

AMENDMENTS TO SENATE BILL NO. 48

Sponsor: REPRESENTATIVE EVERETT

Printer's No. 1037

1 Amend Bill, page 9, line 16, by inserting after "BALLOTS.--"

2 (a)

3 Amend Bill, page 9, line 17, by inserting a bracket before
4 "IN" where it occurs the first time

5 Amend Bill, page 9, line 17, by striking out "PAPER BALLOT IS
6 USED IN A"

7 Amend Bill, page 9, line 18, by striking out the bracket
8 before "IS"

9 Amend Bill, page 9, line 18, by striking out "] OR ELECTION"

10 Amend Bill, page 9, line 18, by striking out the bracket
11 before "ONE"

12 Amend Bill, page 9, lines 21 through 23, by striking out "] A
13 SUPPLY OF OFFICIAL BALLOTS EQUAL TO TEN" in line 21 and all of
14 lines 22 and 23

15 Amend Bill, page 9, line 27, by inserting after "REGISTER."

16] a supply of official election ballots for:

17 (1) the general primary election held in even-numbered years
18 in which candidates for the office of President of the United
19 States are not nominated in an amount of at least ten per centum
20 greater than the highest number of ballots cast in the election
21 district in any of the previous three general primary elections
22 at which candidates for the office of President of the United
23 States were not nominated;

24 (2) the general primary election held in even-numbered years
25 in which candidates for the office of President of the United
26 States are nominated in an amount of at least ten per centum

1 greater than the highest number of ballots cast in the election
2 district in any of the previous three general primary elections
3 at which candidates for the office of President of the United
4 States were nominated;

5 (3) the municipal primary election held in odd-numbered
6 years in an amount of at least ten per centum greater than the
7 highest number of ballots cast in any of the previous three
8 municipal primary elections in the election district;

9 (4) the general election held in even-numbered years in
10 which candidates for the office of President of the United
11 States are not elected in an amount of at least ten per centum
12 greater than the highest number of ballots cast in the election
13 district in any of the previous three general elections at which
14 candidates for the office of President of the United States were
15 not elected;

16 (5) the general election held in even-numbered years in
17 which candidates for the office of President of the United
18 States are elected in an amount of at least ten per centum
19 greater than the highest number of ballots cast in the election
20 districts in any of the previous three general elections at
21 which candidates for the office of President of the United
22 States were elected; and

23 (6) the municipal election held in odd-numbered years in an
24 amount of at least ten per centum greater than the highest
25 number of ballots cast in any of the previous three municipal
26 elections in the election district.

27 (b)

28 Amend Bill, page 15, lines 16 through 30; page 16, lines 1
29 through 19; by striking out all of said lines on said pages and
30 inserting

31 ARTICLE XI-B
32 VOTING SYSTEMS

33 Section 1101-B. Definitions.

34 The following words and phrases when used in this article
35 shall have the meanings given to them in this section unless the
36 context clearly indicates otherwise:

37 "Electronic voting system." As defined in section 1101-A.

38 "Voting apparatus." A kind or type of electronic voting
39 system that received approval by the Secretary of the
40 Commonwealth under section 1105-A.

41 Section 1102-B. Disapproval or decertification.

42 (a) Prohibition.--The Commonwealth may not disapprove of or
43 decertify voting apparatuses in 50% or more counties until the
44 requirements of this article have been met.

45 (b) Plan.--If the Commonwealth intends to disapprove or
46 decertify voting apparatuses in 50% or more counties, the
47 Department of State must submit a written plan to the President
48 Pro Tempore of the Senate and the Speaker of the House of

1 Representatives at least 180 days prior to the effective date of
2 replacement, containing each of the following:

3 (1) The reason for disapproval or decertification.

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

7 (3) A plan for replacing the disapproved or decertified
8 voting apparatuses.

9 (4) The effective date of replacement.

10 (c) Voting System Decertification Commission.--

11 (1) Within 10 days of receipt of the written plan under
12 subsection (b) by the President Pro Tempore of the Senate and
13 the Speaker of the House of Representatives, a commission
14 shall be established. The commission shall, within 90 days of
15 establishment, do all of the following:

16 (i) Review the written plan.

17 (ii) Hold at least two public hearings on the
18 matter, including the plan submitted under subsection
19 (b).

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

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

23 (B) The Speaker of the House of Representatives.

24 (C) The Majority Leader of the Senate

25 (D) The Majority Leader of the House of

26 Representatives.

27 (E) The Minority Leader of the Senate.

28 (F) The Minority Leader of the House of
29 Representatives.

30 (G) The chair and minority chair of the State
31 Government Committee of the Senate and the chair and
32 minority chair of the State Government Committee of
33 the House of Representatives.

34 (iv) The written report shall include all of the
35 following:

36 (A) An estimated cost for the written plan and
37 estimated costs for the implementation of other
38 voting apparatuses and how the costs will be divided.

39 (B) Written justification for disapproval or
40 decertification.

41 (C) Each dissenting opinion of a member of the
42 commission.

