

AMENDMENTS TO SENATE BILL NO. 422

Sponsor: REPRESENTATIVE EVERETT

Printer's No. 399

1 Amend Bill, page 1, lines 11 and 12, by striking out
2 "providing for Pennsylvania Election Law Advisory" in line 11
3 and all of line 12 and inserting
4 in preliminary provisions, further providing for definitions;
5 in county boards of elections, further providing for powers
6 and duties of county boards; in ballots, further providing
7 for forms of ballots, printing ballots, numbers; in
8 electronic voting systems, further providing for forms, for
9 election day procedures and the process of voting and for
10 post election procedures; in preparation for and conduct of
11 primaries and elections, further providing for manner of
12 applying to vote, persons entitled to vote, voter's
13 certificates, entries to be made in district register,
14 numbered lists of voters, challenges and for deadline for
15 receipt of valid voter registration application; in voting by
16 qualified absentee electors, further providing for
17 applications for official absentee ballots, for approval of
18 application for absentee ballot, for absentee and mail-in
19 electors files and lists, for official absentee voters
20 ballots, for envelopes for official absentee ballots, for
21 delivering or mailing ballots, for voting by absentee
22 electors, for canvassing of official absentee ballots and
23 mail-in ballots and for public records and repealing
24 provisions relating to violation of provisions relating to
25 absentee voting; in voting by qualified mail-in electors,
26 further providing for qualified mail-in electors, for
27 applications for official mail-in ballots, for approval of
28 application for mail-in ballot, for official mail-in elector
29 ballots, for envelopes for official mail-in ballots, for
30 voting by mail-in electors and for public records and
31 repealing provisions relating to violation of provisions
32 relating to mail-in voting; providing for Pennsylvania
33 Election Law Advisory Board; in penalties, further providing
34 for violations of provisions relating to absentee electors
35 ballots; providing for emergency provisions for 2020 general
36 primary election; and making a related repeal.

1 Amend Bill, page 1, lines 15 through 23; pages 2 and 3, lines
2 1 through 30; page 4, lines 1 through 5; by striking out all of
3 said lines on said pages and inserting

4 Section 1. Section 102(a.1) and (z.6) of the act of June 3,
5 1937 (P.L.1333, No.320), known as the Pennsylvania Election
6 Code, added October 31, 2019 (P.L.552, No.77), are amended and
7 the section is amended by adding a subsection to read:

8 Section 102. Definitions.--The following words, when used in
9 this act, shall have the following meanings, unless otherwise
10 clearly apparent from the context:

11 * * *

12 (a.1) ["Canvass" includes] The word "canvass" shall mean the
13 gathering [the] of ballots after the [election] final pre-
14 canvass meeting and the counting, computing and tallying of the
15 votes reflected on the ballots.

16 * * *

17 (g.1) The word "pre-canvass" shall mean the inspection and
18 opening of all envelopes containing official absentee ballots or
19 mail-in ballots, the removal of such ballots from the envelopes
20 and the counting, computing and tallying of the votes reflected
21 on the ballots. The term does not include the recording or
22 publishing of the votes reflected on the ballots.

23 * * *

24 (z.6) The words "qualified mail-in elector" shall mean a
25 qualified elector [who is not a qualified absentee elector].
26 The term does not include a person specifically prohibited from
27 being a qualified absentee elector under section 1301.

28 Section 2. Section 302(p) of the act is amended to read:

29 Section 302. Powers and Duties of County Boards.--The county
30 boards of elections, within their respective counties, shall
31 exercise, in the manner provided by this act, all powers granted
32 to them by this act, and shall perform all the duties imposed
33 upon them by this act, which shall include the following:

34 * * *

35 (p) A county board of elections shall not pay compensation
36 to a judge of elections who wilfully fails to deliver by two
37 o'clock A. M. on the day following the election envelopes;
38 supplies, including all uncast provisional ballots; and returns,
39 including all provisional ballots [and absentee ballots] cast in
40 the election district and statements signed under sections 1306
41 and 1302-D.

42 Section 3. Section 1004 of the act, amended October 31, 2019
43 (P.L.552, No.77) and November 27, 2019 (P.L.673, No.94), is
44 amended to read:

45 Section 1004. Form of Ballots; Printing Ballots[;
46 Numbers].--From the lists furnished by the Secretary of the
47 Commonwealth under the provisions of sections 915 and 984, and
48 from petitions and papers filed in their office, the county

1 election board shall print the official primary and election
2 ballots in accordance with the provisions of this act: Provided,
3 however, That in no event, shall the name of any person
4 consenting to be a candidate for nomination for any one office,
5 except the office of judge of a court of common pleas, the
6 Philadelphia Municipal Court or the office of school director in
7 districts where that office is elective or the office of justice
8 of the peace be printed as a candidate for such office upon the
9 official primary ballot of more than one party. All ballots for
10 use in the same election district at any primary or election
11 shall be alike. [They shall be at least six inches long and four
12 inches wide, and shall have a margin extending beyond any
13 printing thereon. They shall be printed with the same kind of
14 type (which shall not be smaller than the size known as
15 "brevier" or "eight point body") upon white paper of uniform
16 quality, without any impression or mark to distinguish one from
17 another, and with sufficient thickness to prevent the printed
18 matter from showing through. All the ballots for the same
19 election district shall be bound together in books of fifty, in
20 such manner that each ballot may be detached and removed
21 separately. The ballots for each party to be used at a primary
22 shall be bound separately.]

23 Section 4. Sections 1109-A(a)(2), (b) and (e) and 1112-A(b)
24 (2), (3) and (4) of the act, amended October 31, 2019 (P.L.552,
25 No.77), are amended to read:

26 Section 1109-A. Forms.--(a) * * *

27 (2) The pages placed on the voting device shall be of
28 sufficient number to include, following the listing of
29 particular candidates, the names of candidates for any
30 nonpartisan offices and any measures for which a voter may be
31 qualified to vote on a given election day. [, provided further
32 that for municipal, general or special elections, the first
33 ballot page shall list in the order that such political parties
34 are entitled to priority on the ballot, the names of such
35 political parties.]

36 * * *

37 (b) Ballot labels shall be printed in plain clear type [in
38 black ink], of such size and arrangement as to fit the
39 construction of the voting device; and they shall be printed [on
40 clear white material or on material of different colors to
41 identify different ballots or parts of the ballot and in primary
42 elections to identify each political party.] in a manner
43 prescribed by the Secretary of the Commonwealth to identify
44 different ballots or parts of a ballot and in primary elections
45 to identify each political party.

46 * * *

47 (e) In primary elections, the Secretary of the Commonwealth
48 shall [choose a color for each party eligible to have candidates
49 on the ballot and a separate color for independent voters. The
50 ballot cards or paper ballots and ballot pages shall be printed
51 on card or paper stock of the color of the party of the voter

1 and the appropriate party affiliation or independent status
2 shall be printed on the ballot card or at the top of the paper
3 ballot and on the ballot pages.] prescribe a method to ensure
4 that the elector votes the correct ballot.

