFORE [FIVE  
2 O'CLOCK P.M. ON THE FRIDAY PRIOR TO] EIGHT O'CLOCK P.M. THE DAY  
3 OF THE PRIMARY OR ELECTION, THE ELECTOR SHALL, IN SECRET,  
4 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE  
5 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL  
6 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL  
7 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR  
8 ENDORSED "OFFICIAL ABSENTEE BALLOT."

9 (1) [ANY ELECTOR WHO SUBMITS AN EMERGENCY APPLICATION AND  
10 RECEIVES AN ABSENTEE BALLOT IN ACCORDANCE WITH SECTION  
11 1302.1(A.2) OR (C) SHALL MARK THE BALLOT ON OR BEFORE EIGHT  
12 O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION. THIS  
13 ENVELOPE SHALL THEN BE PLACED IN THE SECOND ONE, ON WHICH IS  
14 PRINTED THE FORM OF DECLARATION OF THE ELECTOR, AND THE ADDRESS  
15 OF THE ELECTOR'S COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION  
16 DISTRICT OF THE ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE  
17 AND SIGN THE DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE  
18 SHALL THEN BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY  
19 MAIL, POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN  
20 PERSON TO SAID COUNTY BOARD OF ELECTION.] (RESERVED).

21 \* \* \*

22 ~~(C) THE FOLLOWING APPLY:~~

<--

23 ~~(1) AN ELECTOR VOTING VIA AN ABSENTEE BALLOT SHALL:~~

24 ~~(I) DELIVER THE BALLOT IN PERSON TO THE COUNTY BOARD OF~~

25 ~~ELECTIONS BY EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR~~

26 ~~ELECTION; OR~~

27 ~~(II) MAIL THE BALLOT SUCH THAT IT IS POSTMARKED NO LATER~~

28 ~~THAN THE DAY IMMEDIATELY PRECEDING THE ELECTION.~~

29 (C) THE FOLLOWING SHALL APPLY TO AN ELECTOR VOTING BY

<--

30 ABSENTEE BALLOT:

1 (1) AN AUTHORIZED REPRESENTATIVE DESIGNATED BY THE ELECTOR  
2 OR ANY OTHER INDIVIDUAL AUTHORIZED TO DELIVER AN ABSENTEE BALLOT  
3 TO THE COUNTY BOARD ON BEHALF OF THE ELECTOR UNDER SECTION  
4 1302.1(A.3) (4) OR (5) SHALL DELIVER THE ELECTOR'S BALLOT TO THE  
5 OFFICE NO LATER THAN EIGHT O'CLOCK P.M. ON THE DAY OF THE  
6 PRIMARY OR ELECTION;

7 (2) AN ELECTOR WHO DELIVERS AN ABSENTEE BALLOT IN PERSON TO  
8 THE COUNTY BOARD OF ELECTIONS SHALL DO SO NO LATER THAN FIVE  
9 O'CLOCK P.M. ON THE DAY IMMEDIATELY PRECEDING THE PRIMARY OR  
10 ELECTION; AND

11 (3) AN ELECTOR WHO MAILES AN ABSENTEE BALLOT SHALL DO SO SUCH  
12 THAT IT IS POSTMARKED NO LATER THAN THE FRIDAY IMMEDIATELY  
13 PRECEDING THE PRIMARY OR ELECTION.

14 ~~(2)~~ (4) WHEN A BALLOT IS PRESENTED TO A COUNTY BOARD OF <--  
15 ELECTIONS WITH A POSTMARK THAT IS MISSING OR ILLEGIBLE, THE  
16 BOARD MAY DETERMINE THAT THE BALLOT WAS TIMELY CAST AND  
17 SUBMITTED IF THERE ARE OTHER RELIABLE INDICIA OF THE DATE IT WAS  
18 SENT. IN THAT CASE, A BOARD MAY RELY ON THE DATE GIVEN ON THE  
19 VOTER'S AFFIDAVIT OR ON ADDITIONAL INFORMATION OBTAINED FROM THE  
20 UNITED STATES POSTAL SERVICE, THE FOREIGN POSTAL AGENCY OR THE  
21 PRIVATE CARRIER OR COURIER SERVICE THROUGH WHICH THE BALLOT WAS  
22 DELIVERED.

