AMENDMENTS TO SENATE BILL NO. 1027

Sponsor: REPRESENTATIVE SAYLOR

Printers No. 1621

Amend Bill, page 1, line 21, by inserting after "determined,"

in organization of independent administrative boards and commissions, further providing for Pennsylvania Gaming Control Board;

Amend Bill, page 1, line 24, by striking out the period after "Board" and inserting "Board" and inserting

; in Commonwealth agency fees, further providing for Department of Health; in powers and duties of the Department of State and its departmental administrative board, providing for report on implementation of 2020 general primary election; providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements and for COVID-19 debt cost reduction review; in judicial administration, further providing for surcharges and fees; and making a related repeal.

Amend Bill, page 1, lines 27 through 29; page 2, lines 1 and 2; by striking out all of said lines on said pages and inserting

Section 1. Section 309(b) introductory paragraph of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended and the section is amended by adding a subsection to read:

(b) In compiling the report under subsection (a), the Pennsylvania Gaming Control Board shall consider and address the following:

(c) Notwithstanding any other provision of law, temporary regulations published under 4 Pa.C.S. §§ 13A03 (relating to temporary table game regulations), 13B03 (relating to regulations), 13C03 (relating to temporary sports wagering regulations), 13F07 (relating to temporary regulations) and 3303 (relating to temporary regulations) shall expire three years after the date of publication.
Section 2. Section 432.1(b)(1)(vii) and (viii) and (j) of the act are amended, subsection (b)(1) is amended by adding a subparagraph and the section is amended by adding a subsection to read:

Amend Bill, page 2, line 15, by striking out "employees" and inserting

_employees_

Amend Bill, page 3, by inserting between lines 16 and 17

Section 3. Section 609-A of the act is amended by adding subsections to read:

Section 609-A. Department of Health.--** * *

c) For the issuance of certificates of death by a local registrar under subsection (a)(6)(ii), the following shall apply:

(1) A local registrar shall issue certificates of death from original certificates of death in its possession upon completion of a period of instruction on the preparation of certificates by representatives of the Division of Vital Records.

(2) Each fee received by the local registrar under subsection (a)(6)(ii) shall be distributed, retained or transmitted to the Department of Health as follows:

(i) The following apply:

(A) Except as provided under clause (B), $3 shall be retained by the local registrar.

(B) If the limitation under subsection (d) has been reached, $3 shall be transmitted to the Department of Health for deposit into the General Fund.

(ii) Sixteen dollars shall be transmitted to the Department of Health for deposit into the Vital Statistics Improvement Account.

(iii) One dollar shall be transmitted to the Department of Health for distribution to the county coroner or medical examiner as provided for under section 206 of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953.

(d) The following shall apply:

(1) Notwithstanding section 304(c)(1) of the Vital Statistics Law of 1953, a local registrar may not be compensated in excess of $85,000 in any one calendar year.

(2) Fees received from certificates of death issued after March 6, 2020, and during the duration of the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency, shall not apply to the calculation of compensation under paragraph (1).
Section 4. The act is amended by adding a section to read:

Section 815. Report on Implementation of 2020 General Primary Election.—(a) No later than sixty days after the 2020 general primary election under Article XVIII-B of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, the Department of State shall issue a report to the chairperson and minority chairperson of the State Government Committee of the Senate and the chairperson and minority chairperson of the State Government Committee of the House of Representatives. A copy of the report shall also be made available on the Department of State's publicly accessible Internet website.

(b) The report under subsection (a) shall include all of the following relating to the administration of the 2020 general primary election by the Department of State, a county board of elections under Article III of the Pennsylvania Election Code or a registration commission established under 25 Pa.C.S. § 1203 (relating to commissions).

(1) For each county and the sum for this Commonwealth, the number of applications for an absentee ballot which were received by the county board of elections.

(2) For each county and the sum for this Commonwealth, the number of applications for a mail-in ballot which were received by the county board of elections.

(3) For each county and the sum for this Commonwealth, the number of applications for an absentee ballot which were approved by the county board of elections.

