

AMENDMENTS TO HOUSE BILL NO. 1300

Sponsor: REPRESENTATIVE McCLINTON

Printer's No. 1760

1 Amend Bill, page 1, lines 1 through 34; page 2, lines 1
2 through 30; page 3, lines 1 through 25; by striking out all of
3 said lines on said pages and inserting
4 in the Secretary of the Commonwealth, further providing for
5 powers and duties of the Secretary of the Commonwealth and
6 providing for reports on implementation of elections;
7 in county boards of elections, further providing for powers and
8 duties of county boards and providing for county boards of
9 elections and ballot return sites;
10 in district election officers, further providing for
11 compensation of district election officers;
12 in ballots, further providing for form of official election
13 ballot and for number of ballots to be printed and specimen
14 ballots;
15 in voting machines, further providing for examination and
16 approval of voting machines by the Secretary of the
17 Commonwealth, for requirements of voting machines, for
18 preparation of voting machines by county election boards and
19 for delivery of voting machines and supplies by county
20 election boards to election officers;
21 in electronic voting systems, further providing for statistical
22 sample and providing for requirements of accessible voting
23 machines;
24 in voting apparatus bonds, providing for voting system defects,
25 disclosure, investigations and penalties;
26 in preparation for and conduct of primaries and elections,
27 providing for voter's bill of rights, for senior voter's bill
28 of rights and for disabled voter's bill of rights and further
29 providing for time for opening and closing polls and for
30 manner of applying to vote, persons entitled to vote, voter's
31 certificates, entries to be made in district register,
32 numbered lists of voters and challenges;
33 in voting by qualified absentee electors, further providing for
34 applications for official absentee ballots and for voting by
35 absentee electors, providing for supervised voting by
36 qualified absentee electors in certain facilities and further
37 providing for canvassing of official absentee ballots and

1 mail-in ballots;
2 in voting by qualified mail-in electors, further providing for
3 applications for official mail-in ballots and for voting by
4 mail-in electors;
5 providing for early voting by qualified electors;
6 in returns of primaries and elections, further providing for
7 computation of returns by county board, certification and
8 issuance of certificates of election;
9 in penalties, further providing for disobeying lawful
10 instructions, for perjury, for false affidavits of
11 candidates, for refusal to permit inspection of papers,
12 destruction or removal and Secretary of the Commonwealth, for
13 refusal to permit inspection of papers, destruction or
14 removal and county boards of elections, for insertion and
15 alteration of entries in documents, removal and refusal to
16 deliver, for refusal to permit overseers, watchers, attorneys
17 or candidates to act, for driving away watchers, attorneys,
18 candidates or overseers, for refusal to permit election
19 officers, clerks and machine inspectors to act and driving
20 away said persons, for refusal to administer oath and acting
21 without being sworn, for violation of oath of office by
22 election officers, for peace officers, failure to render
23 assistance and hindering or delaying county board members and
24 others, for nomination petitions and papers and offenses by
25 signers, for false signatures and statements in nomination
26 petitions and papers, for nomination petitions, certificates
27 and papers, destruction, fraudulent filing and suppression,
28 for offenses by printers of ballots, for unlawful possession
29 of ballots and counterfeiting ballots, for forging and
30 destroying ballots, for tampering with voting machines, for
31 destroying, defacing or removing notices, et cetera, for
32 police officers at polling places, for peace officer, failure
33 to quell disturbances at polls, hindering or delaying
34 election officers and others, for election officers
35 permitting unregistered electors to vote, challenges and
36 refusing to permit qualified electors to vote, for election
37 officers refusing to permit elector to vote in proper party
38 at primaries, for frauds by election officers, for prying
39 into ballots, for interference with primaries and elections,
40 frauds and conspiracy, for persons interfering in other
41 districts, for assault and battery at polls, for unlawful
42 assistance in voting, for election officers permitting
43 unlawful assistance, for failure to keep and return record of
44 assisted voters, for unlawful voting, for elector voting
45 ballot of wrong party at primary, for repeat voting at
46 elections, for removing ballots, for commissioners to take
47 soldiers' votes, for fraudulent voting by soldiers, for
48 bribery at elections, for receipts and disbursements of
49 primary and election expenses by persons other than
50 candidates and treasurers, for receipts of primary and
51 election expenses by unauthorized persons, for contributions

1 by corporations or unincorporated associations, for failure
2 to file expense account, for prohibiting duress and
3 intimidation of voters and interference with the free
4 exercise of the elective franchise, for failure to perform
5 duty, for hindering or delaying performance of duty, for
6 violation of any provision of act and for violations of
7 provisions relating to absentee and mail-in ballots and
8 providing for unlawful collection of ballots; and
9 providing for reimbursements.

10 Amend Bill, page 3, lines 28 through 42; pages 4 through 146,
11 lines 1 through 30; page 147, lines 1 through 26; by striking
12 out all of said lines on said pages and inserting

13 Section 1. Section 201 of the act of June 3, 1937 (P.L.1333,
14 No.320), known as the Pennsylvania Election Code, is amended by
15 adding subsections to read:

16 Section 201. Powers and Duties of the Secretary of the
17 Commonwealth.--The Secretary of the Commonwealth shall exercise
18 in the manner provided by this act all powers granted to him by
19 this act, and shall perform all the duties imposed upon him by
20 this act, which shall include the following:

21 * * *

22 (i) To obtain and maintain uniformity in the interpretation
23 and implementation of election laws.

24 (j) To provide uniform standards for the proper, accurate
25 and uniform implementation of voter registration laws and
26 records.

27 (k) To actively seek out and collect the data and statistics
28 necessary to knowledgeably scrutinize the effectiveness of
29 election laws.

30 (l) To provide technical assistance to election directors.

31 (m) To maintain a voter fraud hotline and provide election
32 fraud education to the public.

33 (n) To publish by December 31 of each odd-numbered year the
34 official instructions and procedures manual prescribed by the
35 secretary with the recommendations of the Pennsylvania Election
36 Law Advisory Board.

37 (o) To maintain a publicly accessible Internet website using
38 a ".gov" domain name, on which the secretary shall post
39 information required by this act. The website shall additionally
40 adhere to generally accepted accessibility standards, including
41 compatibility with screen reading software.

42 (p) To retain any communications relating to election
43 administration.

44 (q) To review election complaints received by the secretary
45 and the county boards of elections each election cycle.

46 (r) In addition to the requirements of 25 Pa.C.S. Ch. 15
47 (relating to changes in record), to seek a record of all deaths
48 of residents in this Commonwealth, and each month to compare the

1 records with the list of electors in the Statewide Uniform
2 Registry of Electors, and for any elector found to be deceased,
3 to notify the elector's county of residence.

4 (s) In addition to the requirements of 25 Pa.C.S. Ch. 15, to
5 fully participate in the Electronic Registration Information
6 Center (ERIC) and to utilize all available information received
7 through that system and through the National Change of Address
8 Program to ensure the accuracy of the Statewide Uniform Registry
9 of Electors established under 25 Pa.C.S. § 1222 (relating to
10 SURE system) and the continued eligibility of all registered
11 electors in this Commonwealth.

12 (t) To receive from counties a monthly report of any newly
13 registered electors who were previously registered in another
14 state and to notify the chief elections administrator in that
15 state of the elector's registration in this Commonwealth.

16 (u) To create and maintain a tracking system for each
17 qualified mail-in elector or absentee elector to track the
18 status of that elector's application for a mail-in or absentee
19 ballot, the date on which that elector's ballot is prepared, the
20 date on which that elector's ballot is mailed, the date on which
21 that elector's ballot is received and the date on which that
22 elector's ballot is pre-canvassed or canvassed.

23 Section 2. The act is amended by adding a section to read:

24 Section 209. Reports on Implementation of Elections.--(a)
25 No later than 90 days after an election, the Bureau of
26 Commissions, elections and legislation of the Department of
27 State shall issue a report to the chair and minority chair of
28 the State Government Committee of the Senate and the chair and
29 minority chair of the State Government Committee of the House of
30 Representatives. A copy of the report shall also be made
31 available on the Department of State's publicly accessible
32 Internet website.

33 (b) The report under subsection (a) shall include only the
34 following information relating to the administration of the
35 election by the Department of State, a county board of elections
36 or a registration commission established under 25 Pa.C.S. §
37 1203(a) (relating to commissions):

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

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

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

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

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

1 electors.

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

5 (7) For each county and the sum for this Commonwealth, the
6 number of provisional ballots cast under section 1210(a.4).

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

10 (9) For each county and the sum for this Commonwealth, the
11 number of qualified electors voting by provisional ballot under
12 section 1306-D(b) (2).

13 (10) For each county and the sum for this Commonwealth, the
14 number of provisional ballots under paragraph (7) which were
15 canvassed.

16 (11) For each county and the sum for this Commonwealth, the
17 number of provisional ballots under paragraph (8) which were
18 canvassed.

19 (12) For each county and the sum for this Commonwealth, the
20 number of provisional ballots under paragraph (9) which were
21 canvassed.

22 (13) (Reserved).

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

25 (15) For each county, the date, starting time and ending
26 time that the county board of elections met to pre-canvass
27 absentee ballots and mail-in ballots under section 1308(g) (1.1).

28 (16) For each county, the date, starting time and ending
29 time that the county board of elections met to canvass absentee
30 ballots and mail-in ballots under section 1308(g) (2).

31 (17) For each county and the sum for this Commonwealth, the
32 number of absentee ballots which were challenged under section
33 1302.2(c).

34 (18) For each county and the sum for this Commonwealth, the
35 number of mail-in ballots which were challenged under section
36 1302.2-D(a) (2).

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

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

43 (21) The number of incidents known to the Department of
44 State, county boards of elections or registration commissions
45 relating to each of the following categories:

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

48 (ii) An absentee ballot or mail-in ballot which was voted by
49 an individual other than the individual who applied for the
50 absentee ballot or mail-in ballot.

51 (iii) An absentee ballot or mail-in ballot which was

1 returned to the county board of elections by a means other than
2 permitted by law.

3 (22) To the extent consistent with Federal and State law, a
4 review of any action taken by the Department of State, county
5 board of elections or registration commissions in response to an
6 incident under paragraph (21), including determinations made on
7 the incident, legal actions filed and referrals to law
8 enforcement.

9 (23) A review of issues or incidents encountered with an
10 electronic voting system that received the approval of the
11 Secretary of the Commonwealth under section 1105-A, including
12 technical issues encountered at polling places.

13 (c) The Department of State shall develop a process to
14 collect data required to be included in the report under
15 subsection (b) from each county board of elections which
16 conducts an election and each registration commission under 25
17 Pa.C.S. Pt. IV (relating to voter registration) in a county
18 which conducts an election, as applicable. A county board of
19 elections or registration commission under this subsection shall
20 comply with the process for submission of data under this
21 subsection no later than 45 days after an election.

22 Section 3. Section 302(k) and (m) of the act are amended and
23 the section is amended by adding subsections to read:

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

29 * * *

30 (k) To receive from district election officers the returns
31 of all primaries and elections, to canvass and compute the same,
32 and to certify, no later than the [third Monday] fourth Friday
33 following the primary or election, the results thereof to the
34 Secretary of the Commonwealth, as may be provided by law, and to
35 such other authorities as may be provided by law. The
36 certification shall include the number of votes received in each
37 election district by each candidate for the General Assembly.

38 * * *

39 (m) To prepare and submit, within twenty days after the last
40 day to register to vote in each primary, municipal and general
41 election, a report to the Secretary of the Commonwealth in the
42 form prescribed by him, which shall contain a statement of the
43 total number of electors registered in each election district,
44 together with a breakdown of registration by each political
45 party or other designation. Copies of said statement shall be
46 furnished, upon request, to the county chairman of each
47 political party and political body and shall be posted to the
48 county board of election's publicly accessible Internet website.
49 The Secretary of the Commonwealth shall forthwith submit such
50 information to the Legislative Data Processing Center and shall
51 publicly report the total number of registered electors for each

1 political party or other designation in each county not later
2 than five days prior to the primary, municipal or general
3 election.

4 * * *

5 (g) To maintain a publicly accessible Internet website using
6 a "gov" domain name. The website shall additionally adhere to
7 generally accepted accessibility standards, including
8 compatibility with screen reading software.

9 (r) To provide each election district with at least one
10 accessible voting machine approved by the secretary under this
11 act.

12 (s) To publish at each polling place the voter bill of
13 rights, senior voter bill of rights and disabled voter bill of
14 rights established by this act.

15 (t) To provide copies of the voter bill of rights, senior
16 voter bill of rights and disabled voter bill of rights during
17 the process of supervised voting established by this act.