5 * * *

6 Section 1112-A. Election Day Procedures and the Process of
7 Voting.--* * *

8 (b) In an election district which uses an electronic voting
9 system which utilizes paper ballots or ballot cards to register
10 the votes, the following procedures will be applicable for the
11 conduct of the election at the election district:

12 * * *

13 (2) At primary elections, the voter shall vote for the
14 candidates of his choice for nomination, according to the number
15 of persons to be voted for by him, for each office by making a
16 cross (X) or check (✓) mark or by making a punch or mark sense
17 mark in the square opposite the name of the candidate or by
18 otherwise indicating a selection associated with the candidate,
19 or he may so [mark the write-in position provided on the ballot
20 for the particular office] indicate on the ballot that the voter
21 is electing to write in the name of a person for the particular
22 office, and[, in the space provided therefor on the ballot
23 and/or ballot envelope, write] insert the identification of the
24 office in question and the name of any person not already
25 [printed on the ballot for that office] listed as a candidate
26 for that office, and such [mark] indication and [written]
27 insertion shall count as a vote for that person for such office.

28 (3) At all other elections, the voter shall vote for the
29 candidates of his choice for each office to be filled, according
30 to the number of persons to be voted for by him for each office,
31 by making a cross (X) or check (✓) mark or by making a punch or
32 mark sense mark in the square opposite the name of the
33 candidate, or by otherwise indicating a selection associated
34 with the candidate, or he may so [mark the write-in position
35 provided on the ballot for the particular office] indicate on
36 the ballot that the voter is electing to write in the name of a
37 person for the particular office, and[, in the space provided
38 therefor on the ballot and/or ballot envelope, write] insert the
39 identification of the office in question and the name of any
40 person not already [printed on the ballot for that office]
41 listed as a candidate for that office, and such [mark]
42 indication and [written] insertion shall count as a vote for
43 that person for such office.

44 (4) If he desires to vote for the entire group of
45 presidential electors nominated by any party or political body,
46 he may make a cross (X) or check (✓) or punch or mark sense mark
47 [in the appropriate space opposite] or otherwise indicate a
48 selection associated with the names of the candidates for
49 President and Vice-President of such party or body. If he
50 desires to vote a ticket for presidential electors made up of
51 the names of persons nominated by different parties or political

1 bodies, or partially of names of persons so in nomination and
2 partially of names of persons not in nomination by any party or
3 political body, or wholly of names of persons not in nomination
4 by any party or political body, he shall insert, [by writing or
5 stamping,] the names of the candidates for presidential electors
6 for whom he desires to vote [in the blank spaces provided
7 therefor] on the write-in ballot under the title of the office
8 "Presidential Electors". In case of a question submitted to the
9 vote of the electors, he may make a cross (X) or check (✓) or
10 punch or mark sense mark [in the appropriate square opposite] or
11 otherwise indicate a selection associated with the answer which
12 he desires to give.

13 * * *

14 Section 5. Section 1113-A(i) of the act is amended to read:

15 Section 1113-A. Post Election Procedures.--* * *

16 (i) In the event that district tabulation of votes is not
17 provided for by the voting system, it shall be the
18 responsibility of the county board of elections to make
19 available to the public at the central tabulating center, the
20 election results for each election district. [It shall be the
21 further duty of the county board of elections to post such
22 results in each election district no later than 5:00 p.m. of the
23 second day following the election.]

24 * * *

25 Section 6. Section 1210(a.4) (1) of the act, amended October
26 31, 2019 (P.L.552, No.77), is amended to read:

27 Section 1210. Manner of Applying to Vote; Persons Entitled
28 to Vote; Voter's Certificates; Entries to Be Made in District
29 Register; Numbered Lists of Voters; Challenges.--* * *

30 (a.4) (1) At all elections an individual who claims to be
31 properly registered and eligible to vote at the election
32 district but whose name does not appear on the district register
33 and whose registration cannot be determined by the inspectors of
34 election or the county election board shall be permitted to cast
35 a provisional ballot. Individuals who appear to vote shall be
36 required to produce proof of identification pursuant to
37 subsection (a) and if unable to do so shall be permitted to cast
38 a provisional ballot. An individual presenting a judicial order
39 to vote shall be permitted to cast a provisional ballot. [An
40 elector who appears to vote on election day having requested an
41 absentee ballot or mail-in ballot and who is not shown on the
42 district register as having voted an absentee ballot or mail-in
43 ballot shall be permitted to cast a provisional ballot.]

44 * * *

45 Section 7. Section 1231(c) (2) of the act, added October 31,
46 2019 (P.L.552, No.77), is amended and the section is amended by
47 adding a subsection to read:

48 Section 1231. Deadline for Receipt of Valid Voter
49 Registration Application.--* * *

50 (c) * * *

51 [(2) No applications shall be received as follows:

- 1 (i) On Sundays.
2 (ii) On holidays.
3 (iii) On the day of the election.
4 (iv) During the fifteen days next preceding each general,
5 municipal and primary election except as provided under
6 subsection (b).]

7 * * *

8 (e) (1) An applicant shall be deemed a registered elector
9 of the county immediately upon acceptance of the voter
10 registration application by the commission under 25 Pa.C.S. §
11 1328(c)(1) or (2) (relating to approval of registration
12 applications), and the commission shall enter the elector's
13 registration information in the general register, with the
14 elector's unique identification number entered as his or her
15 SURE registration number.

16 (2) Notwithstanding 25 Pa.C.S. § 1328(b)(2), if an applicant
17 presents his or her own application for voter registration under
18 25 Pa.C.S. § 1322 (relating to in-person voter registration),
19 the commission shall immediately examine the application
20 pursuant to 25 Pa.C.S. § 1328(a) and shall, while the applicant
21 waits, promptly decide on said application by either accepting
22 it, rejecting it or forwarding it pursuant to 25 Pa.C.S. §
23 1328(b) and, if accepted, process the application in accordance
24 with 25 Pa.C.S. § 1328(c).

25 Section 8. Sections 1302(e.1) and (i)(1), 1302.2(c) and (e)
26 and 1302.3(a), amended October 31, 2019 (P.L.552, No.77), are
27 amended to read:

28 Section 1302. Applications for Official Absentee Ballots.--*
29 * *

30 (e.1) Any qualified registered elector who is unable because
31 of illness or physical disability to attend his polling place on
32 the day of any primary or election or operate a voting machine
33 and state distinctly and audibly that he is unable to do so as
34 required by section 1218 of this act may at any time request,
35 with the certification by his attending physician that he is
36 permanently disabled[,] and physically unable to attend the
37 polls or operate a voting machine and make the distinct and
38 audible statement required by section 1218 appended to the
39 application hereinbefore required, to be placed on a permanently
40 disabled absentee ballot list file. An absentee ballot
41 application shall be mailed to every such person otherwise
42 eligible to receive one, by the first Monday in February each
43 year, or within forty-eight hours of receipt of the request,
44 whichever is later, so long as he does not lose his voting
45 rights by failure to vote as otherwise required by this act.
46 Such person shall not be required to file a physician's
47 certificate of disability with each application as required in
48 subsection (e) of this section. Should any such person lose his
49 disability he shall inform the county board of elections of the
50 county of his residence. An absentee ballot application mailed
51 to [a voter] an elector under this section, which is completed

1 and timely returned by the [voter] elector, shall serve as an
2 application for any and all primary, general or special
3 elections to be held in the remainder of that calendar year and
4 for all special elections to be held before the third Monday in
5 February of the succeeding year. The transfer of a qualified
6 registered elector on a permanently disabled absentee ballot
7 list from one county to another county shall only be permitted
8 upon the request of the qualified registered elector.