43 (D) Recommended legislative action, if
44 necessary, including draft legislation.

45 (2) The commission shall be composed of the following
46 members:

47 (i) Two members appointed by the Governor, one of
48 whom shall be a county commissioner and one of whom shall
49 be a county election officer at the time of appointment.

50 (ii) The Secretary of the Commonwealth or a
51 designee.

1 (iii) The chair and minority chair of the State
2 Government Committee of the Senate and the chair and
3 minority chair of the State Government Committee of the
4 House of Representatives or their designees.

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

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

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

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

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

25 Amend Bill, page 26, line 12, by inserting a bracket before
26 the comma after "ELECTIONS"

27 Amend Bill, page 26, line 14, by inserting a bracket after
28 "DISTRICT"

29 Amend Bill, page 30, line 23, by inserting a bracket before
30 "FIVE"

31 Amend Bill, page 30, line 24, by inserting after "TO"

32] eight o'clock P.M. on the day of

33 Amend Bill, page 31, line 4, by inserting a bracket before
34 "IN"

35 Amend Bill, page 31, line 9, by striking out the bracket
36 before "HIM"

37 Amend Bill, page 31, line 9, by striking out "] THE ELECTOR"

38 Amend Bill, page 31, line 9, by striking out the bracket

1 before "HIS"

2 Amend Bill, page 31, line 9, by striking out "] THE
3 ELECTOR'S"

4 Amend Bill, page 31, line 12, by striking out the bracket
5 before "HIM"

6 Amend Bill, page 31, line 12, by striking out "] THE ELECTOR"

7 Amend Bill, page 31, line 16, by inserting a bracket after
8 "FORTH."

9 Amend Bill, page 32, line 15, by inserting a bracket before
10 "(1),"

11 Amend Bill, page 32, line 15, by inserting a bracket after
12 "(1),"

13 Amend Bill, page 33, lines 7 through 13, by striking out all
14 of said lines and inserting

15 (c) The following shall apply to an elector voting by
16 absentee ballot:

17 (1) an authorized representative designated by the elector
18 or any other individual authorized to deliver an absentee ballot
19 to the county board on behalf of the elector under section
20 1302.1(a.3)(4) or (5) shall deliver the elector's ballot to the
21 office no later than eight o'clock P.M. on the day of the
22 primary or election;

23 (2) an elector who delivers an absentee ballot in person to
24 the county board of elections shall do so no later than five
25 o'clock P.M. on the day immediately preceding the primary or
26 election; and

27 (3) an elector who mails an absentee ballot shall do so such
28 that it is postmarked no later than the day immediately
29 preceding the primary or election.

30 Amend Bill, page 33, line 14, by striking out "(2)" and
31 inserting

32 (4)

33 Amend Bill, page 33, line 23, by striking out "(3)" and

1 inserting

2 (5)

3 Amend Bill, page 33, line 29, by striking out "AND (2)" and
4 inserting

5 , (2) and (4)

6 Amend Bill, page 37, line 22, by inserting a bracket before
7 "LOCAL"

8 Amend Bill, page 37, line 22, by inserting after "ELECTION"
9] county

10 Amend Bill, page 37, line 23, by inserting a bracket before
11 "LOCAL"

12 Amend Bill, page 37, line 23, by inserting after "ELECTION"
13] county

14 Amend Bill, page 38, line 18, by striking out ", (N) AND (O)"
15 and inserting

16 and (n)

17 Amend Bill, page 38, lines 22 through 26, by striking out all
18 of said lines and inserting

19 (A) by hand delivery by an authorized representative
20 designated by the elector or any other individual authorized to
21 deliver an absentee ballot on behalf of the elector under
22 section 1302.1(a.3) (4) or (5) no later than eight o'clock P.M.
23 on the day of the primary or election;

24 (B) by hand delivery by the elector no later than five
25 o'clock P.M. on the day immediately preceding the primary or
26 election; and

27 (C) by mail no later than five o'clock P.M. on the seventh
28 day following the primary or election if the absentee ballot is
29 postmarked no later than the day immediately preceding the
30 primary or election.

31 Amend Bill, page 39, by inserting between lines 10 and 11

32 (4) All absentee ballots [not], except for ballots
33 challenged for any of the reasons provided in paragraph (3) and
34 ballots cast by electors who appear at the polling place on
35 election day and vote in person pursuant to section 1306(b),
36 shall be counted and included with the returns of the applicable

1 election district as follows[.]i;
2 (i) The county board shall open the envelope of every
3 unchallenged absentee elector in such manner as not to destroy
4 the declaration executed thereon.
5 (ii) If any of the envelopes on which are printed, stamped
6 or endorsed the words "Official Absentee Ballot" contain any
7 extraneous marks or identifying symbols, the envelopes and the
8 ballots contained therein shall be set aside and declared void.
9 (iii) The county board shall then break the seals of such
10 envelopes, remove the ballots and record the votes.
11 * * *

12 Amend Bill, page 39, line 13, by inserting after "TO"
13 disapprovals and