23 ~~(3)~~ (5) AS USED IN THIS SUBSECTION, "POSTMARK" MEANS THE <--  
24 OFFICIAL CANCELLATION OF POSTAGE OR OTHER INDICIA, AS STAMPED,  
25 PRINTED OR WRITTEN ON THE DELIVERY ENVELOPE TO INDICATE THE DATE  
26 IT WAS SUBMITTED FOR DELIVERY BY THE UNITED STATES POSTAL  
27 SERVICE, A FOREIGN POSTAL AGENCY OR A RECOGNIZED PRIVATE COMMON  
28 CARRIER OR COURIER SERVICE.

29 ~~SECTION 5. SECTION 1308(A), (B.1), (E), (F), AND (G) (1) AND~~ <--  
30 ~~(2), (2) AND (4) OF THE ACT ARE AMENDED TO READ:~~

1 SECTION 5. SECTIONS 1308(A), (B.1), (E), (F) AND (G) (1), (2) <--  
2 AND (4) AND 1309 OF THE ACT ARE AMENDED TO READ:

3 SECTION 1308. CANVASSING OF OFFICIAL ABSENTEE BALLOTS.-- (A)  
4 THE COUNTY BOARDS OF ELECTION, UPON RECEIPT OF OFFICIAL ABSENTEE  
5 BALLOTS IN [SUCH] SEALED OFFICIAL ABSENTEE BALLOT ENVELOPES,  
6 SHALL SAFELY KEEP THE [SAME] ABSENTEE BALLOTS IN SEALED OR  
7 LOCKED CONTAINERS UNTIL THEY [DISTRIBUTE SAME TO THE APPROPRIATE  
8 LOCAL ELECTION DISTRICTS IN A MANNER PRESCRIBED BY THE SECRETARY  
9 OF THE COMMONWEALTH.

10 EXCEPT AS PROVIDED IN SECTION 1302.1(A.2), THE COUNTY BOARD  
11 OF ELECTIONS SHALL THEN DISTRIBUTE THE ABSENTEE BALLOTS,  
12 UNOPENED, TO THE ABSENTEE VOTER'S RESPECTIVE ELECTION DISTRICT  
13 CONCURRENTLY WITH THE DISTRIBUTION OF THE OTHER ELECTION  
14 SUPPLIES. ABSENTEE BALLOTS SHALL BE CANVASSED IMMEDIATELY AND  
15 CONTINUOUSLY WITHOUT INTERRUPTION UNTIL COMPLETED AFTER THE  
16 CLOSE OF THE POLLS ON THE DAY OF THE ELECTION IN EACH ELECTION  
17 DISTRICT. THE RESULTS OF THE CANVASS OF THE ABSENTEE BALLOTS  
18 SHALL THEN BE INCLUDED IN AND RETURNED TO THE COUNTY BOARD WITH  
19 THE RETURNS OF THAT DISTRICT. EXCEPT AS PROVIDED IN SECTION  
20 1302.1(A.2) AND SUBSECTION (G), NO ABSENTEE BALLOT SHALL BE  
21 COUNTED WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF  
22 ELECTION LATER THAN FIVE O'CLOCK P.M. ON THE FRIDAY IMMEDIATELY  
23 PRECEDING THE PRIMARY OR NOVEMBER ELECTION.] ARE TO BE CANVASSED  
24 BY THE COUNTY BOARD OF ELECTIONS. AN ABSENTEE BALLOT, WHETHER  
25 ISSUED TO A CIVILIAN, MILITARY OR OTHER VOTER DURING THE REGULAR  
26 OR EMERGENCY APPLICATION PERIOD, SHALL BE CANVASSED IN  
27 ACCORDANCE WITH SUBSECTION (G).