9 * * *

10 (i) (1) Application for official absentee ballots shall be
11 on physical and electronic forms prescribed by the Secretary of
12 the Commonwealth. The application shall state that an elector
13 who [receives and votes] applies for an absentee ballot pursuant
14 to section 1301 shall not be eligible to vote at a polling place
15 on election day[.] unless the elector brings the elector's
16 absentee ballot to the elector's polling place, remits the
17 ballot and the envelope containing the declaration of the
18 elector to the judge of elections to be spoiled and signs a
19 statement subject to the penalties of 18 Pa.C.S. § 4904
20 (relating to unsworn falsification to authorities) to the same
21 effect. Such physical application forms shall be made freely
22 available to the public at county board of elections, municipal
23 buildings and at such other locations designated by the
24 secretary. Such electronic application forms shall be made
25 freely available to the public through publicly accessible
26 means. No written application or personal request shall be
27 necessary to receive or access the application forms. Copies and
28 records of all completed physical and electronic applications
29 for official absentee ballots shall be retained by the county
30 board of elections.

31 * * *

32 Section 1302.2. Approval of Application for Absentee
33 Ballot.--

34 * * *

35 (c) The county board of elections, upon receipt of any
36 application of a qualified elector required to be registered
37 under the provisions of preceding section 1301, shall determine
38 the qualifications of such applicant by verifying the proof of
39 identification and comparing the information set forth on such
40 application with the information contained on the applicant's
41 permanent registration card. If the board is satisfied that the
42 applicant is qualified to receive an official absentee ballot,
43 the application shall be marked "approved." Such approval
44 decision shall be final and binding, except that challenges may
45 be made only on the ground that the applicant [did not possess
46 the qualifications of an absentee] was not a qualified elector.
47 Such challenges must be made to the county board of elections
48 prior to [the applicable deadline for the absentee ballots to be
49 received, as provided in section 1308(g)]. When so approved, the
50 registration commission shall cause an absentee voter's
51 temporary registration card to be inserted in the district

1 register on top of and along with the permanent registration
2 card. The absentee voter's temporary registration card shall be
3 in the color and form prescribed in subsection (e) of this
4 section:

5 Provided, however, That the duties of the county boards of
6 elections and the registration commissions with respect to the
7 insertion of the absentee voter's temporary registration card of
8 any elector from the district register as set forth in section
9 1302.2 shall include only such applications and emergency
10 applications as are received on or before the first Tuesday
11 prior to the primary or election. In all cases where
12 applications are received after the first Tuesday prior to the
13 primary or election and before eight o'clock P.M. on the day of
14 the primary or election, the county board of elections shall
15 determine the qualifications of such applicant by verifying the
16 proof of identification and comparing the information set forth
17 on such application with the information contained on the
18 applicant's duplicate registration card on file in the General
19 Register (also referred to as the Master File) in the office of
20 the Registration Commission and shall cause the name and
21 residence (and at primaries, the party enrollment) to be
22 inserted in the Military, Veterans and Emergency Civilian
23 Absentee Voters File as provided in section 1302.3, subsection
24 (b).] five o'clock p.m. on the Friday prior to the election, or
25 during the pre-canvassing of an elector's absentee ballot,
26 whichever is earlier: Provided, however, That a challenge to an
27 application for an absentee ballot shall not be permitted on the
28 grounds that the elector used an application for an absentee
29 ballot instead of an application for a mail-in ballot or on the
30 grounds that the elector used an application for a mail-in
31 ballot instead of an application for an absentee ballot.

32 * * *

33 [(e) The absentee voter's temporary registration card shall
34 be in duplicate and the same size as the permanent registration
35 card, in a different and contrasting color to the permanent
36 registration card and shall contain the absentee voter's name
37 and address and shall conspicuously contain the words "Absentee
38 Voter."]

39 * * *

40 Section 1302.3. Absentee and Mail-in Electors Files and
41 Lists.--(a) The county board of elections shall maintain at
42 its office a file containing the duplicate absentee voter's
43 temporary registration cards of every registered elector to whom
44 an absentee ballot has been sent. Such duplicate absentee
45 voter's temporary registration cards shall be filed by election
46 districts and within each election district in exact
47 alphabetical order and indexed. The registration cards and the
48 registration cards under section 1302.3-D so filed shall
49 constitute the Registered Absentee and Mail-in Voters File for
50 the Primary or Election of (date of primary or election) and
51 shall be kept on file for a period commencing the Tuesday prior

1 to the day of the primary or election until the day following
2 the primary or election or the day the county board of elections
3 certifies the returns of the primary or election, whichever date
4 is later. Such file shall be open to public inspection at all
5 times subject to reasonable safeguards, rules and regulations.]

6 * * *

7 Section 9. Section 1303(a) and (e), amended October 31, 2019
8 (P.L.552, No.77) and November 27, 2019 (P.L.673, No.94), are
9 amended to read:

10 Section 1303. Official Absentee Voters Ballots.--(a) In
11 districts in which ballots are used, the ballots for use by such
12 absentee electors under the provisions of this act shall be the
13 official ballots printed in accordance with sections 1002 and
14 1003: Provided, however, That the county board of elections when
15 [detaching] preparing the official ballots for absentee electors
16 shall be required to track the name of the applicant to which a
17 ballot is being sent. The county board of elections shall also
18 be required to print, stamp or endorse [in red color] upon such
19 official ballots the words, Official Absentee Ballot. Such
20 ballots shall be distributed by such boards as hereinafter
21 provided.

22 * * *

23 (e) The official absentee voter ballot shall state that [a
24 voter] an elector who receives an absentee ballot pursuant to
25 section 1301 and whose voted ballot is not timely received by
26 the commission and who, on election day, is capable of voting at
27 the appropriate polling place may only vote on election day by
28 provisional ballot[.] unless the elector brings the elector's
29 absentee ballot to the elector's polling place, remits the
30 ballot and the envelope containing the declaration of the
31 elector to the judge of elections to be spoiled and signs a
32 statement subject to the penalties under 18 Pa.C.S. § 4904
33 (relating to unsworn falsification to authorities) to the same
34 effect.