18 (u) To review any polling place where voters waited longer
19 than thirty minutes to cast a ballot and to identify and enact
20 plans to alleviate waiting time for future elections.

21 (v) For counties with a population of fewer than 100,000 at
22 the time of the most recent Federal decennial census, to
23 collaborate with other counties to share resources or property
24 required for the administration of voting by absentee and mail-
25 in electors. The collaboration is not required and participation
26 in any resource sharing shall be at the discretion of each
27 county board.

28 (w) To cooperate with the Department of State to any degree
29 necessary in the creation of the system required under section
30 201(u).

31 Section 4. The act is amended by adding a section to read:

32 Section 313. Ballot Return Sites and Secure Receptacles.--In
33 addition to the permanent offices operated by a county board of
34 elections, the county board may establish multiple ballot return
35 locations, including access to secure ballot return receptacles,
36 where electors may return their completed ballot. The following
37 shall apply:

38 (a) Sites may include, but shall not be limited to, city and
39 municipal facilities, public libraries, county facilities or
40 other locations designated by the county board of elections to
41 receive ballots. The Secretary of the Commonwealth, in
42 collaboration with the counties, shall issue minimum criteria
43 for considering locations to ensure availability and access to
44 electors.

45 (b) A list of the ballot return sites and county election
46 offices, including the dates and hours of operation, shall be
47 available to the public as early as possible by providing notice
48 of the county's ballot return plan in the county elections
49 office, in a highly visible location on the county's website and
50 at other such locations as the county board deems appropriate
51 for maximum notification to voters. The notice posted on the

1 county's website shall be in a format that is accessible for
2 people with disabilities. In the event of any changes to site
3 location operations, the county board of elections shall post
4 the updated information on the official election website within
5 twenty-four hours. The notice shall include, at a minimum:

6 (1) Ballot return deadline.

7 (2) List of county election offices and ballot return sites,
8 including building names and street addresses.

9 (3) Days and hours of operation, including election day
10 hours.

11 (4) Contact information for the county board of elections.

12 (5) Accessibility information, including a list of ballot
13 return sites and secure receptacles that meet accessibility
14 requirements.

15 (c) All ballot return sites shall be accessible at least
16 during regular business hours beginning not less than thirty
17 days prior to an election and on the day of an election. County
18 boards may offer business hours outside of regular business
19 hours, including weeknights or weekends to enable maximum
20 accessibility for voters in compliance with this act.

21 (d) All ballot return sites shall have the same features and
22 be of substantially similar design, color scheme and signage to
23 facilitate easy identification by the public.

24 (e) A ballot return site may have a secure receptacle that
25 permits voters to return their completed ballot. A postage stamp
26 is not required on the return envelope when depositing a
27 completed ballot at a ballot return site or a secure receptacle.

28 (f) Secure receptacles shall be designed to function as
29 follows:

30 (1) Hardware shall be operable without any tight grasping,
31 pinching, or twisting of the wrist.

32 (2) Hardware shall require no more than five pounds of
33 pressure for the voter to operate.

34 (3) Operable within reach-range of fifteen to forty-eight
35 inches from the floor or ground for a person utilizing a
36 wheelchair.

37 (4) Provide specific points identifying the slot where
38 completed ballots are to be inserted.

39 (5) Ensure that only ballot material can be deposited and
40 not be removed by anyone but designated county board of election
41 officials. This includes confirming that the opening slot of the
42 secure receptacle is too small to allow tampering or removal of
43 ballots, but is not so small to interfere with depositing
44 completed ballots.

45 (6) Ensure that the opening slot minimizes the ability for
46 liquid to be poured into the secure receptacle or rainwater to
47 seep inside.

48 (g) The secure receptacle shall be securely fastened to a
49 stationary surface, to an immovable object or placed behind a
50 counter.

51 (h) The county board of election shall determine the size of

1 the secure receptacle based on the use and needs of the
2 location.

3 (i) Each ballot return site shall be marked with official
4 signage designating the site. Signage shall adhere to the
5 following:

6 (1) Be in all languages required under the Voting Rights Act
7 of 1965 (Public Law 89-110, 52 U.S.C. § 10301 et seq.).

8 (2) Display language stating that counterfeiting, forging,
9 tampering with or destroying ballots is a misdemeanor of the
10 second degree under sections 1816 and 1817.

11 (3) Provide a statement that third-party return of ballots
12 is prohibited unless provided for under this act or Federal or
13 State law.

14 (4) Provide a statement requesting that the designated
15 county elections official be notified immediately in the event a
16 secure receptacle is full, not functioning or is damaged in any
17 fashion. The statement shall include a telephone number and
18 email address for notification purposes.

19 (j) For security purposes, county boards of election shall
20 comply with the following when establishing secure receptacles
21 and ballot return sites:

22 (1) Only county board of elections personnel shall have
23 access to the completed ballots within a secure receptacle.

24 (2) Secure receptacles shall be secured in a manner to
25 prevent their unauthorized removal of ballots.

26 (3) All secure receptacles shall be secured by a lock and
27 sealed with a tamper-evident seal.

28 (4) Secure receptacles shall be securely fastened in a
29 manner as to prevent moving or tampering.

30 (5) During the hours when the ballot return site is closed
31 or otherwise unstaffed, the secure receptacle shall be places in
32 a secure area that is inaccessible to the public or otherwise
33 safeguarded.

34 (6) Adequate lighting shall be provided at all ballot return
35 sites when the sites is open and in use.

36 (7) All secure receptacles and ballot return sites shall be
37 monitored by a video security surveillance system or an internal
38 camera that can capture digital images or video. A video
39 security surveillance system may include existing systems on
40 county, city, municipal or private buildings. Video surveillance
41 shall be retained by the county election office through 60 days
42 following the deadline to certify an election.

43 (8) The secure receptacle at a ballot return site located
44 outdoors shall be constructed of durable material able to
45 withstand vandalism, removal and inclement weather to prevent
46 physical damage and unauthorized entry.

47 (k) Ballots returned to a ballot return site shall be
48 collected promptly by an authorized county board personnel at
49 times determined by the county board, but at a minimum of every
50 24 hours every weekday.

51 (l) County board personnel designated to collect completed

1 ballots shall sign a declaration affirming that the official
2 personnel will timely and securely collect and return the
3 ballots in the secure ballot transfer container, will not permit
4 any person to tamper with a ballot return site, secure
5 receptacle or its contents, and that they will faithfully and
6 securely perform their duties.

7 (m) Ballots collected from any ballot return site or secure
8 receptacle shall be immediately transported to the county board
9 of elections where, upon arrival, the county board shall note
10 the time of arrival and number of ballots.

11 (n) The department shall promulgate rules and regulations to
12 implement this section.

13 (o) For the purposes of this section, "secure receptacle"
14 shall have the same meaning as a "ballot drop box".

15 Section 5. Sections 412.2(a) and (f) and 1003(f) of the act
16 are amended and the sections are amended by adding subsections
17 to read:

18 Section 412.2. Compensation of District Election Officers.--

19 (a) In all counties regardless of class, judges of election,
20 inspectors of election, clerks and machine operators shall be
21 paid compensation as fixed by the county board of elections for
22 each election, which amount shall be at least [\$75] \$175 and not
23 more than [\$200] \$300.

24 * * *

25 (f) The individual furnishing transportation to the judge of
26 election and the minority inspector in transmitting returns and
27 ballot boxes shall be entitled to [a minimum of 35¢] the
28 standard mileage rate set by the Internal Revenue Service for
29 the current year per circular mile from the polling place to the
30 county court house. The name of the individual shall appear on
31 the voucher of the judge of election and only one individual may
32 receive mileage compensation.

33 * * *

34 (j) The Department of State shall reimburse counties for
35 half the cost of payments made under subsections (a) and (f).

36 Section 1003. Form of Official Election Ballot.--

37 * * *

38 [(f) In order that each elector may have the opportunity of
39 designating his choice for all the candidates nominated by one
40 political party or political body, there shall be printed on the
41 extreme left of the ballot, and separated from the rest of the
42 ballot by a space of at least one-half inch, a list of the names
43 of all the political parties or political bodies represented on
44 such ballot which have nominated candidates to be voted for at
45 such election. Such names shall be arranged in the order of the
46 votes obtained at the last gubernatorial election by the
47 candidate for Governor of the parties or bodies nominating,
48 beginning with the party that received the highest number of
49 votes cast. Following the names of such political parties and
50 political bodies shall be the names of the parties and bodies
51 not represented on the ballot at the last gubernatorial

election, arranged alphabetically, according to the party name or appellation. A square of sufficient size for the convenient insertion of a cross mark shall be placed at the right of each party name or appellation.]

* * *

(h) The official ballots shall be printed on paper of the correct size for the machines used by a county and watermarked with the name of the county in which the ballots shall be used.

Section 6. Section 1007(a) of the act is amended to read:

Section 1007. Number of Ballots to Be Printed; Specimen Ballots.--(a) The county board of each county shall provide for each election district a supply of official election ballots for:

[(1) the general primary election held in even-numbered years in which candidates for the office of President of the United States are not nominated in an amount of at least 10% greater than the highest number of ballots cast in the election district in any of the previous three general primary elections at which candidates for the office of President of the United States were not nominated;

(2) the general primary election held in even-numbered years in which candidates for the office of President of the United States are nominated in an amount of at least 15% greater than the highest number of ballots cast in the election district in any of the previous three general primary elections at which candidates for the office of President of the United States were nominated;

(3) the municipal primary election held in odd-numbered years in an amount of at least 10% greater than the highest number of ballots cast in any of the previous three municipal primary elections in the election district;

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

(5) the general election held in even-numbered years in which candidates for the office of President of the United States are elected in an amount of at least 15% greater than the highest number of ballots cast in the election districts in any of the previous three general elections at which candidates for the office of President of the United States were elected; and

(6) the municipal election held in odd-numbered years in an amount of at least 10% greater than the highest number of ballots cast in any of the previous three municipal elections in the election district.]

(1.1) Any primary election, 50% of the registered electors in an election district, less the number of electors in the district who have requested an absentee ballot or mail-in

1 ballot.

2 (1.2) Any general election, 100% of the registered electors
3 in an election district, minus the number of electors in the
4 district who have requested an absentee ballots or mail-in
5 ballot.

6 * * *

7 Section 7. Sections 1106, 1107 and 1111 of the act are
8 amended by adding subsections to read:

9 Section 1106. Examination and Approval of Voting Machines by
10 the Secretary of the Commonwealth.--

11 * * *

12 (g) Examination shall include, but is not limited to,
13 testing of all software required for the voting system's
14 operation, the ballot reader, the digital printer, the fail-safe
15 operations, the counting center environmental requirements and
16 the equipment reliability estimate.

17 (h) For the purposes of examining the system, the Secretary
18 of the Commonwealth shall employ or contract for the services of
19 at least one individual who is an expert in one or more fields
20 of data processing, mechanical engineering and public
21 administration and shall require from the individual a written
22 report of the individual's examination.

23 (i) Within 30 days after completing the examination and upon
24 approval of any electronic or electromechanical voting system,
25 the Secretary of the Commonwealth shall make and maintain a
26 report on the system, together with a written or printed
27 description and drawings and photographs clearly identifying the
28 system and the operation thereof. As soon as practicable after
29 the filing, the Department of State shall send a notice of
30 certification and upon request, a copy of the report to county
31 boards in this Commonwealth.

32 (j) After a voting system has been approved by the Secretary
33 of the Commonwealth, any change or improvement in the system
34 must be approved by the Secretary of the Commonwealth prior to
35 the adoption of the change or improvement by a county. If the
36 change or improvement does not comply with the requirements of
37 this act, the Secretary of the Commonwealth shall suspend sales
38 of the equipment or system in this Commonwealth until the
39 equipment or system complies with the requirements of this act.

40 (k) The Secretary of the Commonwealth shall examine and
41 approve at least two accessible voting machines which meet the
42 requirements of section 1107-A.

43 (l) The Secretary of the Commonwealth shall examine and
44 approve all electronic or electromechanical devices used in the
45 casting, processing or tabulation of ballots or in the recording
46 of electors, including, but not limited to, ballot sorters,
47 envelope extractors and ballot scanners.

48 (m) The examination and approval under subsection (l) shall
49 ensure that the device conforms with standards to provide
50 timeliness and accuracy in the casting and counting of ballots
51 or in the recording of electors.

1 Section 1107. Requirements of Voting Machines.--No voting
2 machine shall, upon any examination or reexamination, be
3 approved by the Secretary of the Commonwealth, or by any
4 examiner appointed by him, unless it shall, at the time, satisfy
5 the following requirements:

6 * * *

7 (u) It shall immediately reject a ballot if the number of
8 votes for an office or question exceeds the number which the
9 elector is entitled to cast or where the tabulating equipment
10 reads the ballot as a ballot with no votes cast.