(4) For each county and the sum for this Commonwealth, the number of applications for a mail-in ballot which were approved by the county board of elections.

(5) For each county and the sum for this Commonwealth, the number of absentee ballots which were voted by the electors.

(6) For each county and the sum for this Commonwealth, the number of mail-in ballots which were voted by the electors.

(7) For each county and the sum for this Commonwealth, the number of qualified electors voting by a provisional ballot under section 1306(b)(2) of the Pennsylvania Election Code.

(8) For each county and the sum for this Commonwealth, the number of qualified electors voting by provisional ballot under section 1306-D(b)(2) of the Pennsylvania Election Code.

(9) For each county and the sum for this Commonwealth, the number of applications for an absentee ballot by an individual who was not a registered elector at the time of the application and for whom a voter registration application was timely received after the application for an absentee ballot was received.

(10) For each county and the sum for this Commonwealth, the number of applications for a mail-in ballot by an individual who was not a registered elector at the time of the application and for whom a voter registration application was timely received.

(11) For each county and the sum for this Commonwealth, the
number of voter registration applications under section 1231 of the Pennsylvania Election Code and 25 Pa.C.S. Pt. IV (relating to voter registration) which were received:

(i) Fewer than thirty days before the 2020 general primary election.

(ii) Fewer than fifteen days before the 2020 general primary election.

(12) For each county and the sum for this Commonwealth, the number of election officers appointed under section 1801-B of the Pennsylvania Election Code.

(13) For each county and the sum for this Commonwealth, the number of polling places consolidated under section 1802-B of the Pennsylvania Election Code.

(14) For each county and the sum for this Commonwealth, the number of polling places consolidated under section 1802-B of the Pennsylvania Election Code which required approval of the Department of State under section 1802-B(a)(3) of the Pennsylvania Election Code.

(15) For each county and the sum for this Commonwealth, the number of polling places located in a location permitted under section 1803-B of the Pennsylvania Election Code.

(16) For each county and the sum for this Commonwealth, the number of polling places in school buildings.

(17) For each county, the date and time that the county board of elections began pre-canvassing absentee ballots and mail-in ballots under section 1308(g)(2) of the Pennsylvania Election Code.

(18) For each county, the date and time that the county board of elections began canvassing absentee ballots and mail-in ballots under section 1308(g)(2) of the Pennsylvania Election Code.

(19) For each county and the sum for this Commonwealth, the number of absentee ballots which were challenged under section 1302.2(c) of the Pennsylvania Election Code.

(20) For each county and the sum for this Commonwealth, the number of mail-in ballots which were challenged under section 1302.2-D(a)(2) of the Pennsylvania Election Code.

(21) For each county and the sum for this Commonwealth, the number of absentee ballots subject to challenges under paragraph (19) which were not canvassed.

(22) For each county and the sum for this Commonwealth, the number of mail-in ballots subject to challenges under paragraph (20) which were not canvassed.

(23) The number of incidents known to the Department of State, county board of elections or registration commission relating to each of the following categories:

(i) An absentee ballot or mail-in ballot which was sent to the wrong individual or wrong address.

(ii) An absentee ballot or mail-in ballot which was voted by an individual other than the individual who applied for the absentee ballot or mail-in ballot.
(iii) An absentee ballot or mail-in ballot which was returned to the county board of elections by a means other than the elector sending the absentee ballot or mail-in ballot by mail or delivery in person.

(24) To the extent consistent with Federal and State law, a review of any action taken by the Department of State, county board of elections or registration commission in response to an incident under paragraph (23), including determinations made on the incident, legal actions filed and referrals to law enforcement.

(25) A review of issues or incidents encountered with an electronic voting system that received the approval of the Secretary of the Commonwealth under section 1105-A of the Pennsylvania Election Code, including any technical issues encountered in polling places.

(c) The Department of State shall develop a process to collect data required to be included in the report under subsection (b) from each county board of elections under Article III of the Pennsylvania Election Code or registration commission under 25 Pa.C.S. Pt. IV, as applicable. A county board of elections or registration commission shall comply with the process for submission of data under this subsection no later than forty-five days after the 2020 general primary election under Article XVIII-B of the Pennsylvania Election Code.