28 \* \* \*

29 (B.1) [IN ALL ELECTION DISTRICTS IN WHICH ELECTRONIC VOTING  
30 SYSTEMS ARE USED, ABSENTEE BALLOTS SHALL BE OPENED AT THE

1 ELECTION DISTRICT, CHECKED FOR WRITE-IN VOTES IN ACCORDANCE WITH  
2 SECTION 1113-A AND THEN EITHER HAND-COUNTED OR COUNTED BY MEANS  
3 OF THE AUTOMATIC TABULATION EQUIPMENT, WHATEVER THE CASE MAY  
4 BE.] (RESERVED).

5 \* \* \*

6 (E) [AT SUCH TIME THE LOCAL ELECTION BOARD SHALL THEN  
7 FURTHER EXAMINE THE DECLARATION ON EACH ENVELOPE NOT SO SET  
8 ASIDE AND SHALL COMPARE THE INFORMATION THEREON WITH THAT  
9 CONTAINED IN THE "REGISTERED ABSENTEE VOTERS FILE," THE ABSENTEE  
10 VOTERS' LIST AND THE "MILITARY VETERANS AND EMERGENCY CIVILIANS  
11 ABSENTEE VOTERS FILE." IF THE LOCAL ELECTION BOARD IS SATISFIED  
12 THAT THE DECLARATION IS SUFFICIENT AND THE INFORMATION CONTAINED  
13 IN THE "REGISTERED ABSENTEE VOTERS FILE," THE ABSENTEE VOTERS'  
14 LIST AND THE "MILITARY VETERANS AND EMERGENCY CIVILIANS ABSENTEE  
15 VOTERS FILE" VERIFIES HIS RIGHT TO VOTE, THE LOCAL ELECTION  
16 BOARD SHALL ANNOUNCE THE NAME OF THE ELECTOR AND SHALL GIVE ANY  
17 WATCHER PRESENT AN OPPORTUNITY TO CHALLENGE ANY ABSENTEE ELECTOR  
18 UPON THE GROUND OR GROUNDS (1) THAT THE ABSENTEE ELECTOR IS NOT  
19 A QUALIFIED ELECTOR; OR (2) THAT THE ABSENTEE ELECTOR WAS WITHIN  
20 THE MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY OR  
21 ELECTION DURING THE PERIOD THE POLLS WERE OPEN, EXCEPT WHERE HE  
22 WAS IN MILITARY SERVICE OR EXCEPT IN THE CASE WHERE HIS BALLOT  
23 WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR  
24 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL  
25 DISABILITY; OR (3) THAT THE ABSENTEE ELECTOR WAS ABLE TO APPEAR  
26 PERSONALLY AT THE POLLING PLACE ON THE DAY OF THE PRIMARY OR  
27 ELECTION DURING THE PERIOD THE POLLS WERE OPEN IN THE CASE HIS  
28 BALLOT WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR  
29 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL  
30 DISABILITY. UPON CHALLENGE OF ANY ABSENTEE ELECTOR, AS SET FORTH