11 (v) It shall be capable of providing records from which the
12 operation of the voting system may be audited.

13 (w) It shall be capable of recording votes from ballots of
14 different political parties from the same precinct, for a
15 primary election.

16 (x) It shall be manufactured in the United States and sold
17 by a vendor with a primary place of business within the United
18 States.

19 (y) It shall fully comply with the most recently adopted
20 Voluntary Voting System Guidelines developed by the Election
21 Assistance Commission.

22 (z) It shall retain ballots cast in the order in which the
23 ballots are cast, so that a direct comparison may be made
24 between the machine interpretation of an individual ballot and a
25 human interpretation of the same ballot.

26 (z.1) The requirements of subsections (u), (v), (w), (x),
27 (y) and (z) shall apply only to machines newly examined or
28 approved by the Secretary of the Commonwealth after 2024.

29 Section 1111. Preparation of Voting Machines by County
30 Election Boards.--

31 * * *

32 (g) On any day not more than twenty-five days before the
33 commencement of voting, the county election board shall have the
34 automatic tabulating equipment publicly tested to ascertain if
35 the equipment will correctly count the votes cast for all
36 offices and on all measures. If the ballots to be used at the
37 polling place on election day are not available at the time of
38 the testing, the county election board may conduct an additional
39 test not more than ten days before election day. Public notice
40 of the time and place of the test shall be given at least forty-
41 eight hours prior to the test by publication on the county
42 election board's publicly accessible Internet website and once
43 in one or more newspapers of general circulation in the county
44 or, if there is no newspaper of general circulation in the
45 county, by posting the notice in at least four conspicuous
46 places in the county. The county election board shall provide
47 written notice to each candidate for election of the time and
48 location of the public preelection test. The test shall be open
49 to representatives of the political parties, the press and the
50 public and shall be video recorded and broadcast simultaneously
51 on a publicly accessible Internet website. Each political party

1 may designate one person with expertise in the computer field
2 who shall be allowed in the central counting room when tests are
3 being conducted and when the official votes are being counted.
4 The designee shall not interfere with the normal operation of
5 the canvassing board.

6 (h) For electronic or electromechanical voting systems
7 configured to tabulate mail-in ballots or absentee ballots at a
8 central or regional site, the public testing shall be conducted
9 by processing a preaudited group of ballots so produced as to
10 record a predetermined number of valid votes for each candidate
11 and on each measure and to include one or more ballots for each
12 office which have activated voting positions in excess of the
13 number allowed by law in order to test the ability of the
14 automatic tabulating equipment to reject the votes. If an error
15 is detected, the cause of the error shall be corrected and an
16 errorless count shall be made before the automatic tabulating
17 equipment is approved. The test shall be repeated and errorless
18 results must be achieved immediately before the start of the
19 official count of the ballots and again after the completion of
20 the official count. The programs and ballots used for testing
21 shall be sealed and retained under the custody of the county
22 election board.

23 (i) For electronic or electromechanical voting systems
24 configured to include electronic or electromechanical tabulation
25 devices which are distributed to the precincts, all or a sample
26 of the devices to be used in the election shall be publicly
27 tested. If a sample is to be tested, the sample shall consist of
28 a random selection of at least ten per cent of the devices. The
29 test shall be conducted by processing a group of ballots,
30 causing the device to output results for the ballots processed
31 and comparing the output of results to the results expected for
32 the ballots processed. The group of ballots shall be produced so
33 as to record a predetermined number of valid votes for each
34 candidate and on each measure and to include for each office one
35 or more ballots which have activated voting positions in excess
36 of the number allowed by law in order to test the ability of the
37 tabulating device to reject such votes.

38 (j) If a tested tabulating device is found to have an error
39 in tabulation, it shall be deemed unsatisfactory. For each
40 device deemed unsatisfactory, the county election board shall
41 take steps to determine the cause of the error, shall attempt to
42 identify and test other devices that could reasonably be
43 expected to have the same error and shall test a number of
44 additional devices sufficient to determine that each device is
45 satisfactory. Upon deeming a device unsatisfactory, the county
46 election board may require all devices to be tested or may
47 declare that all devices are unsatisfactory.

48 (k) If the operation or output of any tested tabulation
49 device, such as spelling or the order of candidates on a report,
50 is in error, the problem shall be reported to the county
51 election board, which shall determine if the reported problem

1 warrants the county election board deeming the device
2 unsatisfactory.

3 (l) At the completion of testing under this section, the
4 county election board, the representatives of the political
5 parties and the candidates or their representatives who attended
6 the test shall witness the resetting of each device that passed
7 to a preelection state of readiness and the sealing of each
8 device that passed in such a manner as to secure its state of
9 readiness until the opening of the polls.

10 (m) The county election board shall execute a written
11 statement setting forth the tabulation devices tested, the
12 results of the testing, the protective counter numbers, if
13 applicable, of each tabulation device, the number of the seal
14 securing each tabulation device at the conclusion of testing,
15 any problems reported to the county election board as a result
16 of the testing and whether each device tested is satisfactory or
17 unsatisfactory.

18 (n) Any tabulating device deemed unsatisfactory shall be
19 recoded, repaired or replaced and shall be made available for
20 retesting. The device must be determined by the county election
21 board to be satisfactory before the device may be used in an
22 election. The county election board shall announce at the close
23 of the first testing the date, place and time that an
24 unsatisfactory device will be retested or may, at the option of
25 the county election board, notify by telephone each person who
26 was present at the first testing as to the date, place and time
27 that the retesting will occur.

28 (o) Records must be kept of all preelection testing of
29 electronic or electromechanical tabulation devices used in an
30 election. The records shall be present and available for
31 inspection and reference during public preelection testing by
32 any person in attendance during the testing. The need of the
33 county election board for access to the records during the
34 testing shall take precedence over the need of other attendees
35 to access such records so that the work of the county election
36 board will not be delayed or hindered. Records of testing must
37 include, for each device, the name of each person who tested the
38 device and the date, place, time and results of each test.
39 Records of testing shall be retained as part of the official
40 records of the election in which any device was used.

41 (p) The county election board shall submit a copy of all
42 records required under this section to the Office of the Auditor
43 General.

44 Section 8. Sections 1112(c)1 and 1117-A of the act are
45 amended to read:

46 Section 1112. Delivery of Voting Machines and Supplies by
47 County Election Boards to Election Officers.--

48 * * *

49 (c) The county election board shall furnish, at the expense
50 of the county, and deliver with each voting machine:

51 1. A lantern, [or a] flashlight or other proper substitute

1 [for one], which, in case of a loss of electricity, shall give
2 sufficient light to enable voters, while in the voting machine
3 booth, to read the ballot labels, and suitable for the use of
4 election officers in examining the counters. The lantern, [or]
5 flashlight or other proper substitute therefor, shall be
6 prepared and in good order for use before the opening of the
7 polls.

8 * * *

9 Section 1117-A. [Statistical Sample.--The county board of
10 elections, as part of the computation and canvass of returns,
11 shall conduct a statistical recount of a random sample of
12 ballots after each election using manual, mechanical or
13 electronic devices of a type different than those used for the
14 specific election. The sample shall include at least two (2) per
15 centum of the votes cast or two thousand (2,000) votes whichever
16 is the lesser.] Risk-limiting Audit.--(a) The Department of
17 State, in conjunction with the county boards of elections, shall
18 conduct risk-limiting audits after each primary, general,
19 municipal and special elections completed by the third Friday
20 following the election in accordance with the requirements of
21 this section.

22 (b) The audit shall be conducted as follows:

23 (1) The Secretary of the Commonwealth shall randomly
24 determine what contests shall be subject to a risk-limiting
25 audit;

26 (2) The Secretary of the Commonwealth shall provide notice
27 of the time and place of the random selection of the audit units
28 to be manually tallied and of the times and places of the
29 audits;

30 (3) The Secretary of the Commonwealth shall make available
31 to the public a report of the vote-tabulating device results for
32 the contest, including the results for each audit unit in the
33 contest, prior to the random selection of audit units to be
34 manually tallied and prior to the commencement of the audit;

35 (4) The Secretary of the Commonwealth, in conjunction with
36 the county board of elections, shall conduct the audit upon the
37 tabulation of the unofficial returns; and

38 (5) The Secretary of the Commonwealth, in conjunction with
39 the county board of elections, shall conduct the audit in public
40 view by manually interpreting the ballots according to rules
41 established by the secretary.

42 (c) If a risk-limiting audit of a contest leads to a full
43 manual tally of the ballots cast using the voting system, the
44 vote counts according to that manual tally shall replace the
45 vote.

46 (d) The results of audits conducted under this section shall
47 be published on the website of the Department of State within
48 forty-eight hours of being accepted by the Secretary of the
49 Commonwealth. If the audit involved a manual tally of one or
50 more entire precincts, then the names and numbers of all
51 precincts audited and a comparison of the vote tabulator results

1 with the hand counts for each precinct shall be published with
2 the audit results on the Department of State's publicly
3 accessible Internet website.

4 (e) Any audit required under this section shall not commence
5 for any election subject to a recount until the conclusion of
6 the recount.

7 (f) The Secretary of the Commonwealth shall promulgate
8 rules, regulations and procedures as necessary to implement this
9 section.

10 (g) For purposes of this section, the following terms shall
11 have the following meanings:

12 "Audit unit" means a precinct, a set of ballots or a single
13 ballot. A precinct, a set of ballots or a single ballot may be
14 used as an audit unit for purposes of the section only if all of
15 the following conditions are satisfied:

16 (1) the relevant vote-tabulating device is able to produce a
17 report of the votes cast in the precinct, set of ballots or
18 single ballot; and

19 (2) each ballot is assigned to not more than one audit unit.

20 "Contest" means an election for an office.

21 "Risk-limiting audit" means a manual tally employing a
22 statistical method that ensures a large, predetermined minimum
23 chance of requiring a full manual tally when a full manual tally
24 would show an electoral outcome that differs from the outcome
25 reported by the vote-tabulating system for the audited contest.
26 A risk-limiting audit shall begin with a hand tally of the votes
27 in one or more audit units and shall continue to hand tally
28 votes in additional audit units until there is strong
29 statistical evidence that the electoral outcome is correct. In
30 the event that counting additional audit units does not provide
31 strong statistical evidence that the electoral outcome is
32 correct, the audit shall continue until there has been a full
33 manual tally to determine the correct electoral outcome of the
34 audited contest.

35 Section 9. The act is amended by adding sections to read:

36 Section 1123-A. Requirements of Accessible Voting
37 Machines.--An accessible voting machine may not, upon any
38 examination or reexamination, be approved by the Secretary of
39 the Commonwealth, or by an examiner appointed by the secretary,
40 unless the accessible voting devices satisfies the following
41 requirements:

42 (1) The voting system must provide a tactile input or audio
43 input device, or both.

44 (2) The voting system must provide a method by which voters
45 can confirm any tactile or audio input by having the capability
46 of audio output using synthetic or recorded human speech that is
47 reasonably phonetically accurate.

48 (3) Any operable controls on the input voting device which
49 are needed for voters who are visually impaired must be
50 discernible in a tactile manner without actuating the keys.

51 (4) Audio and visual access approaches must be able to work

1 both separately and simultaneously.

2 (5) If a nonaudio access approach is provided, the system
3 may not require color perception. The system must use black text
4 or graphics, or both, on white background or white text or
5 graphics, or both, on black background, unless the office of the
6 Secretary of the Commonwealth approves other high-contrast color
7 combinations that do not require color perception.

8 (6) A voting system that requires any visual perception must
9 offer the election official who programs the voting system,
10 prior to its being sent to the polling place, the capability to
11 set the font size, as it appears to the voter, from a minimum of
12 fourteen points to a maximum of twenty-four points.

13 (7) The voting system must provide audio information,
14 including any audio output using synthetic or recorded human
15 speech or any auditory feedback tones that are important for the
16 use of the audio approach, through at least one mode, by handset
17 or headset, in enhanced auditory fashion through increased
18 amplification, and must provide incremental volume control with
19 output amplification up to a level of at least 97 db spl.

20 (8) For transmitted voice signals to the voter, the voting
21 system must provide a gain adjustable up to a minimum of 20 db
22 spl with at least one intermediate step of 12 db spl of gain.

23 (9) For the safety of others, if the voting system has the
24 possibility of exceeding 120 db spl, a mechanism must be
25 included to reset the volume automatically to the voting
26 system's default volume level after every use.

27 (10) If sound cues and audible information such as beeps are
28 used, there must be simultaneous corresponding visual cues and
29 information.

