
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 34 Session of 2021

INTRODUCED BY DAY, R. BROWN, HAMM AND MOUL, JUNE 22, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 22, 2021

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in preparation for and conduct of primaries and
12 elections, providing for cargo securement.

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

15 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known
16 as the Pennsylvania Election Code, is amended by adding a
17 section to read:

18 Section 1234. Cargo Securement.--(a) Each county board
19 shall use a cargo securement procedure, in accordance with this
20 section, to ensure that ballots cast in an election are not
21 tampered with or counted erroneously.

22 (b) Ballots cast in an election shall be secured in a
23 transportation container with a numbered security tag that seals

1 the transportation container and includes an individually
2 identifiable number.

3 (c) The following apply to a bill of lading:

4 (1) The cargo securement procedures under this section shall
5 include a bill of lading sealed within each transportation
6 container described in subsection (b), which shall accompany the
7 ballots cast in the election:

8 (i) at the location that the ballots are initially
9 collected;

10 (ii) while the ballots are in transit; and

11 (iii) at any storage location for the ballots.

12 (2) The bill of lading shall include the location, date and
13 time that the ballots cast in the election were collected, along
14 with the numbered security tag number.

15 (3) The bill of lading shall remain with the ballots cast in
16 the election, with or without the accompanying security
17 envelopes for the ballots, through the final ballot storage
18 location.

19 (d) If the numbered security tag is broken, the bill of
20 lading shall be marked with the:

21 (1) location, date and time regarding the incident;

22 (2) reason for the incident;

23 (3) broken numbered security tag number; and

24 (4) newly affixed numbered security tag number.

25 (e) If a ballot storage location is monitored by staff, the
26 staff shall record the location, date, time and numbered
27 security tag number regarding the ballots cast in the election.

28 (f) A poll watcher shall be entitled to know the numbered
29 security tag numbers and location of the stored ballots cast in
30 the election, which are waiting to be counted or stored after

1 counting.

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