1 HEREIN THE LOCAL ELECTION BOARD SHALL MARK "CHALLENGED" ON THE  
2 ENVELOPE TOGETHER WITH THE REASON OR REASONS THEREFOR, AND THE  
3 SAME SHALL BE SET ASIDE FOR RETURN TO THE COUNTY BOARD UNOPENED  
4 PENDING DECISION BY THE COUNTY BOARD AND SHALL NOT BE COUNTED.  
5 ALL ABSENTEE BALLOTS NOT CHALLENGED FOR ANY OF THE REASONS  
6 PROVIDED HEREIN SHALL BE COUNTED AND INCLUDED WITH THE GENERAL  
7 RETURN OF PAPER BALLOTS OR VOTING MACHINES, AS THE CASE MAY BE  
8 AS FOLLOWS. THEREUPON, THE LOCAL ELECTION BOARD SHALL OPEN THE  
9 ENVELOPE OF EVERY UNCHALLENGED ABSENTEE ELECTOR IN SUCH MANNER  
10 AS NOT TO DESTROY THE DECLARATION EXECUTED THEREON. ALL OF SUCH  
11 ENVELOPES ON WHICH ARE PRINTED, STAMPED OR ENDORSED THE WORDS  
12 "OFFICIAL ABSENTEE BALLOT" SHALL BE PLACED IN ONE OR MORE  
13 DEPOSITORIES AT ONE TIME AND SAID DEPOSITORY OR DEPOSITORIES  
14 WELL SHAKEN AND THE ENVELOPES MIXED BEFORE ANY ENVELOPE IS TAKEN  
15 THEREFROM. IF ANY OF THESE ENVELOPES SHALL CONTAIN ANY  
16 EXTRANEIOUS MARKS OR IDENTIFYING SYMBOLS OTHER THAN THE WORDS  
17 "OFFICIAL ABSENTEE BALLOT," THE ENVELOPES AND THE BALLOTS  
18 CONTAINED THEREIN SHALL BE SET ASIDE AND DECLARED VOID. THE  
19 LOCAL ELECTION BOARD SHALL THEN BREAK THE SEALS OF SUCH  
20 ENVELOPES, REMOVE THE BALLOTS AND RECORD THE VOTES IN THE SAME  
21 MANNER AS DISTRICT ELECTION OFFICERS ARE REQUIRED TO RECORD  
22 VOTES. WITH RESPECT TO THE CHALLENGED BALLOTS, THEY SHALL BE  
23 RETURNED TO THE COUNTY BOARD WITH THE RETURNS OF THE LOCAL  
24 ELECTION DISTRICT WHERE THEY SHALL BE PLACED UNOPENED IN A  
25 SECURE, SAFE AND SEALED CONTAINER IN THE CUSTODY OF THE COUNTY  
26 BOARD UNTIL IT SHALL FIX A TIME AND PLACE FOR A FORMAL HEARING  
27 OF ALL SUCH CHALLENGES AND NOTICE SHALL BE GIVEN WHERE POSSIBLE  
28 TO ALL ABSENTEE ELECTORS THUS CHALLENGED AND TO EVERY ATTORNEY,  
29 WATCHER OR CANDIDATE WHO MADE SUCH CHALLENGE. THE TIME FOR THE  
30 HEARING SHALL NOT BE LATER THAN SEVEN (7) DAYS AFTER THE DATE OF

1 SAID CHALLENGE. ON THE DAY FIXED FOR SAID HEARING, THE COUNTY  
2 BOARD SHALL PROCEED WITHOUT DELAY TO HEAR SAID CHALLENGES AND,  
3 IN HEARING THE TESTIMONY, THE COUNTY BOARD SHALL NOT BE BOUND BY  
4 TECHNICAL RULES OF EVIDENCE. THE TESTIMONY PRESENTED SHALL BE  
5 STENOGRAPHICALLY RECORDED AND MADE PART OF THE RECORD OF THE  
6 HEARING. THE DECISION OF THE COUNTY BOARD IN UPHOLDING OR  
7 DISMISSING ANY CHALLENGE MAY BE REVIEWED BY THE COURT OF COMMON  
8 PLEAS OF THE COUNTY UPON A PETITION FILED BY ANY PERSON  
9 AGGRIEVED BY THE DECISION OF THE COUNTY BOARD. SUCH APPEAL SHALL  
10 BE TAKEN, WITHIN TWO (2) DAYS AFTER SUCH DECISION SHALL HAVE  
11 BEEN MADE, WHETHER REDUCED TO WRITING OR NOT, TO THE COURT OF  
12 COMMON PLEAS SETTING FORTH THE OBJECTIONS TO THE COUNTY BOARD'S  
13 DECISION AND PRAYING FOR AN ORDER REVERSING SAME. PENDING THE  
14 FINAL DETERMINATION OF ALL APPEALS, THE COUNTY BOARD SHALL  
15 SUSPEND ANY ACTION IN CANVASSING AND COMPUTING ALL CHALLENGED  
16 BALLOTS IRRESPECTIVE OF WHETHER OR NOT APPEAL WAS TAKEN FROM THE  
17 COUNTY BOARD'S DECISION. UPON COMPLETION OF THE COMPUTATION OF  
18 THE RETURNS OF THE COUNTY, THE VOTES CAST UPON THE CHALLENGED  
19 OFFICIAL ABSENTEE BALLOTS SHALL BE ADDED TO THE OTHER VOTES CAST  
20 WITHIN THE COUNTY.] (RESERVED).