30 (11) Controls and operable mechanisms must be operable with
31 one hand, including operability with a closed fist and operable
32 without tight grasping, pinching or twisting of the wrist.

33 (12) The force required to operate or activate the controls
34 must be no greater than five pounds of force.

35 (13) Voting booths must have voting controls at a minimum
36 height of thirty-six inches above the finished floor with a
37 minimum knee clearance of twenty-seven inches high, thirty
38 inches wide and nineteen inches deep, or the accessible voter
39 interface devices must be designed so as to allow use on top of
40 a table to meet these requirements. Tabletop installations must
41 include adequate privacy.

42 (14) Any audio ballot must provide the voter with the
43 following functionalities:

44 (i) After the initial instructions that the system requires
45 election officials to provide to each voter, the voter should be
46 able to independently operate the voter interface through the
47 final step of casting a ballot without assistance.

48 (ii) The voter must be able to determine the races that he
49 or she is allowed to vote in and to determine which candidates
50 are available in each race.

51 (iii) The voter must be able to determine how many

1 candidates may be selected in each race.

2 (iv) The voter must be able to have confidence that the
3 physical or vocal inputs given to the system have selected the
4 candidates that he or she intended to select.

5 (v) The voter must be able to review the candidate
6 selections made.

7 (vi) Prior to the act of casting the ballot, the voter must
8 be able to change any selections previously made and confirm a
9 new selection.

10 (vii) The system must communicate to the voter the fact that
11 the voter has failed to vote in a race or has failed to vote the
12 number of allowable candidates in any race and require the voter
13 to confirm his or her intent to undervote before casting the
14 ballot.

15 (viii) The system must prevent the voter from overvoting any
16 race.

17 (ix) The voter must be able to input a candidate's name in
18 each race that allows a write-in candidate.

19 (x) The voter must be able to review his or her write-in
20 input to the interface, edit that input and confirm that the
21 edits meet the voter's intent.

22 (xi) There must be a clear, identifiable action that the
23 voter takes to cast the ballot. The system must make clear to
24 the voter how to cast the ballot so that the voter has minimal
25 risk of taking the action accidentally but, when the voter
26 intends to cast the ballot, the action can be easily performed.

27 (xii) Once the ballot is cast, the system must confirm to
28 the voter that the ballot has been cast and that the voter's
29 process of voting is complete.

30 (xiii) Once the ballot is cast, the system must preclude the
31 voter from modifying the ballot cast or voting or casting
32 another ballot.

33 Section 1113-B. Voting system defects, disclosure,
34 investigations and penalties.

35 (a) (Reserved).

36 (b) Disclosure.--No later than January 1 of every odd-
37 numbered year, each vendor shall file a written disclosure with
38 the Department of State identifying any known defect in the
39 voting system or state that there is no known defect, the effect
40 of any defect on the operation and use of the approved voting
41 system and any known corrective measures to cure a defect,
42 including, but not limited to, advisories and bulletins issued
43 to system users.

44 (c) Cure of defect.--Implementation of corrective measures
45 approved by the Department of State which enable a system to
46 conform to the standards and ensure the timeliness and accuracy
47 of the casting and counting of ballots constitutes a cure of a
48 defect.

49 (d) New defect.--If a vendor becomes aware of the existence
50 of a defect, the vendor must file a new disclosure with the
51 Department of State as provided in subsection (a) within 30 days

1 of the date the vendor determined or reasonably should have
2 determined that the defect existed.

3 (e) Suspension.--If a vendor discloses to the Department of
4 State that a defect exists, the department may suspend all sales
5 or leases of the voting system in this Commonwealth and may
6 suspend the use of the voting system in any election in this
7 Commonwealth. The Department of State shall provide written
8 notice of a suspension under this subsection to the affected
9 vendor and county boards of elections. If the Department of
10 State determines that the defect no longer exists, the
11 Department of State shall lift the suspension and provide
12 written notice to each affected vendor and supervisor of
13 elections.

14 (f) Prohibition.--If a vendor fails to file a required
15 disclosure for a voting system previously approved by the
16 Department of State, that system may not be sold, leased or used
17 for elections in this Commonwealth until the voting system has
18 been submitted for examination and approval under this act. The
19 Department of State shall provide written notice to each county
20 board of elections that the system is no longer approved.

21 (g) Investigation.--If the Department of State has
22 reasonable cause to believe a voting system approved under this
23 act contains a defect either before, during or after an election
24 which has not been disclosed pursuant to this section, the
25 department shall investigate whether the voting system has a
26 defect.

27 (h) Initiation of investigation.--The Department of State
28 may independently initiate an investigation or upon the written
29 request of the county board of elections that purchased a voting
30 system that contains the alleged defect.

31 (i) Notice of investigation.--Upon initiation of an
32 investigation, the Department of State shall provide written
33 notice to the vendor and each county board of elections.

34 (j) Notice of defect.--If the Department of State determines
35 by a preponderance of the evidence that a defect exists in the
36 voting system or that vendor failed to timely disclose a defect
37 under this section, the department shall provide written notice
38 to the affected vendor and county board of elections.

39 (k) Response.--A vendor who receives notice of a defect
40 shall, within ten days of receipt of the notice under subsection
41 (j), file a written response to the Department of State which:

42 (1) denies that the alleged defect exists or existed as
43 alleged by the department or that the vendor failed to timely
44 disclose a defect and sets forth the reasons for the denial;
45 or

46 (2) admits that the defect exists or existed as alleged
47 by the department or that the vendor failed to timely
48 disclose a defect.

49 (l) Cure.--If the defect has been cured, the vendor shall
50 provide an explanation of how the defect was cured.

51 (m) Failure to cure.--If the defect has not been cured, the

1 vendor shall inform the Department of State whether the defect
2 can be cured and shall provide the department with a plan for
3 curing the defect.

4 (n) Time frame.--If the defect can be cured, the Department
5 of State shall establish a time frame within which to cure the
6 defect.

7 (o) Action.--If, after receiving a response from the vendor,
8 the Department of State determines that a defect does not exist
9 or has been cured within the time frame established by the
10 department, the department shall take no further action.

11 (p) Civil penalty.--If the Department of State determines
12 that a vendor failed to timely disclose a defect or that a
13 defect exists and a vendor has not filed a written response or
14 has failed to cure within the time frame established by the
15 department, or if the defect cannot be cured, the department
16 shall impose a civil penalty of \$25,000 for the defect plus an
17 amount equal to the actual costs incurred by the department in
18 conducting the investigation.

19 (q) Administrative penalty.--If the Department of State
20 finds that a defect existed:

21 (1) The Department of State may suspend all sales and
22 leases of the voting system and may suspend its use in any
23 county in this Commonwealth. The Department of State shall
24 provide written notice of the suspension to each affected
25 vendor and county board of elections.

26 (2) If the Department of State determines that a defect
27 no longer exists in a voting system that has been suspended
28 from use under this section, the Department of State shall
29 lift the suspension and authorize the sale, lease and use of
30 the voting system in any election in the State. The
31 Department of State shall provide written notice that the
32 suspension has been lifted to each affected vendor and county
33 board of elections.

34 (3) If the defect cannot be cured, the Department of
35 State may disapprove the voting system for use in elections
36 in this Commonwealth. The Department of State shall provide
37 written notice to all supervisors of elections that the
38 system is no longer approved. After approval of a system that
39 has been withdrawn under this paragraph, the system may not
40 be sold, leased or used in this Commonwealth until it has
41 been resubmitted for examination and approval and adopted for
42 use under this act.

43 (4) A vendor for whom a civil penalty was imposed under
44 this section may not submit a voting system for approval by
45 the Department of State or enter into a contract for sale or
46 lease of a voting system in this Commonwealth until each
47 civil penalty has been paid and the department provides
48 written confirmation of the payment to the county board of
49 elections.

50 (r) Report.--The Department of State shall prepare a written
51 report of any investigation conducted pursuant to this section

1 and submit the report to the President pro tempore of the
2 Senate, the Speaker of the House of Representatives, the
3 Majority Leader and Minority Leader of the Senate, the Majority
4 Leader and Minority Leader of the House of Representatives, the
5 chair and minority chair of the State Government Committee of
6 the Senate and the chair and minority chair of the State
7 Government Committee of the House of Representatives.

8 (s) Authority.--The authority of the Department of State
9 under this section shall be in addition to, and not exclusive
10 of, any other authority provided by law.

11 (t) Definition.--For the purposes of this section, the term
12 "defect" means a failure, fault or flaw in an electronic or
13 electro-mechanic voting system approved under this act, which
14 results in nonconformance with the standards in a manner that
15 affects the timeliness or accuracy of the casting or counting of
16 ballots or a failure or inability of the voting system
17 manufacturer or vendor to make available and provide approved
18 replacements of hardware or software to the counties that have
19 purchased the approved voting system, the unavailability of
20 which results in the system's nonconformance with the standards
21 in a manner that affects the timeliness or accuracy of the
22 casting or counting of ballots.

23 Section 1201.3. Voter's Bill of Rights.--Each registered
24 voter in this Commonwealth shall have the right to:

25 (1) Vote and have his or her vote accurately counted.

26 (2) Cast a vote if he or she is in line at the time of the
27 closing of polls.

28 (3) Ask for and receive assistance in voting.

29 (4) Receive up to two replacement ballots if he or she makes
30 a mistake prior to the ballot being cast.

31 (5) Receive an explanation if his or her registration or
32 identity is in question.

33 (6) Cast a provisional ballot, if his or her registration or
34 identity is in question.

35 (7) Receive written instructions to use when voting and,
36 upon request, oral instructions from elections officers to use
37 when voting.

38 (8) Vote free from coercion or intimidation by elections
39 officers or any other person.

40 (9) Vote on a voting system that is in working condition and
41 that will allow votes to be accurately cast and accurately
42 counted.

43 Section 1201.4. Senior Voter's Bill of Rights.--In addition
44 to the rights of a voter under section 1201.3, a voter in this
45 Commonwealth who is seventy years of age or older shall have the
46 right to:

47 (1) Receive any assistance necessary to successfully cast a
48 ballot.

49 (2) Move to the front of the line upon arrival at a polling
50 place.

51 (3) Receive assistance through supervised voting under

1 section 1306.2.

2 Section 1201.5. Disabled Voter's Bill of Rights.--In
3 addition to the rights of a voter under section 1201.3, a voter
4 in this Commonwealth who is disabled shall have the right to:

5 (1) Receive any assistance necessary to successfully cast a
6 ballot.

7 (2) Move to the front of the line upon arrival at a polling
8 place.

9 (3) Bring into a polling place or elections office a service
10 animal qualified under the Americans with Disabilities Act of
11 1990 (Public Law 101-336, 104 Stat. 327).

12 (4) Vote using an accessible voting machine approved under
13 this act.

14 (5) Have all polling places in this Commonwealth meet
15 accessibility requirements under the Americans with Disabilities
16 Act of 1990.

17 (6) Request a ballot be brought by election officers outside
18 the polling place of the qualified elector, provided that:

19 (i) A qualified elector's vote under this section shall be
20 cast within one hundred fifty feet of the entrance to the
21 polling place.

22 (ii) The qualified elector shall mark the ballot in the
23 presence of the judge of elections or county election official.

24 (iii) The qualified elector shall mark the ballot in a
25 secret manner and, obscuring the vote, return the ballot to the
26 Judge of elections or county election official. The judge of
27 elections or county election official shall immediately return
28 to the polling place and deposit the ballot in the voting
29 machine.

30 (iv) The district register utilized by the polling place
31 shall be brought to the qualified elector, if possible, or
32 otherwise made to record the qualified elector's participation
33 in the election.

34 (v) A record shall be made of each elector voting under this
35 section and of each Judge of elections or county election
36 official assisting in the casting of each such ballot.

37 Section 10. Sections 1205, 1210(a.3)(4) and 1302(i)(2) of
38 the act are amended to read:

39 Section 1205. Time for Opening and Closing Polls.--At all
40 primaries and elections the polls shall be opened at 7 A.M.[,
41 Eastern Standard Time,] local time and shall remain open
42 continuously until 8 P.M.[, Eastern Standard Time] local time,
43 at which time they shall be closed.

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

47 (a.3) * * *

48 (4) As each voter is found to be qualified and votes, the
49 election officer in charge of the district register shall [write
50 or stamp] record the date of the election or primary, his number
51 in the order of admission to the voting machines, and at

1 primaries a letter or abbreviation designating the party in
2 whose primary he votes, and shall sign his name or initials in
3 the proper space on the registration card of such voter
4 contained in the district register.