Section 5. The act is amended by adding articles to read:

ARTICLE XXI-C
COVID-19 EMERGENCY STATUTORY AND REGULATORY SUSPENSIONS AND WAIVERS REPORTING REQUIREMENTS

Section 2101-C. 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:

"Order." Any of the following:
(1) the declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020); or
(2) a declaration of disaster emergency relating to the novel coronavirus known as "COVID-19" which is issued after March 6, 2020.

Section 2102-C. Notification required.
(a) Suspensions, modifications and waivers requiring modification.--The Office of the Governor shall notify the individuals under subsection (c) no later than provided under subsection (b) when a specific statute or regulation is suspended, modified or waived under the authority of the order or when a specific statute or regulation is first treated as being suspended, modified or waived under a blanket suspension, modification or waiver under the order. A notification under this paragraph shall, at a minimum, notify the individuals of the following:
(1) Any provision of regulatory statute or regulation suspended or modified under 35 Pa.C.S. Ch. 73 Subch. A (relating to the Governor and disaster emergencies) under the order.

(2) Any provision of law or regulation suspended by the Secretary of Health under the order.

(3) Any provision of law or regulation suspended or waived by the Secretary of Education under the order.

(4) Any laws or Federal or State regulations related to the drivers of commercial vehicles waived or suspended by the Department of Transportation under the order.

(b) Timeline for notification.--The following shall apply:

(1) An initial notification under this section shall be made within two days of the effective date of this article and shall include notifications of all suspensions, modifications and waivers under subsection (a) which occurred prior to the effective date of this article.

(2) A notification under this section other than an initial report under paragraph (1) shall be made within one day of the suspension, modification or waiver under subsection (a).

(c) Individuals to be notified.--A notification required to be issued under this section shall be sent in writing by electronic means to the President pro tempore of the Senate, the Speaker of the House of Representatives, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives and the Minority Leader of the House of Representatives.

ARTICLE XXI-D

COVID-19 DEBT COST REDUCTION REVIEW

Section 2101-D. Review of refinancing opportunities.

The Treasury Department, in conjunction with the Secretary of the Budget, the Auditor General and any chairperson of an authority, commission, agency or board that has the power to issue debt, shall identify and review all outstanding debt obligations of the Commonwealth and its authorities, commissions, agencies and boards and submit a report of the findings to the General Assembly no later than September 30, 2020. In addition to the identification and review of all outstanding debt obligations, the report shall identify options for the refinancing of the outstanding debt obligations to reduce the costs to the Commonwealth and its authorities. Each agency identified under this section shall provide to the Treasury Department, within 30 days following the effective date of this section, information as may be requested by the Treasury Department, including the following, related to all outstanding debt obligations of the agency:

(1) Total outstanding amount of all obligations.

(2) Most recent audited financial statement of the agency.

(3) Description of each obligation, identifying senior
or subordinate debt and Federal tax treatment.
(4) Account of all security pledged for each obligation.
(5) Most recent rating associated with each debt obligation, including rate covenant and maturity date.
(6) List of all additional associated agency obligations or covenants.
(7) Annual debt service cost, debt service fund and debt service reserve fund for each debt obligation.
(8) Risk factors and disclosure statements associated with each debt obligation.
(9) Pending litigation that may financially impact the debt obligations of the agency.

Section 6. Section 2802-E(a)(1) of the act is amended to read:

Section 2802-E. Surcharge and fees.
(a) Imposition of surcharge and fees.--In addition to the fees imposed under 42 Pa.C.S. §§ 3733(a.1) (relating to deposits into account) and 3733.1 (relating to surcharge), except as set forth in subsection (b), the following apply:
(1) A surcharge of $11.25 shall be charged and collected. This paragraph shall expire December 31, 2021.

* * *

Section 7. Repeals are as follows:
(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of section 609-A(c) and (d).
(2) Section 1725-E(a) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is repealed.