21 (F) ANY PERSON CHALLENGING AN APPLICATION FOR AN ABSENTEE  
22 BALLOT OR AN ABSENTEE BALLOT FOR ANY OF THE REASONS PROVIDED IN  
23 THIS ACT SHALL DEPOSIT THE SUM OF TEN DOLLARS (\$10.00) IN CASH  
24 WITH THE [LOCAL ELECTION] COUNTY BOARD, [IN CASES OF CHALLENGES <--  
25 MADE TO THE ~~LOCAL ELECTION] COUNTY BOARD AND WITH THE COUNTY~~ <--  
26 BOARD IN CASES OF CHALLENGES MADE TO THE COUNTY BOARD FOR WHICH  
27 ~~HE] THE PERSON~~ SHALL BE ISSUED A RECEIPT FOR EACH CHALLENGE <--  
28 MADE,] WHICH SUM SHALL ONLY BE REFUNDED IF THE CHALLENGE IS <--  
29 SUSTAINED OR IF THE CHALLENGE IS WITHDRAWN WITHIN FIVE (5) DAYS  
30 AFTER THE PRIMARY OR ELECTION. IF THE CHALLENGE IS DISMISSED BY

1 ANY LAWFUL ORDER THEN THE DEPOSIT SHALL BE FORFEITED. [ALL  
2 DEPOSIT MONEY RECEIVED BY THE LOCAL ELECTION BOARD SHALL BE  
3 TURNED OVER TO THE COUNTY BOARD SIMULTANEOUSLY WITH THE RETURN  
4 OF THE CHALLENGED BALLOTS.] THE COUNTY BOARD SHALL DEPOSIT ALL  
5 DEPOSIT MONEY IN THE GENERAL FUND OF THE COUNTY.

6 NOTICE OF THE REQUIREMENTS OF SUBSECTION (B) OF SECTION 1306  
7 SHALL BE PRINTED ON THE ENVELOPE FOR THE ABSENTEE BALLOT.

8 (G) (1) (I) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE  
9 ELECTOR AS DEFINED IN SECTION 1301(A), (B), (C), (D), (E), (F),  
10 (G) AND (H) [WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD  
11 OF ELECTIONS AFTER FIVE O'CLOCK P.M. ON THE FRIDAY IMMEDIATELY  
12 PRECEDING THE ELECTION AND NO LATER THAN FIVE O'CLOCK P.M. ON  
13 THE SEVENTH DAY FOLLOWING AN ELECTION] SHALL BE CANVASSED IN  
14 ACCORDANCE WITH THIS SUBSECTION IF [THE ABSENTEE BALLOT IS  
15 POSTMARKED NO LATER THAN THE DAY IMMEDIATELY PRECEDING THE  
16 ELECTION.] THE BALLOT IS CAST, SUBMITTED AND RECEIVED IN  
17 ACCORDANCE WITH THE PROVISIONS OF 25 PA.C.S. CH. 35 (RELATING TO  
18 UNIFORM MILITARY AND OVERSEAS VOTERS).

19 (II) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE ELECTOR AS  
20 DEFINED IN SECTION 1301(I), (J), (K), (L), (M), ~~(N)~~ AND ~~(O)~~ AND <--  
21 (N) SHALL BE CANVASSED IN ACCORDANCE WITH THIS SUBSECTION IF THE  
22 ABSENTEE BALLOT IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF  
23 ELECTIONS:

24 ~~(A) BY HAND DELIVERY NO LATER THAN EIGHT O'CLOCK P.M. ON THE <--~~  
25 ~~DAY OF THE ELECTION OR PRIMARY; OR~~

26 ~~(B) BY MAIL NO LATER THAN FIVE O'CLOCK P.M. ON THE THIRD DAY~~  
27 ~~FOLLOWING AN ELECTION IF THE ABSENTEE BALLOT IS POSTMARKED NO~~  
28 ~~LATER THAN THE DAY IMMEDIATELY PRECEDING THE ELECTION.~~