5 * * *

6 Section 1302. Applications for Official Absentee Ballots.--*

7 * *

8 (i) * * *

9 (2) Nothing in this act shall prohibit a private
10 organization or individual from printing blank voter
11 applications for absentee ballots or shall prohibit the use of
12 such applications by another individual, provided the form,
13 content and paper quality have been approved by the Secretary of
14 the Commonwealth. Voter applications of absentee ballots
15 distributed under this section must clearly indicate that they
16 have not been sent or distributed by a county or by the
17 Department of State and must be blank upon distribution to an
18 elector.

19 * * *

20 Section 11. Section 1306(a) introductory paragraph of the
21 act, amended March 27, 2020 (P.L.41, No.12), is amended and the
22 section is amended by adding a subsection to read:

23 Section 1306. Voting by Absentee Electors.--(a) Except as
24 provided in paragraphs (2) and (3), at any time after receiving
25 an official absentee ballot, but on or before eight o'clock P.M.
26 the day of the primary or election, the elector shall, in
27 secret, proceed to mark the ballot only in black lead pencil,
28 indelible pencil or blue, black or blue-black ink, in fountain
29 pen or ball point pen, and then fold the ballot, enclose and
30 securely seal the same in the envelope on which is printed,
31 stamped or endorsed "Official Election Ballot." This envelope
32 shall then be placed in the second one, on which is printed the
33 form of declaration of the elector, and the address of the
34 elector's county board of election and the local election
35 district of the elector. The elector shall then fill out, date
36 and sign the declaration printed on such envelope. [Such
37 envelope shall then be securely sealed and the elector shall
38 send same by mail, postage prepaid, except where franked, or
39 deliver it in person to said county board of election.]

40 * * *

41 (a.1) The elector shall, prior to eight o'clock P.M. on
42 election day, return his or her completed absentee ballot by one
43 of the following methods only:

44 (1) Delivery through the United States Postal Service to the
45 offices of his or her county board of elections.

46 (2) Delivery in person to the permanent offices of his or
47 her county board of elections during its regular hours of
48 operation.

49 (3) Delivery to a ballot return site established under
50 section 313.

51 (4) Nothing in this section shall be construed to prohibit

1 an elector from returning the completed ballot of another member
2 of his household, registered at the same residential address and
3 unit number, or prohibit an elector from returning a completed
4 ballot of an elector for whom they are appointed as Power of
5 Attorney with valid proof thereof.

6 * * *

7 Section 12. The act is amended by adding a section to read:

8 Section 1306.2. Supervised Voting by Qualified Absentee
9 Electors in Certain Facilities.--(a) The county board of
10 elections shall provide supervised voting for absent electors
11 residing in an assisted living facility or nursing home facility
12 within that county at the request of an administrator of the
13 facility. The request for supervised voting in the facility
14 shall be made by submitting a written request to the board of
15 elections no later than twenty-one days prior to the election
16 for which that request is submitted. The request shall specify
17 the name and address of the facility and the name of electors
18 who wish to vote absentee in that election. If the request
19 contains the names of fewer than five voters, the board of
20 elections is not required to provide supervised voting.

21 (b) The county board of elections may, in the absence of a
22 request from the administrator of a facility, provide for
23 supervised voting in the facility for persons who have requested
24 an absentee ballot. The county board of elections shall notify
25 the administrator of a facility that supervised voting will
26 occur.

27 (c) The county board of elections shall, in cooperation with
28 the administrator of a facility, select a date and time when the
29 supervised voting will occur.

30 (d) The county board of elections shall designate supervised
31 voting teams to provide services prescribed by this section.
32 Each supervised voting team shall include at least two persons.
33 Each supervised voting team must include representatives of at
34 least the two parties with the largest number of registered
35 electors in this Commonwealth, except that, in a primary
36 election to nominate party nominees in which only one party has
37 candidates appearing on the ballot, each supervised voting team
38 members may be of only that party. A candidate may not provide
39 supervised voting services.

40 (e) The supervised voting team shall deliver the ballots to
41 the respective absentee electors and each member of the team
42 shall jointly supervise the voting of the ballots. If an elector
43 requests assistance in voting, the oath prescribed under this
44 act shall be completed and the elector may receive the
45 assistance of two members of the supervised voting team or some
46 other person of the elector's choice to assist the elector in
47 casting the elector's ballot.

48 (f) Before providing assistance, the supervised voting team
49 shall disclose to the elector that the ballot may be retained to
50 vote at a later time and that the elector has the right to seek
51 assistance in voting from some other person of the elector's

1 choice without the presence of the supervised voting team.

2 (g) If an elector declines to vote a ballot or is unable to
3 vote a ballot, the supervised voting team shall mark the ballot
4 "refused to vote" or "unable to vote."

5 (h) After the ballots have been voted or marked in
6 accordance with the provisions of this section, the supervised
7 voting team shall deliver the ballots to the county board of
8 elections.

9 (i) The Department of State shall provide training and
10 information to assisted living facilities and nursing home
11 facilities in order to assist residents in voting, including
12 applicable laws regarding assistance in voting and penalties for
13 violation of election laws.

14 Section 13. Sections 1308(g) and 1302-D(g) of the act,
15 amended March 27, 2020 (P.L.41, No.12), are amended to read:

16 Section 1308. Canvassing of Official Absentee Ballots and
17 Mail-in Ballots.--* * *

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

24 (ii) An absentee ballot cast by any absentee elector as
25 defined in section 1301(i), (j), (k), (l), (m) and (n), an
26 absentee ballot under section 1302(a.3) or a mail-in ballot cast
27 by a mail-in elector shall be canvassed in accordance with this
28 subsection if the absentee ballot or mail-in ballot is received
29 in the office of the county board of elections no later than
30 eight o'clock P.M. on the day of the primary or election.

31 (1.1) The county board of elections shall meet no earlier
32 than [seven o'clock A.M. on] seven days prior to election day to
33 pre-canvass all ballots received prior to the meeting. A county
34 board of elections shall provide at least forty-eight hours'
35 notice of a pre-canvass meeting by publicly posting a notice of
36 a pre-canvass meeting on its publicly accessible Internet
37 website. One authorized representative of each candidate in an
38 election, one authorized representative of the county
39 chairperson of each political party and one representative
40 [from] of each political party shall be permitted to remain in
41 the room in which the absentee ballots and mail-in ballots are
42 pre-canvassed. Authorized representatives shall be provided with
43 meaningful access to view and observe the entire process of pre-
44 canvassing or canvassing activities. A county board of elections
45 must designate an official to respond to issues reported by
46 authorized representatives. The Department of State shall
47 establish a procedure for authorized representatives to report
48 any concerns arising from any pre-canvass meeting and the
49 department must investigate and report on any concerns raised in
50 each election. A county board of elections shall record the pre-
51 canvassing and canvassing meetings with audio and visual

1 recording. The entire recording under this section shall be made
2 available only after the close of the polls. No person
3 observing, attending or participating in a pre-canvass meeting
4 may disclose the results of any portion of any pre-canvass
5 meeting prior to the close of the polls.

6 (2) The county board of elections shall meet no earlier than
7 the close of polls on the day of the election and no later than
8 eight o'clock A.M. on the [third] day following the election to
9 begin canvassing absentee ballots and mail-in ballots not
10 included in the pre-canvass meeting. The meeting under this
11 paragraph shall continue until all absentee ballots and mail-in
12 ballots received prior to the close of the polls have been
13 canvassed. The county board of elections shall not record or
14 publish any votes reflected on the ballots prior to the close of
15 the polls. The canvass process shall continue through the eighth
16 day following the election for valid military-overseas ballots
17 timely received under 25 Pa.C.S. § 3511 (relating to receipt of
18 voted ballot). A county board of elections shall provide at
19 least forty-eight hours' notice of a canvass meeting by publicly
20 posting a notice on its publicly accessible Internet website.
21 One authorized representative of each candidate in an election
22 and one representative from each political party shall be
23 permitted to remain in the room in which the absentee ballots
24 and mail-in ballots are canvassed.

25 (3) When the county board meets to pre-canvass or canvass
26 absentee ballots and mail-in ballots under paragraphs (1), (1.1)
27 and (2), the board shall [examine] do all of the following:

28 (i) Examine the declaration on the envelope of each ballot
29 not set aside under subsection (d) and shall compare the
30 information thereon with that contained in the "Registered
31 Absentee and Mail-in Voters File," the absentee voters' list
32 and/or the "Military Veterans and Emergency Civilians Absentee
33 Voters File," whichever is applicable.

34 (ii) A county board of elections shall use an automated
35 sorting or extracting machine to assist in its processing of
36 absentee ballots and mail-in ballots.

37 (iii) If the county board has verified the proof of
38 identification as required under this act and is satisfied that
39 the declaration is sufficient and the information contained in
40 the "Registered Absentee and Mail-in Voters File," the absentee
41 voters' list and/or the "Military Veterans and Emergency
42 Civilians Absentee Voters File" verifies his right to vote, the
43 county board shall provide a list of the names of electors whose
44 absentee ballots or mail-in ballots are to be pre-canvassed or
45 canvassed.

46 (iv) For absentee ballots or mail-in ballots which the
47 declaration of the elector is incomplete, or are unsigned or
48 undated, the county board shall:

49 (A) Notify the elector by mail, email, telephone or text
50 message that the elector's ballot is incomplete and will not be
51 counted unless action is taken by the elector prior to the

1 closing of polls on election day.

2 (B) Direct the elector to appear before, or to provide an
3 electronic, facsimile or paper copy to, the county board of
4 elections within six calendar days, including:

5 (I) proof of identification and an executed affirmation
6 affirming, under penalty of perjury, that the elector is the
7 same individual who personally remitted the absentee ballot or
8 mail-in ballot; or

9 (II) an executed affirmation affirming, under penalty of
10 perjury, that the elector is the same individual who personally
11 remitted the absentee ballot or mail-in ballot and that the
12 elector is indigent and unable to obtain proof of identification
13 without the payment of a fee.

14 (v) For absentee ballots or mail-in ballots for which it is
15 discovered during the pre-canvassing or canvassing process that
16 the official election ballot envelope was not included or
17 unidentifiable marks are placed on the envelope, then the county
18 board shall place and seal the ballot into an empty official
19 election ballot envelope and place he secured envelope with the
20 other removed official election ballot envelopes to be
21 tabulated.

22 (4) All absentee ballots which have not been challenged
23 under section 1302.2(c) and all mail-in ballots which have not
24 been challenged under section 1302.2-D(a)(2) and that have been
25 verified under paragraph (3) shall be counted and included with
26 the returns of the applicable election district as follows:

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

30 (ii) If any of the envelopes on which are printed, stamped
31 or endorsed the words "Official Election Ballot" contain any
32 text, mark or symbol which reveals the identity of the elector,
33 the elector's political affiliation or the elector's candidate
34 preference, the envelopes and the ballots contained therein
35 shall be set aside and declared void.

36 (iii) The county board shall then break the seals of such
37 envelopes, remove the ballots and count, compute and tally the
38 votes.

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

41 (5) Ballots received whose applications have been challenged
42 and ballots which have been challenged shall be placed unopened
43 in a secure, safe and sealed container in the custody of the
44 county board until it shall fix a time and place for a formal
45 hearing of all such challenges, and notice shall be given where
46 possible to all absentee electors and mail-in electors thus
47 challenged and to every individual who made a challenge. The
48 time for the hearing shall not be later than seven (7) days
49 after the deadline for all challenges to be filed. On the day
50 fixed for said hearing, the county board shall proceed without
51 delay to hear said challenges, and, in hearing the testimony,

1 the county board shall not be bound by the Pennsylvania Rules of
2 Evidence. The testimony presented shall be stenographically
3 recorded and made part of the record of the hearing.

4 (6) The decision of the county board in upholding or
5 dismissing any challenge may be reviewed by the court of common
6 pleas of the county upon a petition filed by any person
7 aggrieved by the decision of the county board. The appeal shall
8 be taken, within two (2) days after the decision was made,
9 whether the decision was reduced to writing or not, to the court
10 of common pleas setting forth the objections to the county
11 board's decision and praying for an order reversing the
12 decision.

13 (7) Pending the final determination of all appeals, the
14 county board shall suspend any action in canvassing and
15 computing all challenged ballots received under this subsection
16 irrespective of whether or not appeal was taken from the county
17 board's decision. Upon completion of the computation of the
18 returns of the county, the votes cast upon the challenged
19 official absentee ballots that have been finally determined to
20 be valid shall be added to the other votes cast within the
21 county.