35 Section 10. Section 1304 of the act is amended to read:

36 Section 1304. Envelopes for Official Absentee Ballots.--

37 The county boards of election shall provide two additional
38 envelopes for each official absentee ballot of such size and
39 shape as shall be prescribed by the Secretary of the
40 Commonwealth, in order to permit the placing of one within the
41 other and both within the mailing envelope. On the smaller of
42 the two envelopes to be enclosed in the mailing envelope shall
43 be printed, stamped or endorsed the words "Official [Absentee]
44 Election Ballot," and nothing else. On the larger of the two
45 envelopes, to be enclosed within the mailing envelope, shall be
46 printed the form of the declaration of the elector, and the name
47 and address of the county board of election of the proper
48 county. The larger envelope shall also contain information
49 indicating the local election district of the absentee voter.
50 Said form of declaration and envelope shall be as prescribed by
51 the Secretary of the Commonwealth and shall contain among other

1 things a statement of the electors qualifications, together with
2 a statement that such elector has not already voted in such
3 primary or election. The mailing envelope addressed to the
4 elector shall contain the two envelopes, the official absentee
5 ballot, lists of candidates, when authorized by section 1303
6 subsection (b) of this act, the uniform instructions in form and
7 substance as prescribed by the Secretary of the Commonwealth and
8 nothing else.[: Provided, however, That envelopes for electors
9 qualified under preceding section 1301, subsections (a) to (h),
10 inclusive, shall have printed across the face of each
11 transmittal or return envelope two parallel horizontal red bars,
12 each one-quarter inch wide, extending from one side of the
13 envelope to the other side, with an intervening space of one-
14 quarter inch, the top bar to be one and one-quarter inches from
15 the top of the envelope and with the words "Official Election
16 Balloting Material via Air Mail" between the bars; that there be
17 printed, in the upper right corner of each such envelope in a
18 box, the words "Free of U. S. Postage, Including Air Mail;" that
19 all printing on the face of each such envelope be in red, and
20 that there be printed in red, in the upper left corner of each
21 such envelope, the name and address of the county board of
22 elections of the proper county or blank lines for return address
23 of the sender:

24 Provided further, That the aforesaid envelope addressed to
25 the elector may contain absentee registration forms where
26 required, and shall contain detailed instructions on the
27 procedures to be observed in casting an absentee ballot as
28 prescribed by the Secretary of the Commonwealth, together with
29 return envelope upon which is printed the name and address of
30 the registration commission of the proper county, which envelope
31 shall have printed across the face two parallel horizontal red
32 bars, each one-quarter inch wide, extending from one side of the
33 envelope to the other side, with an intervening space of one-
34 quarter inch, the top bar to be one and one-quarter inches from
35 the top of the envelope and with the words "Official Election
36 Balloting Material via Air Mail" between the bars; that there be
37 printed in the upper right corner of each such envelope in a box
38 the words "Free of U. S. Postage, Including Air Mail," and, in
39 the upper left corner of each such envelope, blank lines for
40 return address of the sender; that all printing on the face of
41 each such envelope be in red.]

42 Section 11. Sections 1306(a) introductory paragraph and (b),
43 1308(g) and 1309(c) of the act, amended or added October 31,
44 2019 (P.L.552, No.77), are amended to read::

45 Section 1306. Voting by Absentee Electors.--(a) Except as
46 provided in paragraphs (2) and (3), at any time after receiving
47 an official absentee ballot, but on or before eight o'clock P.M.
48 the day of the primary or election, the elector shall, in
49 secret, proceed to mark the ballot only in black lead pencil,
50 indelible pencil or blue, black or blue-black ink, in fountain
51 pen or ball point pen, and then fold the ballot, enclose and

1 securely seal the same in the envelope on which is printed,
2 stamped or endorsed "Official [Absentee] Election Ballot." This
3 envelope shall then be placed in the second one, on which is
4 printed the form of declaration of the elector, and the address
5 of the elector's county board of election and the local election
6 district of the elector. The elector shall then fill out, date
7 and sign the declaration printed on such envelope. Such envelope
8 shall then be securely sealed and the elector shall send same by
9 mail, postage prepaid, except where franked, or deliver it in
10 person to said county board of election.

11 * * *

12 (b) (1) Any elector who receives and votes an absentee
13 ballot pursuant to section 1301 shall not be eligible to vote at
14 a polling place on election day. The district register at each
15 polling place shall clearly identify electors who have received
16 and voted absentee ballots as ineligible to vote at the polling
17 place, and district election officers shall not permit electors
18 who voted an absentee ballot to vote at the polling place.

19 (2) An elector who requests an absentee ballot and who is
20 not shown on the district register as having voted the ballot
21 may vote by provisional ballot under section 1210(a.4) (1).

22 (3) Notwithstanding paragraph (2), an elector who requests
23 an absentee ballot and who is not shown on the district register
24 as having voted the ballot may vote at the polling place if the
25 elector remits the ballot and the envelope containing the
26 declaration of the elector to the judge of elections to be
27 spoiled and the elector signs a statement subject to the
28 penalties under 18 Pa.C.S. § 4904 (relating to unsworn
29 falsification to authorities) in substantially the following
30 form:

31 I hereby declare that I am a qualified registered elector who
32 has obtained an absentee ballot or mail-in ballot. I further
33 declare that I have not cast my absentee ballot or mail-in
34 ballot, and that instead I remitted my absentee ballot or
35 mail-in ballot and the envelope containing the declaration of
36 the elector to the judge of elections at my polling place to
37 be spoiled and therefore request that my absentee ballot or
38 mail-in ballot be voided.

39 (Date)

40 (Signature of Elector).....(Address of Elector)

41 (Local Judge of Elections)

42 * * *

43 Section 1308. Canvassing of Official Absentee Ballots and
44 Mail-in Ballots.--* * *

45 (g) (1) (i) An absentee ballot cast by any absentee
46 elector as defined in section 1301(a), (b), (c), (d), (e), (f),
47 (g) and (h) shall be canvassed in accordance with this
48 subsection if the ballot is cast, submitted and received in
49 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to
50 uniform military and overseas voters).

51 (ii) An absentee ballot cast by any absentee elector as

1 defined in section 1301(i), (j), (k), (l), (m) and (n), an
2 absentee ballot under section 1302(a.3) or a mail-in ballot cast
3 by a mail-in elector shall be canvassed in accordance with this
4 subsection if the absentee ballot or mail-in ballot is received
5 in the office of the county board of elections no later than
6 eight o'clock P.M. on the day of the primary or election.

7 (1.1) The county board of elections shall meet no earlier
8 than seven o'clock A.M. on election day to pre-canvass all
9 ballots received prior to the meeting. A county board of
10 elections shall provide at least forty-eight hours' notice of a
11 pre-canvass meeting by publicly posting a notice of a pre-
12 canvass meeting on its publicly accessible Internet website. One
13 authorized representative of each candidate in an election and
14 one representative from each political party shall be permitted
15 to remain in the room in which the absentee ballots and mail-in
16 ballots are pre-canvassed. No person observing, attending or
17 participating in a pre-canvass meeting may disclose the results
18 of any portion of any pre-canvass meeting prior to the close of
19 the polls.