29 (A) BY HAND DELIVERY BY AN AUTHORIZED REPRESENTATIVE <--  
30 DESIGNATED BY THE ELECTOR OR ANY OTHER INDIVIDUAL AUTHORIZED TO

1 DELIVER AN ABSENTEE BALLOT ON BEHALF OF THE ELECTOR UNDER  
2 SECTION 1302.1(A.3) (4) OR (5) NO LATER THAN EIGHT O'CLOCK P.M.  
3 ON THE DAY OF THE PRIMARY OR ELECTION;

4 (B) BY HAND DELIVERY BY THE ELECTOR NO LATER THAN FIVE  
5 O'CLOCK P.M. ON THE DAY IMMEDIATELY PRECEDING THE PRIMARY OR  
6 ELECTION; AND

7 (C) BY MAIL NO LATER THAN FIVE O'CLOCK P.M. ON THE SEVENTH  
8 DAY FOLLOWING THE PRIMARY OR ELECTION IF THE ABSENTEE BALLOT IS  
9 POSTMARKED NO LATER THAN THE FRIDAY IMMEDIATELY PRECEDING THE  
10 PRIMARY OR ELECTION.

11 (2) THE COUNTY BOARD OF ELECTIONS SHALL MEET [ON THE EIGHTH  
12 DAY FOLLOWING THE ELECTION TO CANVASS] NO EARLIER THAN THE CLOSE  
13 OF POLLS ON THE DAY OF THE ELECTION AND NO LATER THAN THE THIRD  
14 DAY FOLLOWING THE ELECTION TO BEGIN CANVASSING THE ABSENTEE  
15 BALLOTS RECEIVED UNDER THIS SUBSECTION AND SUBSECTION (H) (2) .  
16 THE CANVASS SHALL CONTINUE THROUGH THE DEADLINE FOR RECEIPT OF  
17 ALL ABSENTEE BALLOTS AS PROVIDED IN 25 PA.C.S. § 3511 (RELATING  
18 TO RECEIPT OF VOTED BALLOT.) ONE AUTHORIZED REPRESENTATIVE OF  
19 EACH CANDIDATE IN AN ELECTION AND ONE REPRESENTATIVE FROM EACH  
20 POLITICAL PARTY SHALL BE PERMITTED TO REMAIN IN THE ROOM IN  
21 WHICH THE ABSENTEE BALLOTS ARE CANVASSED. REPRESENTATIVES SHALL  
22 BE PERMITTED TO CHALLENGE ANY ABSENTEE ELECTOR IN ACCORDANCE  
23 WITH THE PROVISIONS OF PARAGRAPH (3) .

24 \* \* \*

25 (4) ALL ABSENTEE BALLOTS [NOT], EXCEPT FOR BALLOTS <--  
26 CHALLENGED FOR ANY OF THE REASONS PROVIDED IN PARAGRAPH (3) AND  
27 BALLOTS CAST BY ELECTORS WHO APPEAR AT THE POLLING PLACE ON  
28 ELECTION DAY AND VOTE IN PERSON PURSUANT TO SECTION 1306(B) ,  
29 SHALL BE COUNTED AND INCLUDED WITH THE RETURNS OF THE APPLICABLE  
30 ELECTION DISTRICT AS FOLLOWS[.] :

1       (I) THE COUNTY BOARD SHALL OPEN THE ENVELOPE OF EVERY  
2 UNCHALLENGED ABSENTEE ELECTOR IN SUCH MANNER AS NOT TO DESTROY  
3 THE DECLARATION EXECUTED THEREON.

4       (II) IF ANY OF THE ENVELOPES ON WHICH ARE PRINTED, STAMPED  
5 OR ENDORSED THE WORDS "OFFICIAL ABSENTEE BALLOT" CONTAIN ANY  
6 EXTRANEOUS MARKS OR IDENTIFYING SYMBOLS, THE ENVELOPES AND THE  
7 BALLOTS CONTAINED THEREIN SHALL BE SET ASIDE AND DECLARED VOID.

8       (III) THE COUNTY BOARD SHALL THEN BREAK THE SEALS OF SUCH  
9 ENVELOPES, REMOVE THE BALLOTS AND RECORD THE VOTES.