22 * * *

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

24 * * *

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

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

42 (2) The Secretary of the Commonwealth may develop an
43 electronic system through which all qualified electors may
44 apply for a mail-in ballot and request permanent mail-in
45 voter status under this section, provided the system is able
46 to capture a digitized or electronic signature of the
47 applicant. A county board of elections shall treat an
48 application or request received through the electronic system
49 as if the application or request had been submitted on a
50 paper form or any other format used by the county.

51 (3) The transfer of a qualified registered elector on a

1 permanent mail-in voting list from one county to another
2 county shall only be permitted upon the request of the
3 qualified registered elector.

4 Section 14. Section 1306-D(a) of the act, amended March 27,
5 2020 (P.L.41, No.12), is amended and the section is amended by
6 adding a subsection to read:

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

8 (a) General rule.--At any time after receiving an official
9 mail-in ballot, but on or before eight o'clock P.M. the day of
10 the primary or election, the mail-in elector shall, in secret,
11 proceed to mark the ballot only in black lead pencil, indelible
12 pencil or blue, black or blue-black ink, in fountain pen or ball
13 point pen, and then fold the ballot, enclose and securely seal
14 the same in the envelope on which is printed, stamped or
15 endorsed "Official Election Ballot." This envelope shall then be
16 placed in the second one, on which is printed the form of
17 declaration of the elector, and the address of the elector's
18 county board of election and the local election district of the
19 elector. The elector shall then fill out, date and sign the
20 declaration printed on such envelope. [Such envelope shall then
21 be securely sealed and the elector shall send same by mail,
22 postage prepaid, except where franked, or deliver it in person
23 to said county board of election.]

24 * * *

25 (a.2) Return of completed mail-in ballots.--The elector
26 shall, prior to eight o'clock P.M. on election day, return their
27 completed mail-in ballot by one of the following methods only:

28 (1) Delivery through the United States Postal Service to
29 the offices of his county board of elections.

30 (2) Delivery in person to the permanent offices of his
31 or her county board of elections during its regular hours of
32 operation.

33 (3) Delivery to a ballot return site established under
34 section 313.

35 (4) Nothing in this section shall be construed to
36 prohibit an elector from returning the completed ballot of
37 another member of his household, registered at the same
38 residential address and unit number, or prohibit an elector
39 from returning a completed ballot of an elector for whom they
40 are appointed as Power of Attorney with valid proof thereof.

41 * * *

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

43 ARTICLE XIII-F

44 EARLY VOTING BY QUALIFIED ELECTORS

45 Section 1301-F. In-person early voting.

46 Beginning with the 2022 general election, and for each
47 election thereafter, each county board of elections must provide
48 electors with the opportunity to vote at an early voting center,
49 prior to election day.

50 Section 1302-F. Operation.

51 The following shall apply:

1 (1) Each early voting center shall be considered a
2 county board of elections office for the purposes of this
3 act.

4 (2) Early voting centers may be established beginning on
5 the second Friday prior to an election and ending on the
6 first Wednesday prior to an election. A county shall operate
7 a minimum of one early voting center center.

8 (3) Early voting centers may be open from 7 A.M to 8
9 P.M. each day.

10 (4) The county board of elections shall provide notice
11 prior to the establishment of any early voting center,
12 including location and intended hours of operation.

13 (5) A county may establish early voting centers,
14 distributed throughout the county so as to ensure equal
15 access to all voters.

16 (6) Each early voting center must be accessible under
17 the requirements of the Americans with Disabilities Act of
18 1990 (Public Law 101-336, 104 Stat. 327).

19 (7) Voting at early voting centers shall be conducted
20 using the same type of voting machines utilized by that
21 county on election day.

22 (8) An early voting center shall be continually secured,
23 monitored by staff and monitored by video recording from the
24 beginning of the period provided for early voting until the
25 end, including overnight. Video recording shall be retained
26 and made available publicly.

27 Section 1303-F. Reimbursement.

28 Counties shall be reimbursed by the Department of State for
29 half of the costs incurred in the operation of early voting
30 centers.

31 Section 16. Sections 1404(f), 1801, 1802, 1802.1, 1803,
32 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813,
33 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824,
34 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834,
35 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847,
36 1848, 1849 and 1850 of the act are amended to read:

37 Section 1404. Computation of Returns by County Board;
38 Certification; Issuance of Certificates of Election.--

39 * * *

40 (f) As the returns from each election district are read,
41 computed and found to be correct or corrected as aforesaid, they
42 shall be recorded on the blanks prepared for the purpose until
43 all the returns from the various election districts which are
44 entitled to be counted shall have been duly recorded, when they
45 shall be added together, announced and attested by the clerks
46 who made and computed the entries respectively and signed by the
47 members of the county board. Returns under this subsection shall
48 be considered unofficial for five (5) days. The county board
49 shall submit the unofficial returns to the Secretary of the
50 Commonwealth [by five o'clock P. M. on the Tuesday following the
51 election] incrementally and as often as practicable until all

1 returns have been submitted. The submission shall be as directed
2 by the secretary for public office which appears on the ballot
3 in every election district in this Commonwealth or for a ballot
4 question which appears on the ballot in every election district
5 in this Commonwealth. The unofficial returns shall be posted to
6 the Department of State's publicly accessible Internet website
7 and to each county board of elections' publicly accessible
8 Internet website. The Secretary of the Commonwealth shall
9 establish, for the use of each website displaying unofficial
10 returns, a consistent template and interface which shall
11 provide, in electronic spreadsheet form:

12 (1) The total number of ballots voted in this Commonwealth,
13 in each county and in each voting district.

14 (2) The total number of ballots voted by electors under each
15 article of this act.

16 (3) The votes recorded for each candidate or question, in
17 each voting district and each county, and the sum for the
18 Commonwealth, including the number of votes received by each
19 candidate or question under each article of this act.

20 (4) The percentage of voting districts having reported
21 results.

22 (5) The percentage of registered electors who are recorded
23 as having voted in this Commonwealth, each county and each
24 voting district.

25 (6) The total number of registered electors in this
26 Commonwealth, each county and each voting district.

27 (7) The total number of mail-in ballots and absentee ballots
28 sent by each county and the sum for this Commonwealth.

29 (8) The total number of overseas and military ballots
30 mailed.

31 (9) A website displaying unofficial returns shall provide an
32 interactive map allowing the information under paragraphs (1),
33 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
34 election district, county and this Commonwealth. At any time
35 that unofficial results data previously posted to the Department
36 of State or a county's publicly accessible Internet website is
37 amended, corrected, deleted or updated in a manner other than
38 the inclusion of additional results, the department and an
39 affected county shall post a disclosure to the unofficial
40 returns website explicitly noting the time such update occurred,
41 the reason and the impact on unofficial returns. At the
42 expiration of five (5) days after the completion of the
43 computation of votes, in case no petition for a recount or
44 recanvass has been filed in accordance with the provisions of
45 this act, or upon the completion of the recount or recanvass if
46 a petition therefor has been filed within five (5) days after
47 the completion of the computation of votes, the county board
48 shall certify the returns so computed in said county in the
49 manner required by this act, unless upon appeals taken from any
50 decision, the court of common pleas shall have directed any
51 returns to be revised, or unless in case of a recount, errors in

1 the said returns shall have been found, in which case said
2 returns shall be revised, corrected and certified accordingly.
3 The county board shall thereupon, in the case of elections,
4 issue certificates of election to the successful candidates for
5 all county, city, borough, township, ward, school district, poor
6 district and election offices, and local party offices to be
7 filled by the votes of the electors of said county, or of any
8 part thereof.

9 * * *

10 Section 1801. Disobeying Lawful Instructions.--Any person
11 who wilfully disobeys any lawful instruction or order of any
12 county board of elections, or who refuses to obey their subpoena
13 duly issued and served under the provisions of this act, shall
14 be guilty of a misdemeanor, and, upon conviction thereof, shall
15 be sentenced to pay a fine not exceeding [five hundred (\$500)]
16 one thousand (\$1,000) dollars, or to undergo an imprisonment not
17 exceeding [one (1) year] two (2) years, or both, in the
18 discretion of the court.

19 Section 1802. Perjury.--Any wilful false statement made
20 under oath or affirmation or in writing, stating that it is so
21 made, although such oath or affirmation may not have actually
22 been made, by any person regarding any material matter or thing
23 relating to any subject being investigated, heard, determined or
24 acted upon by any county board of elections, or member thereof,
25 or by any court or judge thereof, judge of election, inspector
26 of election, or overseer, in accordance with the terms of this
27 act, shall be perjury, a misdemeanor of the first degree, and
28 any person, upon conviction thereof, shall be sentenced to pay a
29 fine not exceeding [ten thousand (\$10,000)] twenty thousand
30 (\$20,000) dollars, or to undergo an imprisonment of not more
31 than [five (5)] ten (10) years, or both, in the discretion of
32 the court.

33 Section 1802.1. False Affidavits of Candidates.--Any
34 candidate for State, county, city, borough, incorporated town,
35 township or school district office or for the office of United
36 States Senator or Representative in Congress or any other
37 elective public office who knowingly makes a false statement
38 regarding his eligibility or qualifications for such office in
39 his candidate's affidavit shall, in litigation which results in
40 the removal of the candidate from the ballot, be liable for
41 court costs, including filing fees, attorney fees, investigation
42 fees and similar costs, in an amount up to [ten thousand
43 (\$10,000)] twenty thousand (\$20,000) dollars.

44 Section 1803. Refusal to Permit Inspection of Papers;
45 Destruction or Removal; Secretary of the Commonwealth.--Any
46 Secretary of the Commonwealth, deputy, or employe of his office,
47 who shall refuse to permit the public inspection or copying as
48 authorized, except when in use in his office, by this act, of
49 any return, nomination petition, certificate or paper, other
50 petition, account, contract, report or any other document or
51 record in his custody which, under the provisions of this act,

1 is required to be open to public inspection; or who shall
2 destroy or alter, or permit to be destroyed or altered, any such
3 document or record during the period for which the same is
4 required to be kept in his office; or who shall remove any such
5 document or record from his office during said period, or permit
6 the same to be removed, except pursuant to the direction of any
7 competent court or any committee required to determine any
8 contested primary or election, shall be guilty of a misdemeanor,
9 and, upon conviction thereof, shall be sentenced to pay a fine
10 not exceeding [one thousand (\$1,000)] two thousand (\$2,000)
11 dollars, or to undergo an imprisonment of not less than [one (1)
12 month] two (2) months nor more than [two (2)] four (4) years, or
13 both, in the discretion of the court.

14 Section 1804. Refusal to Permit Inspection of Papers;
15 Destruction or Removal; County Boards of Elections.--Any member,
16 chief clerk or other employe of any county board of elections,
17 who shall refuse to permit the public inspection or copying, as
18 authorized by this act, of any general or duplicate return
19 sheet, tally paper, affidavit, nomination petition, certificate
20 or paper, other petition, witness list, account, contract,
21 report or any other document or record in the custody of such
22 county board which, under the provisions of this act, is
23 required to be open to public inspection; or who shall destroy
24 or alter, or permit to be destroyed or altered, any such
25 document or record during the period for which the same is
26 required to be kept in the office of such county board; or who
27 shall remove any such document or record from the office of such
28 county board during said period, or permit the same to be
29 removed, except pursuant to the direction of any competent court
30 or any committee required to determine any contested primary or
31 election, shall be guilty of a misdemeanor, and, upon conviction
32 thereof, shall be sentenced to pay a fine not exceeding [one
33 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
34 an imprisonment of not less than [one (1) month] two (2) months
35 nor more than [two (2)] four (4) years, or both, in the
36 discretion of the court.

37 Section 1805. Insertion and Alteration of Entries in
38 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
39 or employe of any county board of elections or judge, inspector
40 or clerk of election, machine inspector, overseer, or other
41 person, who knowingly inserts or knowingly permits to be
42 inserted any fictitious name, false figure or other fraudulent
43 entry on or in any registration card, district register, voter's
44 certificate, list of voters, affidavit, tally paper, general or
45 duplicate return sheet, statement, certificate, oath, voucher,
46 account, ballot or other record or document authorized or
47 required to be made, used, signed, returned or preserved for any
48 public purpose in connection with any primary or election; or
49 who materially alters or intentionally destroys any entry which
50 has been lawfully made therein, except by order of the county
51 board of elections or court of competent jurisdiction, or who

1 takes or removes any such book, affidavit, return, account,
2 ballot or other document or record from the custody of any
3 person having lawful charge thereof, in order to prevent the
4 same from being used or inspected or copied as required or
5 permitted by this act, or who neglects or refuses, within the
6 time and in the manner required by this act, to deliver the same
7 into the custody of the officers who are required by this act to
8 use or keep the same, shall be guilty of a misdemeanor, and,
9 upon conviction thereof, shall be sentenced to pay a fine not
10 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
11 or to undergo an imprisonment of not less than [one (1) month]
12 two (2) months or more than [two (2)] four (4) years, or both,
13 in the discretion of the court.