20 (2) The county board of elections shall meet no earlier than
21 the close of polls on the day of the election and no later than
22 the third day following the election to begin canvassing [the]
23 absentee ballots and mail-in ballots received [under this
24 subsection and subsection (h)(2).] following the final pre-
25 canvass meeting and any ballots received prior to the completion
26 of the final pre-canvass meeting, but not included in the pre-
27 canvass process. The meeting under this paragraph shall continue
28 until all absentee ballots and mail-in ballots received prior to
29 the close of the polls have been canvassed. The county board of
30 elections shall not record or publish any votes reflected on the
31 ballots prior to the close of the polls. The canvass process
32 shall continue through the eighth day following the election[.]
33 for valid military-overseas ballots timely received under 25
34 Pa.C.S. § 3511 (relating to receipt of voted ballot). A county
35 board of elections shall provide at least forty-eight hours'
36 notice of a canvass meeting by publicly posting a notice of a
37 pre-canvass meeting on its publicly accessible Internet website.
38 One authorized representative of each candidate in an election
39 and one representative from each political party shall be
40 permitted to remain in the room in which the absentee ballots
41 and mail-in ballots are canvassed. [Representatives shall be
42 permitted to challenge any absentee elector or mail-in elector
43 in accordance with the provisions of paragraph (3).] No person
44 observing, attending or participating in a canvass meeting may
45 disclose the results of any portion of a canvass meeting prior
46 to the close of the polls.

47 (3) When the county board meets to pre-canvass or canvass
48 absentee ballots and mail-in ballots under [paragraph]
49 paragraphs (1), (1.1) and (2), the board shall examine the
50 declaration on the envelope of each ballot not set aside under
51 subsection (d) and shall compare the information thereon with

1 that contained in the "Registered Absentee and Mail-in Voters
2 File," the absentee voters' list and/or the "Military Veterans
3 and Emergency Civilians Absentee Voters File," whichever is
4 applicable. If the county board has verified the proof of
5 identification as required under this act and is satisfied that
6 the declaration is sufficient and the information contained in
7 the "Registered Absentee and Mail-in Voters File," the absentee
8 voters' list and/or the "Military Veterans and Emergency
9 Civilians Absentee Voters File" verifies his right to vote, the
10 county board shall [announce the name of the elector and shall
11 give any candidate representative or party representative
12 present an opportunity to challenge any absentee elector or
13 mail-in elector upon the ground or grounds: (i) that the
14 absentee elector or mail-in elector is not a qualified elector;
15 or (iii) that the absentee elector was able to appear personally
16 at the polling place on the day of the primary or election
17 during the period the polls were open in the case his ballot was
18 obtained for the reason that he was unable to appear personally
19 at the polling place because of illness or physical disability.
20 Upon challenge of any absentee elector, as set forth herein, the
21 board shall mark "challenged" on the envelope together with the
22 reasons therefor, and the same shall be set aside unopened
23 pending final determination of the challenge according to the
24 procedure described in paragraph (5).] provide a list of the
25 names of electors whose absentee ballots or mail-in ballots are
26 to be pre-canvassed or canvassed.

27 (4) All absentee ballots [and mail-in ballots not challenged
28 for any of the reasons provided in] which have not been
29 challenged under section 1302.2(c) and all mail-in ballots which
30 have not been challenged under section 1302.2-D(a)(2) and that
31 have been verified under paragraph (3) shall be counted and
32 included with the returns of the applicable election district as
33 follows:

34 (i) The county board shall open the envelope of every
35 unchallenged absentee elector and mail-in elector in such manner
36 as not to destroy the declaration executed thereon.

37 (ii) If any of the envelopes on which are printed, stamped
38 or endorsed the words "Official [Absentee] Election Ballot" [or
39 "Official Mail-in Ballot"] contain any [extraneous marks or
40 identifying symbols,] text, mark or symbol which reveals the
41 identity of the elector, the elector's political affiliation or
42 the elector's candidate preference, the envelopes and the
43 ballots contained therein shall be set aside and declared void.

44 (iii) The county board shall then break the seals of such
45 envelopes, remove the ballots and [record the votes.] count,
46 compute and tally the votes.

47 (iv) Following the close of the polls, the county board
48 shall record and publish the votes reflected on the ballots.

49 (5) [With respect to the challenged ballots, they] Ballots
50 received whose applications have been challenged and ballots
51 which have been challenged shall be placed unopened in a secure,

1 safe and sealed container in the custody of the county board
2 until it shall fix a time and place for a formal hearing of all
3 such challenges, and notice shall be given where possible to all
4 absentee electors and mail-in electors thus challenged and to
5 every individual who made a challenge. The time for the hearing
6 shall not be later than [five (5)] seven (7) days after the
7 [date of the challenge] deadline for all challenges to be filed.
8 On the day fixed for said hearing, the county board shall
9 proceed without delay to hear said challenges, and, in hearing
10 the testimony, the county board shall not be bound by the
11 Pennsylvania Rules of Evidence. The testimony presented shall be
12 stenographically recorded and made part of the record of the
13 hearing.

14 (6) The decision of the county board in upholding or
15 dismissing any challenge may be reviewed by the court of common
16 pleas of the county upon a petition filed by any person
17 aggrieved by the decision of the county board. The appeal shall
18 be taken, within two (2) days after the decision was made,
19 whether the decision was reduced to writing or not, to the court
20 of common pleas setting forth the objections to the county
21 board's decision and praying for an order reversing the
22 decision.

23 (7) Pending the final determination of all appeals, the
24 county board shall suspend any action in canvassing and
25 computing all challenged ballots received under this subsection
26 irrespective of whether or not appeal was taken from the county
27 board's decision. Upon completion of the computation of the
28 returns of the county, the votes cast upon the challenged
29 official absentee ballots that have been finally determined to
30 be valid shall be added to the other votes cast within the
31 county.

32 * * *

33 Section 1309. Public Records.--* * *

34 (c) The county board shall compile the records listed under
35 subsection (b) and make the records publicly available upon
36 request within forty-eight hours of the request.

37 Section 12. Section 1331 of the act is repealed:

38 [Section 1331. Violation of Provisions Relating to Absentee
39 Voting.--(a) Except as provided in subsection (b), any person
40 who shall violate any of the provisions of this act relating to
41 absentee voting shall, unless otherwise provided, be subject to
42 the penalties provided for in section 1850 of this act.

43 (b) Any person who knowingly assists another person who is
44 not a qualified absentee elector in filling out an absentee
45 ballot application or absentee ballot commits a misdemeanor of
46 the third degree.]

47 Section 12.1. Sections, 1301-D(a), 1302-D(f) and (g),
48 1302.2-D(a)(2), (3), (4) and (5), (b) and (d) and 1302.3-D of
49 the act, added October 31, 2019 (P.L.552, No.77), are amended to
50 read:

51 Section 1301-D. Qualified mail-in electors.

1 (a) General rule.--[The following individuals] A qualified
2 mail-in elector shall be entitled to vote by an official mail-in
3 ballot in any primary or election held in this Commonwealth in
4 the manner provided under this article.[:

5 (1) Any qualified elector who is not eligible to be a
6 qualified absentee elector under Article XIII.

7 (2) (Reserved).]