10       \* \* \*

11       SECTION 1309. PUBLIC RECORDS.--(A) ALL OFFICIAL ABSENTEE       <--  
12 BALLOTS, FILES, APPLICATIONS FOR SUCH BALLOTS AND ENVELOPES ON  
13 WHICH THE EXECUTED DECLARATIONS APPEAR, AND ALL INFORMATION AND  
14 LISTS ARE HEREBY DESIGNATED AND DECLARED TO BE PUBLIC RECORDS  
15 AND SHALL BE SAFELY KEPT FOR A PERIOD OF TWO YEARS, EXCEPT THAT  
16 NO PROOF OF IDENTIFICATION SHALL BE MADE PUBLIC, NOR SHALL  
17 INFORMATION CONCERNING A MILITARY ELECTOR BE MADE PUBLIC WHICH  
18 IS EXPRESSLY FORBIDDEN BY THE DEPARTMENT OF DEFENSE BECAUSE OF  
19 MILITARY SECURITY.

20       (B) FOR EACH ELECTION, THE COUNTY BOARD SHALL MAINTAIN A  
21 RECORD OF THE FOLLOWING INFORMATION, IF APPLICABLE, FOR EACH  
22 ELECTOR WHO MAKES APPLICATION FOR AN ABSENTEE BALLOT:

23       (1) THE ELECTOR'S NAME AND VOTER REGISTRATION ADDRESS.

24       (2) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS RECEIVED  
25 BY THE COUNTY BOARD.

26       (3) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS APPROVED  
27 OR REJECTED BY THE COUNTY BOARD.

28       (4) THE DATE ON WHICH THE COUNTY BOARD MAILS OR DELIVERS THE  
29 ABSENTEE BALLOT TO THE ELECTOR.

30       (5) THE DATE ON WHICH THE ELECTOR'S COMPLETED ABSENTEE

1 BALLOT IS RECEIVED BY THE COUNTY BOARD.

2 (6) THE DATE OF THE POSTMARK ON THE MAILING ENVELOPE OF THE  
3 ELECTOR'S COMPLETED ABSENTEE BALLOT.

4 (C) THE COUNTY BOARD SHALL COMPILE THE RECORDS LISTED IN  
5 SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY AVAILABLE UPON  
6 REQUEST WITHIN 48 HOURS.

7 SECTION 6. THIS ACT SHALL APPLY AS FOLLOWS:

8 (1) THE ADDITION OF ARTICLE XI-B OF THE ACT SHALL APPLY  
9 TO DISAPPROVALS AND DECERTIFICATIONS OCCURRING AFTER DECEMBER <--  
10 31, 2019.

11 (2) THE AMENDMENT OR ADDITION OF THE FOLLOWING  
12 PROVISIONS OF ~~THIS~~ THE ACT SHALL APPLY TO THE FIRST GENERAL <--  
13 OR MUNICIPAL ELECTION OCCURRING AFTER THE EFFECTIVE DATE OF  
14 THIS SECTION AND TO ALL ELECTIONS THEREAFTER:

15 (I) SECTION 1003(A).

16 (II) SECTION 1007.

17 (III) SECTION 1107(B).

18 (IV) SECTION 1110(H).

19 (V) SECTION 1107-A(3).

20 (VI) SECTION 1109-A(A)(2) AND (D).

21 (VII) SECTION 1112-A(A)(2) AND (4).

22 (VIII) SECTION 1216(D) AND (F).

23 (IX) SECTION 1222(A) AND (B).

24 (X) SECTION 1223(A).

25 (XI) SECTION 1302.1.

26 (XII) SECTION 1302.2.

27 (XIII) SECTION 1306(A)(1) AND (C).

28 (XIV) SECTION 1308(A), (B.1), (E), (F) AND (G)(1), <--  
29 (2) AND (4).

30 SECTION 7. THIS ACT SHALL TAKE EFFECT ~~IMMEDIATELY.~~ AS <--

1 FOLLOWS:

2 (1) THE AMENDMENT OF SECTION 1309 OF THE ACT SHALL TAKE  
3 EFFECT IN 60 DAYS.

4 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
5 IMMEDIATELY.