14 Section 1806. Refusal to Permit Overseers, Watchers,
15 Attorneys or Candidates to Act.--Any member of a county board of
16 elections, judge of election or inspector of election who shall
17 refuse to permit any overseer or watcher, attorney or candidate
18 to be present, as authorized by this act, at any session of a
19 county board, computation and canvassing of returns of any
20 primary or election, recount of ballots or recanvass of voting
21 machines, as authorized by this act, or at any polling place
22 during the time the polls are open at any primary or election,
23 and after the close of the polls during the time the ballots are
24 counted or voting machine canvassed and until the returns of
25 such primary or election have been made up and signed, shall be
26 guilty of a misdemeanor, and, upon conviction thereof, shall be
27 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
28 two thousand (\$2,000) dollars, or to undergo an imprisonment not
29 exceeding [one (1) year] two (2) years, or both, in the
30 discretion of the court.

31 Section 1807. Driving away Watchers, Attorneys, Candidates
32 or Overseers.--Any person who by violence or intimidation shall
33 threaten or drive away any watcher, attorney, candidate or
34 overseer, or representative of the county board of elections, or
35 of the Secretary of the Commonwealth, required or permitted to
36 be present at any polling place, or who shall in any manner
37 prevent any overseer, or representative of the county board of
38 elections or of the Secretary of the Commonwealth from
39 performing his duty under this act, shall be guilty of a
40 misdemeanor, and, upon conviction thereof, shall be sentenced to
41 pay a fine not exceeding [one thousand (\$1,000)] two thousand
42 (\$2,000) dollars, or to undergo an imprisonment of not less than
43 [one (1) month] two (2) months nor more than [two (2)] four (4)
44 years, or both, in the discretion of the court.

45 Section 1808. Refusal to Permit Election Officers, Clerks
46 and Machine Inspectors to Act; Driving away Said Persons.--Any
47 person, including any election officer, who shall refuse to
48 permit any election officer, clerk or machine inspector, duly
49 elected or appointed and authorized to act, to perform the
50 duties imposed on him or to act as permitted by this act; or who
51 shall by violence or intimidation threaten or drive away, any

1 such election officer, clerk or machine inspector or who shall,
2 in any manner, prevent any such election officer, clerk or
3 machine inspector from performing his rights and duties under
4 this act, shall be guilty of a misdemeanor, and, upon conviction
5 thereof, shall be sentenced to pay a fine not exceeding [one
6 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
7 an imprisonment of not less than [one (1) month] two (2) months
8 or more than [two (2)] four (4) years, or both, in the
9 discretion of the court.

10 Section 1809. Refusal to Administer Oath; Acting Without
11 Being Sworn.--If any judge of election or minority inspector of
12 election refuses or fails to administer the oath to the officers
13 of election, in the manner required by this act, or if any judge
14 of election, inspector of election, clerk of election, or
15 machine inspector, shall act without being first duly sworn, or
16 if any such person shall sign the written form of oath without
17 being duly sworn, or if any judge of election or minority
18 inspector of election or any other person authorized to
19 administer oaths shall certify that any such person was sworn
20 when he was not, he shall be guilty of a misdemeanor, and, upon
21 conviction thereof, shall be sentenced to pay a fine not
22 exceeding [one hundred (\$100)] two hundred (\$200) dollars, or to
23 undergo an imprisonment not exceeding [six (6) months] one (1)
24 year, or both, in the discretion of the court.

25 Section 1810. Violation of Oath of Office by Election
26 Officers.--Any judge of election, inspector of election, clerk
27 of election, or machine inspector who shall wilfully violate any
28 of the provisions of his oath of office, shall be guilty of a
29 misdemeanor, and, upon conviction thereof, shall be sentenced to
30 pay a fine not exceeding [one thousand (\$1,000)] two thousand
31 (\$2,000) dollars, or to undergo an imprisonment not exceeding
32 [one (1) year] two (2) years, or both, in the discretion of the
33 court.

34 Section 1811. Peace Officers; Failure to Render Assistance;
35 Hindering or Delaying County Board Members and Others.--Any
36 sheriff, deputy sheriff, constable, deputy constable, police or
37 other peace officer, who shall fail upon demand of any member of
38 a county board of elections, judge or inspector of election, or
39 overseer to render such aid and assistance to him as he shall
40 request in the maintenance of peace and in the making of
41 arrests, as herein provided, or who shall wilfully hinder or
42 delay or attempt to hinder or delay any member of a county
43 board, judge or inspector of election, or overseer in the
44 performance of any duty under this act, shall be guilty of a
45 misdemeanor, and, upon conviction thereof, shall be sentenced to
46 pay a fine not exceeding [five hundred (\$500)] one thousand
47 (\$1,000) dollars, or to undergo an imprisonment of not less than
48 [three (3)] six (6) months nor more than [two (2)] four (4)
49 years, or both, in the discretion of the court.

50 Section 1812. Nomination Petitions and Papers; Offenses by
51 Signers.--If any person shall knowingly and wilfully sign any

1 nomination petition or nomination paper, without having the
2 qualifications prescribed by this act, or if any person shall
3 set opposite a signature on a nomination petition or paper, a
4 date other than the actual date such signature was affixed
5 thereto, or if any person shall set opposite the signature on a
6 nomination petition or nomination paper, a false statement of
7 the signer's place of residence or occupation, or if any person
8 shall sign more nomination petitions or nomination papers than
9 permitted by the provisions of this act, he shall be guilty of a
10 misdemeanor, and, upon conviction thereof, shall be sentenced to
11 pay a fine not exceeding [one hundred (\$100)] two hundred (\$200)
12 dollars, or to undergo an imprisonment of not less than [three
13 (3)] six (6) months nor more than [two (2)] four (4) years, or
14 both, at the discretion of the court.

15 Section 1813. False Signatures and Statements in Nomination
16 Petitions and Papers.--If any person shall knowingly make a
17 false statement in any affidavit required by the provisions of
18 this act, to be appended to or to accompany a nomination
19 petition or a nomination paper, or if any person shall
20 fraudulently sign any name not his own to any nomination
21 petition or nomination paper, or if any person shall
22 fraudulently alter any nomination petition or nomination paper
23 without the consent of the signers, he shall be guilty of a
24 misdemeanor, and, upon conviction thereof, shall be sentenced to
25 pay a fine not exceeding [five hundred (\$500)] one thousand
26 (\$1,000) dollars, or to undergo imprisonment of not more than
27 [one (1) year] two (2) years, or both, in the discretion of the
28 court.

29 Section 1814. Nomination Petitions; Certificates and Papers;
30 Destruction; Fraudulent Filing; Suppression.--Any person who
31 shall falsely make any nomination certificate or who shall
32 wilfully deface or destroy any nomination petition, nomination
33 certificate or nomination paper, or any part thereof, or any
34 letter of withdrawal, or who shall file any nomination petition,
35 nomination certificate or nomination paper or letter of
36 withdrawal knowing the same, or any part thereof, to be falsely
37 made, or who shall suppress any nomination petition, nomination
38 certificate or nomination paper, or any part thereof, which has
39 been duly filed, shall be guilty of a misdemeanor, and, upon
40 conviction thereof, shall be sentenced to pay a fine not
41 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
42 or to undergo an imprisonment of not more than [one (1) year]
43 two (2) years, or both, in the discretion of the court.

44 Section 1815. Offenses by Printers of Ballots.--Any printer
45 employed by any county board of elections to print any official
46 ballots, or any person engaged in printing the same who shall
47 appropriate to himself or give or deliver or knowingly permit to
48 be taken any of said ballots by any other person than such
49 county board of election or their duly authorized agent, or who
50 shall wilfully print or cause to be printed any official ballot
51 in any form other than that prescribed by such county board or

1 with any other names or printing, or with the names spelled
2 otherwise than as directed by them or the names or printing
3 thereon arranged in any other way than that authorized and
4 directed by this act, shall be guilty of a misdemeanor, and,
5 upon conviction thereof, shall be sentenced to pay a fine not
6 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
7 or to undergo an imprisonment of not less than [six (6) months]
8 one (1) year nor more than [five (5)] ten (10) years, or both,
9 in the discretion of the court.

10 Section 1816. Unlawful Possession of Ballots; Counterfeiting
11 Ballots.--Any person other than an officer charged by law with
12 the care of ballots, or a person entrusted by any such officer
13 with the care of the same for a purpose required by law, who
14 shall have in his possession outside the polling place any
15 official ballot, or any person who shall make or have in his
16 possession any counterfeit of an official ballot, shall be
17 guilty of a misdemeanor of the second degree, and, upon
18 conviction thereof, shall be sentenced to pay a fine not
19 exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
20 dollars, or to undergo an imprisonment of not more than [two
21 (2)] four (4) years, or both, in the discretion of the court.

22 Section 1817. Forging and Destroying Ballots.--Any person
23 who shall forge or falsely make the official endorsement on any
24 ballot or wilfully destroy or deface any ballot or wilfully
25 delay the delivery of any ballots shall be guilty of a
26 misdemeanor of the second degree, and, upon conviction thereof,
27 shall be sentenced to pay a fine not exceeding [five thousand
28 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
29 imprisonment of not more than [two (2)] four (4) years, or both,
30 in the discretion of the court.

31 Section 1818. Tampering with Voting Machines.--Any election
32 officer or other person who shall unlawfully open or who shall
33 tamper with or injure or attempt to injure any voting machine to
34 be used or being used at any primary or election, or who shall
35 prevent or attempt to prevent the correct operation of such
36 machine, or any unauthorized person who shall make or have in
37 his possession a key to a voting machine to be used or being
38 used in any primary or election, shall be guilty of a
39 misdemeanor of the second degree, and, upon conviction thereof,
40 shall be sentenced to pay a fine not exceeding [five thousand
41 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
42 imprisonment of not more than [two (2)] four (4) years, or both,
43 in the discretion of the court.

44 Section 1819. Destroying, Defacing or Removing Notices, Et
45 Cetera.--Any person who shall, prior to any primary or election,
46 wilfully deface, remove or destroy any notice or list of
47 candidates posted in accordance with the provisions of this act,
48 or who, during any primary or election, shall wilfully deface,
49 tear down, remove or destroy any card of instructions, notice of
50 penalties, specimen ballot or diagram printed or posted for the
51 instruction of electors, or who shall, during any primary or

1 election, wilfully remove or destroy any of the supplies or
2 conveniences furnished by the county board of elections to any
3 polling place in order to enable electors to vote, or the
4 election officers to perform their duties, or who shall wilfully
5 hinder the voting of others, shall be guilty of a misdemeanor,
6 and, upon conviction thereof, shall be sentenced to pay a fine
7 not exceeding [one hundred (\$100)] two hundred (\$200) dollars,
8 or to undergo an imprisonment of not more than [three (3)] six
9 (6) months, or both, in the discretion of the court.

10 Section 1820. Police Officers at Polling Places.--Any police
11 officer in commission, whether in uniform or in citizen's
12 clothes, who shall be within one hundred (100) feet of a polling
13 place during the conduct of any primary or election, except in
14 the exercise of his privilege of voting or for the purpose of
15 serving warrants, or in accordance with the provisions of the
16 exception set forth in section 1207 of this act where the police
17 station or headquarters is located in the same building or on
18 the premises where the polling place is located or unless called
19 upon to preserve the peace, as provided by this act, shall be
20 guilty of a misdemeanor, and, upon conviction thereof, shall be
21 sentenced to pay a fine not exceeding [five hundred (\$500)] one
22 thousand (\$1,000) dollars, or to undergo an imprisonment of not
23 more than [one (1) year] two (2) years, or both, in the
24 discretion of the court.

25 Section 1821. Peace Officer; Failure to Quell Disturbances
26 at Polls; Hindering or Delaying Election Officers and Others.--
27 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
28 deputy constable, police officer or other peace officer who
29 shall neglect or refuse to clear an avenue to the door of any
30 polling place which is obstructed in such a way as to prevent
31 electors from approaching, or who shall neglect or refuse to
32 maintain order and quell any disturbance if such arises at any
33 polling place upon the day of any primary or election, when
34 called upon so to do by any election officer or any three
35 qualified electors of the election district, or who shall
36 wilfully hinder or delay, or attempt to hinder or delay, any
37 judge, inspector or clerk of election, machine inspector or
38 overseer in the performance of any duty under this act, shall be
39 guilty of a misdemeanor in office, and, upon conviction thereof,
40 shall be sentenced to pay a fine not exceeding [one thousand
41 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
42 imprisonment of not more than [one (1) year] two (2) years, or
43 both, in the discretion of the court.