8 * * *

9 Section 1302-D. Applications for official mail-in ballots.

10 * * *

11 (f) Form.--Application for an official mail-in ballot shall
12 be on physical and electronic forms prescribed by the Secretary
13 of the Commonwealth. The application shall state that a voter
14 who [receives and votes] applies for a mail-in ballot under
15 section 1301-D shall not be eligible to vote at a polling place
16 on election day[.] unless the elector brings the elector's mail-
17 in ballot to the elector's polling place, remits the ballot and
18 the envelope containing the declaration of the elector to the
19 judge of elections to be spoiled and signs a statement subject
20 to the penalties under 18 Pa.C.S. § 4904 (relating to unsworn
21 falsification to authorities) to the same effect. The physical
22 application forms shall be made freely available to the public
23 at county board of elections, municipal buildings and at other
24 locations designated by the Secretary of the Commonwealth. The
25 electronic application forms shall be made freely available to
26 the public through publicly accessible means. No written
27 application or personal request shall be necessary to receive or
28 access the application forms. Copies and records of all
29 completed physical and electronic applications for official
30 mail-in ballots shall be retained by the county board of
31 elections.

32 (g) Permanent mail-in voting list.--

33 (1) Any qualified registered elector may request to be
34 placed on a permanent mail-in ballot list file at any time
35 during the calendar year. A mail-in ballot application shall
36 be mailed to every person otherwise eligible to receive a
37 mail-in ballot application by the first Monday in February
38 each year or within 48 hours of receipt of the request,
39 whichever is later, so long as the person does not lose the
40 person's voting rights by failure to vote as otherwise
41 required by this act. A mail-in ballot application mailed to
42 [a voter] an elector under this section, which is completed
43 and timely returned by the [voter] elector, shall serve as an
44 application for any and all primary, general or special
45 elections to be held in the remainder of that calendar year
46 and for all special elections to be held before the third
47 Monday in February of the succeeding year.

48 (2) The Secretary of the Commonwealth may develop an
49 electronic system through which all qualified electors may
50 apply for a mail-in ballot and request permanent mail-in
51 voter status under this section, provided the system is able

1 to capture a digitized or electronic signature of the
2 applicant. A county board of elections shall treat an
3 application or request received through the electronic system
4 as if the application or request had been submitted on a
5 paper form or any other format used by the county.

6 (3) The transfer of a qualified registered elector on a
7 permanent mail-in voting list from one county to another
8 count shall only be permitted upon the request of the
9 qualified registered elector.

10 * * *

11 Section 1302.2-D. Approval of application for mail-in ballot.

12 (a) Approval process.--The county board of elections, upon
13 receipt of any application of a qualified elector under section
14 1301-D, shall determine the qualifications of the applicant by
15 verifying the proof of identification and comparing the
16 information provided on the application with the information
17 contained on the applicant's permanent registration card. The
18 following shall apply:

19 * * *

20 (2) The approval decision shall be final and binding,
21 except that challenges may be made only on the grounds that
22 the applicant [did not possess the qualifications of a mail-
23 in] was not a qualified elector.

24 (3) Challenges must be made to the county board of
25 elections prior to [the applicable deadline for the mail-in
26 ballots to be received, as provided in section 1308(g).] five
27 o'clock p.m. on the Friday prior to the election, or during
28 the pre-canvassing of an elector's mail-in ballot, whichever
29 is earlier: Provided, however, That a challenge to an
30 application for a mail-in ballot shall not be permitted on
31 the grounds that the elector used an application for a mail-
32 in ballot instead of an application for an absentee ballot or
33 on the grounds that the elector used an application for an
34 absentee ballot instead of an application for a mail-in
35 ballot.

36 (4) When approved, the registration commission shall
37 cause a mail-in voter's [temporary registration card] record
38 to be inserted in the district register [on top of and along
39 with the permanent registration card] as prescribed by the
40 Secretary of the Commonwealth.

41 [(5) The mail-in voter's temporary registration card
42 shall be in the color and form prescribed under subsection
43 (d).]

44 (b) Duties of county boards of elections and registration
45 commissions.--The duties of the county boards of elections and
46 the registration commissions with respect to the insertion of
47 the mail-in voter's [temporary registration card of any elector
48 from the district register as provided under this section]
49 record shall include only the applications as are received on or
50 before the first Tuesday prior to the primary or election.

51 * * *

1 [(d) Temporary registration card.--The mail-in voter's
2 temporary registration card shall be in duplicate and the same
3 size as the permanent registration card, in a different and
4 contrasting color to the permanent registration card and shall
5 contain the mail-in voter's name and address and shall
6 conspicuously contain the words "Mail-in Voter."]

7 [Section 1302.3-D. Mail-in electors files and lists.

8 The county board of elections shall maintain at its office a
9 file containing the duplicate mail-in voter's temporary
10 registration cards of every registered elector to whom a mail-in
11 ballot has been sent. The duplicate mail-in voter's temporary
12 registration cards shall be filed by election districts and
13 within each election district in exact alphabetical order and
14 indexed. The registration cards filed shall be included in the
15 Registered Absentee and Mail-in Voters File for the Primary or
16 Election of (date of primary or election) under section
17 1302.3(a).]

18 Section 13. Section 1303-D(a.1) and (e), amended or added
19 October 31, 2019 (P.L.552, No.77) and November 27, 2019
20 (P.L.673, No.94), are amended to read:
21 Section 1303-D. Official mail-in elector ballots.

22 * * *

23 (a.1) Duties of county boards of elections.--The county
24 board of elections, when [detaching] preparing the official
25 ballots for mail-in voters, shall be required to indicate on
26 [the stub of each detached ballot the name of the applicant to
27 which that precise ballot is being sent.] the voter's record the
28 identification number of specific ballot envelope into which the
29 voter's ballot is inserted. The county board of elections shall
30 also [remove the numbered stub from each ballot and shall]
31 print, stamp or endorse [in red color] on the official ballots
32 the words, "Official Mail-in Ballot." The ballots shall be
33 distributed by a board as provided under this section.

34 * * *

35 (e) Notice.--The official mail-in voter ballot shall state
36 that a voter who receives a mail-in ballot under section 1301-D
37 and whose voted mail-in ballot is not timely received may only
38 vote on election day by provisional ballot[.] unless the elector
39 brings the elector's mail-in ballot to the elector's polling
40 place, remits the ballot and the envelope containing the
41 declaration of the elector to the judge of elections to be
42 spoiled and signs a statement subject to the penalties of 18
43 Pa.C.S. § 4904 (relating to unsworn falsification to
44 authorities) to the same effect.

45 Section 14. Sections 1304-D(a), 1305-D, 1306-D(a) and (b)
46 and 1307-D(c) of the act, added October 31, 2019 (P.L.552,
47 No.77), are amended to read:

48 Section 1304-D. Envelopes for official mail-in ballots.

49 (a) Additional envelopes.--The county boards of election
50 shall provide two additional envelopes for each official mail-in
51 ballot of a size and shape as shall be prescribed by the

1 Secretary of the Commonwealth, in order to permit the placing of
2 one within the other and both within the mailing envelope. On
3 the smaller of the two envelopes to be enclosed in the mailing
4 envelope shall be printed, stamped or endorsed the words
5 "Official [Mail-in] Election Ballot," and nothing else. On the
6 larger of the two envelopes, to be enclosed within the mailing
7 envelope, shall be printed the form of the declaration of the
8 elector and the name and address of the county board of election
9 of the proper county. The larger envelope shall also contain
10 information indicating the local election district of the mail-
11 in voter.

12 * * *

13 Section 1305-D. Delivering or mailing ballots.

14 The county board of elections, upon receipt and approval of
15 an application filed by a qualified elector under section 1301-
16 D, shall commence to deliver or mail official mail-in ballots
17 as soon as a ballot is certified and the ballots are available.
18 While any proceeding is pending in a Federal or State court
19 which would affect the contents of any ballot, the county board
20 of elections may await a resolution of that proceeding but in
21 any event, shall commence to deliver or mail official [absentee]
22 mail-in ballots not later than the second Tuesday prior to the
23 primary or election. For applicants whose proof of
24 identification was not provided with the application or could
25 not be verified by the board, the board shall send the notice
26 required under section 1302.2-D(c) with the mail-in ballot. As
27 additional applications are received and approved, the board
28 shall deliver or mail official mail-in ballots to the additional
29 electors within 48 hours.

30 Section 1306-D. Voting by mail-in electors.

31 (a) General rule.--At any time after receiving an official
32 mail-in ballot, but on or before eight o'clock P.M. the day of
33 the primary or election, the mail-in elector shall, in secret,
34 proceed to mark the ballot only in black lead pencil, indelible
35 pencil or blue, black or blue-black ink, in fountain pen or ball
36 point pen, and then fold the ballot, enclose and securely seal
37 the same in the envelope on which is printed, stamped or
38 endorsed "Official [Mail-in] Election Ballot." This envelope
39 shall then be placed in the second one, on which is printed the
40 form of declaration of the elector, and the address of the
41 elector's county board of election and the local election
42 district of the elector. The elector shall then fill out, date
43 and sign the declaration printed on such envelope. Such envelope
44 shall then be securely sealed and the elector shall send same by
45 mail, postage prepaid, except where franked, or deliver it in
46 person to said county board of election.

47 * * *

48 (b) Eligibility.--

49 (1) Any elector who receives and votes a mail-in ballot
50 under section 1301-D shall not be eligible to vote at a
51 polling place on election day. The district register at each

1 polling place shall clearly identify electors who have
2 received and voted mail-in ballots as ineligible to vote at
3 the polling place, and district election officers shall not
4 permit electors who voted a mail-in ballot to vote at the
5 polling place.

6 (2) An elector who requests a mail-in ballot and who is
7 not shown on the district register as having voted may vote
8 by provisional ballot under section 1210(a.4) (1).

9 (3) Notwithstanding paragraph (2), an elector who
10 requests a mail-in ballot and who is not shown on the
11 district register as having voted the ballot may vote at the
12 polling place if the elector remits the ballot and the
13 envelope containing the declaration of the elector to the
14 judge of elections to be spoiled and the elector signs a
15 statement subject to the penalties of 18 Pa.C.S. § 4904
16 (relating to unsworn falsification to authorities) which
17 shall be in substantially the following form:

18 I hereby declare that I am a qualified registered elector
19 who has obtained an absentee ballot or mail-in ballot. I
20 further declare that I have not cast my absentee ballot or
21 mail-in ballot, and that instead I remitted my absentee
22 ballot or mail-in ballot to the judge of elections at my
23 polling place to be spoiled and therefore request that my
24 absentee ballot or mail-in ballot be voided.

25 (Date)

26 (Signature of Elector).....(Address of Elector)

27 (Local Judge of Elections)

28 * * *

29 Section 1307-D. Public records.

30 * * *

31 (c) Compilation.--The county board shall compile the records
32 listed under subsection (b) and make the records publicly
33 available upon request within 48 hours of the request.

34 Section 14.1. Section 1308-D of the act is repealed:
35 [Section 1308-D. Violation of provisions relating to mail-in
36 voting.

37 (a) Penalties.--Except as provided under subsection (b), a
38 person who violates any of the provisions of this act relating
39 to mail-in voting shall, unless otherwise provided, be subject
40 to the penalties provided under section 1850.

41 (b) Persons not qualified as mail-in voters.--A person who
42 knowingly assists another person who is not a qualified mail-in
43 voter in filling out a mail-in ballot application or mail-in
44 ballot commits a misdemeanor of the third degree.]

45 Section 15. The act is amended by adding an article to read:

46 ARTICLE XIII-E

47 Pennsylvania Election Law Advisory Board

48 Section 1301-E. Definitions.

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

1 "Board." The Pennsylvania Election Law Advisory Board
2 established under section 1302-E(a).

3 Section 1302-E. Pennsylvania Election Law Advisory Board.

4 (a) Establishment.--The Pennsylvania Election Law Advisory
5 Board is established within the Joint State Government
6 Commission.

7 (b) Members.--The board shall be comprised of the following
8 members:

9 (1) The Secretary of the Commonwealth or a designee.

10 (2) The President pro tempore of the Senate or a
11 designee.

12 (3) The Minority Leader of the Senate or a designee.

13 (4) The Speaker of the House of Representatives or a
14 designee.

15 (5) The Minority Leader of the House of Representatives
16 or a designee.

17 (6) One member from each congressional district, of whom
18 no more than half may be registered with the same political
19 party, appointed by the Governor and confirmed by the Senate
20 and which shall include members who:

21 (i) represent groups advocating for individuals with
22 disabilities;

23 (ii) represent groups advocating for voting rights;
24 and

25 (iii) represent county commissioners or county
26 election officials.

27 (c) Duties.--The board shall have the following duties:

28 (1) Study this act and identify statutory language to
29 repeal, modify or update.

30 (2) Collaborate with other agencies and political
31 subdivisions of the Commonwealth to study election-related
32 issues.

33 (3) Study the development of new election technology and
34 voting machines.

35 (4) Evaluate and make recommendations on:

36 (i) improving the electoral process in this
37 Commonwealth by amending this act or through regulations
38 promulgated by the Department of State; and

39 (ii) implementing best practices identified to
40 ensure the integrity and efficiency of the electoral
41 process in this Commonwealth.

42 (5) By the end of each fiscal year, publish extensive
43 and detailed findings on the Joint State Government
44 Commission's publicly accessible Internet website and make
45 them available in electronic format to the Office of the
46 Governor and members of the General Assembly.

47 (d) Quorum.--A majority of appointed members shall
48 constitute a quorum for the purpose of conducting business.

49 (e) Chairperson and vice chairperson.--The members shall
50 select a member to be chairperson and another member to be vice
51 chairperson.

1 (f) Transparency and ethics.--The board shall be subject to
2 the following laws:

3 (1) The act of July 19, 1957 (P.L.1017, No.451), known
4 as the State Adverse Interest Act.

5 (2) The act of October 4, 1978 (P.L.883, No.170),
6 referred to as the Public Official and Employee Ethics Law.

7 (3) The act of February 14, 2008 (P.L.6, No.3), known as
8 the Right-to-Know Law.

9 (4) 65 Pa.C.S. Ch. 7 (relating to open meetings).

10 (g) Information gathering.--The board may conduct hearings
11 and otherwise gather relevant information and analysis that it
12 considers appropriate and necessary to fulfill its duties.

13 (h) Reimbursement.--Members of the board shall be reimbursed
14 for reasonable expenses.

15 Section 15.1. Section 1853 of the act is amended to read:

16 Section 1853. Violations of Provisions Relating to Absentee
17 [Electors] and Mail-in Ballots.--If any person shall sign an
18 application for absentee ballot, mail-in ballot or declaration
19 of elector on the forms prescribed knowing any matter declared
20 therein to be false, or shall vote any ballot other than one
21 properly issued to [him] the person, or vote or attempt to vote
22 more than once in any election for which an absentee ballot or
23 mail-in ballot shall have been issued to [him] the person, or
24 shall violate any other provisions of Article XIII or Article
25 XIII-D of this act, [he] the person shall be guilty of a
26 misdemeanor of the [first] third degree, and, upon conviction,
27 shall be sentenced to pay a fine not exceeding [ten thousand
28 dollars (\$10,000)] two thousand five hundred (\$2,500), or be
29 imprisoned for a term not exceeding [five (5)] two (2) years, or
30 both, at the discretion of the court.

31 If any chief clerk or member of a board of elections, member
32 of a return board or member of a board of registration
33 commissioners, shall neglect or refuse to perform any of the
34 duties prescribed by Article XIII or Article XIII-D of this act,
35 or shall reveal or divulge any of the details of any ballot cast
36 in accordance with the provisions of Article XIII or Article
37 XIII-D of this act, or shall count an absentee ballot or mail-in
38 ballot knowing the same to be contrary to Article XIII or
39 Article XIII-D, or shall reject an absentee ballot or mail-in
40 ballot without reason to believe that the same is contrary to
41 Article XIII or Article XIII-D, or shall permit an elector to
42 cast [his] the elector's ballot at a polling place knowing that
43 there has been issued to the elector an absentee ballot, [he]
44 the elector shall be guilty of a felony of the third degree,
45 and, upon conviction, shall be punished by a fine not exceeding
46 fifteen thousand dollars (\$15,000), or be imprisoned for a term
47 not exceeding seven (7) years, or both, at the discretion of the
48 court.

49 Section 16. The act is amended by adding an article to read:

50 ARTICLE XVIII-B

51 EMERGENCY PROVISIONS FOR 2020 GENERAL PRIMARY ELECTION

1 Section 1801-B. Election officers.

2 (a) Requirement.--

3 (1) Except as provided under paragraph (2), and
4 notwithstanding section 402 or any other law of this
5 Commonwealth, an election officer must be a qualified
6 registered elector of the county in which the polling place
7 is located.

8 (2) An election officer shall not be required to be a
9 qualified registered elector in the election district in
10 which the election officer is appointed.

11 (b) (Reserved).

12 Section 1802-B. Polling place.

13 (a) Consolidation of polling places.--

14 (1) A county board of elections may, not less than 20
15 days prior to the election, select and designate as the
16 polling place for an election district any public or private
17 building situated in another election district within the
18 county, notwithstanding if the building is located in an
19 election district which is not immediately adjacent to the
20 boundary of the election district for which the building is
21 to be a polling place.

22 (2) A polling place may be selected and designated under
23 this subsection without the approval of a court.

24 (3) Two or more polling places may be consolidated,
25 except that the consolidation of polling places may not
26 result in more than a 60% reduction of polling place
27 locations in the county, except for necessitous circumstances
28 and as approved by the Department of State. Two or more
29 polling places may be located in the same building.

30 (4) A polling place selected and designated under this
31 subsection must be directly accessible by a public street or
32 thoroughfare.

33 (b) Posting.--A county board of elections shall, not less
34 than 15 days prior to the election under section 1804-B, post in
35 a conspicuous place at the office of the county board of
36 elections, a list of each place at which the election is to be
37 held in each election district of the county. The list shall be
38 available for public inspection at the office of the county
39 board of elections and posted on the county's publicly
40 accessible Internet website.

41 Section 1803-B. Permissible polling place locations.

42 (a) Service.--Subject to subsection (b) and notwithstanding
43 section 529(a) and (b) or any other law of this Commonwealth,
44 malt or brewed beverages and liquors may be served in a building
45 where a polling place is located during the hours that the
46 polling place is open, except that an election may not be held
47 in a room where malt or brewed beverages or liquors are
48 dispensed.

49 (b) Accessibility.--A polling place under subsection (a)
50 must be accessible from an outside entrance that does not
51 require passageway through the room where malt or brewed

1 beverages or liquors are dispensed.

2 Section 1804-B. General primary election.

3 (a) Time.--Notwithstanding section 603 or any law of this
4 Commonwealth, the general primary election shall occur
5 throughout this Commonwealth on June 2, 2020.

6 (b) Calculation.--The following shall apply:

7 (1) Except for the deadline relating to the nomination
8 of a candidate under Article IX, any date or deadline in this
9 act, 25 Pa.C.S. Pt. IV (relating to voter registration) or 25
10 Pa.C.S. Ch. 35 (relating to uniform military and overseas
11 voters) that depends on, or is contingent on, the date of the
12 general primary election, shall be calculated based on the
13 June 2, 2020, date for the general primary election.

14 (2) Notwithstanding subsection (a), the due date for the
15 sixth Tuesday pre-primary cycle 1 campaign finance report
16 shall be March 17, 2020.

17 (c) Nonapplicability.--This section shall not be construed
18 to apply to the nominating petition process.

19 (d) Ballots.--A ballot for the general primary 2020 which
20 has been purchased, printed or acquired prior to the effective
21 date of this section and shows an election date of April 28,
22 2020, shall not be deemed to be invalid because of the date.

23 Section 1805-B. Expiration.

24 This article shall expire on July 3, 2020.

25 Section 17. This act shall apply as follows:

26 (1) The amendment or addition of the following shall
27 apply to elections occurring on or after June 2, 2020:

28 (i) Section 102(a.1), (g.1) and (z.6).

29 (ii) Section 1302.2(c).

30 (iii) Section 1308(g).

31 (iv) Section 1301-D(a).

32 (v) Section 1302.2-D(a).

33 (2) The amendment or addition of the following shall
34 apply to elections occurring on or after November 2, 2020:

35 (i) Section 302(p).

36 (ii) Section 1302(i)(1).

37 (iii) Section 1303(e).

38 (iv) Section 1306(b).

39 (v) Section 1302-D(f).

40 (vi) Section 1303-D(e).

41 (vii) Section 1306-D(b).

42 (3) The amendment or addition of the following shall
43 apply to envelopes and ballots purchased, printed or acquired
44 after the effective date of this section:

45 (i) Section 1004.

46 (ii) Section 1109-A(b) and (e).

47 (iii) Section 1112-A(b)(2), (3) and (4).

48 (iv) Section 1303(a).

49 (v) Section 1304.

50 (vi) Section 1306(a).

51 (vii) Section 1303-D(a.1).

1 (viii) Section 1304-D(a).
2 (ix) Section 1306-D(a).
3 Section 18. Repeals are as follows:
4 (1) The General Assembly declares that the repeal under
5 paragraph (2) is necessary to effectuate the amendment or
6 addition of section 1231(c)(2) and (e).
7 (2) 25 Pa.C.S. § 1328(c)(4) and (5) are repealed.
8 Section 19. This act shall take effect immediately.