44 Section 1823. Election Officers Permitting Unregistered
45 Electors to Vote; Challenges; Refusing to Permit Qualified
46 Electors to Vote.--Any judge or inspector of election who
47 permits any person to vote at any primary or election who is not
48 registered in accordance with law, except a person in actual
49 military service or a person as to whom a court of competent
50 jurisdiction has ordered that he shall be permitted to vote, or
51 who permits any registered elector to vote knowing that such

1 registered elector is not qualified to vote, whether or not such
2 person has been challenged, or who permits any person who has
3 been lawfully challenged to vote at any primary or election
4 without requiring the proof of the right of such person to vote
5 which is required by law, or who refuses to permit any duly
6 registered and qualified elector to vote at any primary or
7 election, with the knowledge that such elector is entitled to
8 vote, shall be guilty of a felony of the third degree, and, upon
9 conviction thereof, shall be sentenced to pay a fine not
10 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
11 dollars, and to undergo an imprisonment of not more than [seven
12 (7)] fourteen (14) years, or both.

13 Section 1824. Election Officers Refusing to Permit Elector
14 to Vote in Proper Party at Primaries.--Any judge, inspector or
15 clerk of election who refuses to permit an elector at any
16 primary at which ballots are used to receive the ballot of the
17 party with which he is enrolled, or who gives to any such
18 elector the ballot of any party in which he is not enrolled, or
19 any judge, or inspector of election, or machine inspector who,
20 at any primary at which voting machines are used, adjusts any
21 voting machine about to be used by an elector so as not to
22 permit him to vote for the candidates of the party in which he
23 is enrolled, or so as to permit him to vote for the candidates
24 of any party in which he is not enrolled, shall be guilty of a
25 misdemeanor of the first degree, and, upon conviction thereof,
26 shall be sentenced to pay a fine not exceeding [ten thousand
27 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
28 imprisonment of not more than [five (5)] ten (10) years, or
29 both, in the discretion of the court.

30 Section 1825. Frauds by Election Officers.--Any judge,
31 inspector or clerk of election or machine inspector who shall be
32 guilty of any wilful fraud in the conduct of his duties at a
33 primary or election, and any person who shall make a false
34 return of the votes cast at any primary or election, or who
35 shall deposit fraudulent ballots in the ballot box or certify as
36 correct a return of ballots in the ballot box which he knows to
37 be fraudulent, or who shall register fraudulent votes upon any
38 voting machine or certify as correct a return of votes cast upon
39 any voting machine which he knows to be fraudulently registered
40 thereon, or who shall make any false entries in the district
41 register, or who shall fail to insert in the voting check list
42 the voter's certificate of any elector actually voting at any
43 primary or election, or who shall fail to record voting
44 information as required herein, or who shall fail to insert in
45 the numbered lists of voters the name of any person actually
46 voting, or who shall wilfully destroy or alter any ballot,
47 voter's certificate, or registration card contained in any
48 district register, or who shall wilfully tamper with any voting
49 machine, or who shall prepare or insert in the voting check list
50 any false voter's certificates not prepared by or for an elector
51 actually voting at such primary or election, for the purpose of

1 concealing the destruction or removal of any voter's
2 certificate, or for the purpose of concealing the deposit of
3 fraudulent ballots in the ballot box, or the registering of
4 fraudulent votes upon any voting machine or of aiding in the
5 perpetration of any such fraud, or who shall fail to return to
6 the county board of election following any primary or election
7 any keys of a voting machine, ballot box, general or duplicate
8 return sheet, tally paper, oaths of election officers,
9 affidavits of electors and others, record of assisted voters,
10 numbered list of voters, district register, voting check list,
11 unused, spoiled and cancelled ballots, ballots deposited,
12 written or affixed in or upon a voting machine, or any
13 certificate, or any other paper or record required to be
14 returned under the provisions of this act; or who shall conspire
15 with others to commit any of the offenses herein mentioned, or
16 in any manner to prevent a free and fair primary or election,
17 shall be guilty of a felony of the third degree, and, upon
18 conviction thereof, shall be sentenced to pay a fine not
19 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
20 dollars, or to undergo an imprisonment of not more than [seven
21 (7)] fourteen (14) years, or both, in the discretion of the
22 court.

23 Section 1826. Prying into Ballots.--Any judge, inspector or
24 clerk of election, or other person, who, before any ballot is
25 deposited in the ballot box as provided by this act, shall
26 unfold, open or pry into any such ballot, with the intent to
27 discover the manner in which the same has been marked, shall be
28 guilty of a misdemeanor, and upon conviction thereof, shall be
29 sentenced to pay a fine not exceeding [five hundred (\$500)] one
30 thousand (\$1,000) dollars, or to undergo an imprisonment of not
31 more than [one (1) year] two (2) years, or both, in the
32 discretion of the court.

33 Section 1827. Interference with Primaries and Elections;
34 Frauds; Conspiracy.--If any person shall prevent or attempt to
35 prevent any election officers from holding any primary or
36 election, under the provisions of this act, or shall use or
37 threaten any violence to any such officer; or shall interrupt or
38 improperly interfere with him in the execution of his duty; or
39 shall block up or attempt to block up the avenue to the door of
40 any polling place; or shall use or practice any intimidation,
41 threats, force or violence with design to influence unduly or
42 overawe any elector, or to prevent him from voting or restrain
43 his freedom of choice; or shall prepare or present to any
44 election officer a fraudulent voter's certificate not signed in
45 the polling place by the elector whose certificate it purports
46 to be; or shall deposit fraudulent ballots in the ballot box; or
47 shall register fraudulent votes upon any voting machine; or
48 shall tamper with any district register, voting check list,
49 numbered lists of voters, ballot box or voting machine; or shall
50 conspire with others to commit any of the offenses herein
51 mentioned, or in any manner to prevent a free and fair primary

1 or election, he shall be guilty of a felony of the third degree,
2 and, upon conviction thereof, shall be sentenced to pay a fine
3 not exceeding [fifteen thousand (\$15,000)] twenty thousand
4 (\$20,000) dollars, or to undergo an imprisonment of not more
5 than [seven (7)] fourteen (14) years, or both, in the discretion
6 of the court.

7 Section 1828. Persons Interfering in Other Districts.--Any
8 person who shall on the day of any primary or election visit any
9 polling place at which he is not entitled to vote and at which
10 he is not entitled to be present under any provision of this
11 act, and shall use any intimidation or violence for the purpose
12 of preventing any election officer from performing the duties
13 required of him by this act, or for the purpose of preventing
14 any qualified elector from exercising his right to vote or from
15 exercising his right to challenge any person offering to vote,
16 or for the purpose of influencing the vote of any elector, he
17 shall be guilty of a felony of the third degree, and, upon
18 conviction thereof, shall be sentenced to pay a fine not
19 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
20 dollars, or to undergo an imprisonment of not more than [seven
21 (7)] fourteen (14) years, or both, in the discretion of the
22 court.

23 Section 1829. Assault and Battery at Polls.--Any person who
24 shall unlawfully strike, wound or commit an assault and battery
25 upon the person of any elector at or near the polling place
26 during the time of any primary or election shall be guilty of a
27 misdemeanor of the first degree, and, upon conviction thereof,
28 shall be sentenced to pay a fine not exceeding [ten thousand
29 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
30 imprisonment of not more than [five (5)] ten (10) years, or
31 both, in the discretion of the court.

32 Section 1830. Unlawful Assistance in Voting.--Any elector at
33 any primary or election who shall allow his ballot or the face
34 of the voting machine voted by him to be seen by any person with
35 the apparent intention of letting it be known how he is about to
36 vote; or in districts in which ballots are used, shall cast or
37 attempt to cast any other than the official ballot which has
38 been given to him by the proper election officer; or who,
39 without having made the declaration under oath or affirmation
40 required by section 1218 of this act, or when the disability
41 which he declared before any registration commission no longer
42 exists, shall permit another to accompany him into the voting
43 compartment or voting machine booth, or to mark his ballot or
44 prepare the voting machine for voting by him; or who shall mark
45 his ballot or prepare the voting machine for voting while
46 another is unlawfully present in the voting machine compartment
47 or voting machine booth with him; or who shall state falsely to
48 any election officer that because of illiteracy he is unable to
49 read the names on the ballot or ballot labels or that by reason
50 of physical disability he cannot see or mark the ballot or enter
51 the voting compartment without assistance or that he cannot see

1 or operate the voting machine or enter the voting machine booth
2 without assistance; or who shall state, as his reason for
3 requiring assistance, a disability from which he does not
4 suffer; or any person who shall go into the voting compartment
5 or voting machine booth with another while voting or be present
6 therein while another is voting, or mark the ballot of another
7 or prepare the voting machine for voting with another, except in
8 strict accordance with the provisions of this act; or any person
9 who shall interfere with any elector when inside the enclosed
10 space or when marking his ballot, or preparing the voting
11 machine for voting, or who shall endeavor to induce any elector
12 before depositing his ballot to show how he marks or has marked
13 his ballot; or any person giving assistance who shall attempt to
14 influence the vote of the elector whom he is assisting or who
15 shall mark a ballot or prepare a voting machine for voting in
16 any other way than that requested by the voter whom he is
17 assisting, or who shall disclose to anyone the contents of any
18 ballot which has been marked or any voting machine which has
19 been prepared for voting with his assistance, except when
20 required to do so in any legal proceeding, shall be guilty of a
21 misdemeanor, and, upon conviction thereof, shall be sentenced to
22 pay a fine not exceeding [one thousand (\$1,000)] two thousand
23 (\$2,000) dollars, or to undergo an imprisonment of not more than
24 [one (1) year] two (2) years, or both, in the discretion of the
25 court.

26 Section 1831. Election Officers Permitting Unlawful
27 Assistance.--Any election officer who shall permit a voter to be
28 accompanied by another into the voting compartment or voting
29 machine booth when the registration card of such person contains
30 no declaration that such person requires assistance, or when
31 such person has not made, under oath or affirmation, the
32 statement required by section 1218 of this act, or when such
33 election officer knows that the disability which the elector
34 declared before any registration commission no longer exists, or
35 who shall permit any person to accompany an elector into the
36 voting compartment or voting machine booth, except as provided
37 by this act, shall be guilty of a misdemeanor, and, upon
38 conviction thereof, shall be sentenced to pay a fine not
39 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
40 or to undergo an imprisonment of not more than [one (1) year]
41 two (2) years, or both, in the discretion of the court.

42 Section 1832. Failure to Keep and Return Record of Assisted
43 Voters.--Any judge of election who shall fail to record, as
44 required by section 1218 (c) of this act, the name of each
45 elector who received assistance or who is accompanied by another
46 into the voting compartment or voting machine booth; or who
47 shall insert in the record of assisted voters the name of any
48 elector who does not receive assistance or is not accompanied by
49 another into the voting compartment or voting machine booth; or
50 who shall fail to record the exact disability of any assisted
51 elector which makes the assistance necessary, or shall record in

1 respect of any assisted elector a disability, other than that
2 stated by the elector; or who shall fail to record the name of
3 each person rendering assistance to an elector as prescribed by
4 this act; or who shall knowingly record as the name of such
5 person giving assistance a name which is not the name of such
6 person; or who shall fail or neglect to return the record of
7 assisted voters to the county board of elections as required by
8 this act, shall be guilty of a misdemeanor, and, upon conviction
9 thereof, shall be sentenced to pay a fine not exceeding [one
10 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
11 an imprisonment of not less than [two (2)] four (4) months nor
12 more than [two (2)] four (4) years, or both, in the discretion
13 of the court.

14 Section 1833. Unlawful Voting.--Any person who votes or
15 attempts to vote at any primary or election, knowing that he
16 does not possess all the qualifications of an elector at such
17 primary or election, as set forth in this act, shall be guilty
18 of a misdemeanor of the first degree, and, upon conviction
19 thereof, shall be sentenced to pay a fine not exceeding [ten
20 thousand (\$10,000)] twenty thousand (\$20,000) dollars, or to
21 undergo an imprisonment of not more than [five (5)] ten (10)
22 years, or both, in the discretion of the court.

23 Section 1834. Elector Voting Ballot of Wrong Party at
24 Primary.--Any elector who shall wilfully vote at any primary the
25 ballot of a party in which he is not enrolled, in violation of
26 the provisions of this act, shall be guilty of a misdemeanor of
27 the second degree, and, upon conviction thereof, shall be
28 sentenced to pay a fine not exceeding [five thousand (\$5,000)]
29 ten thousand (\$10,000) dollars, or to undergo an imprisonment of
30 not more than [two (2)] four (4) years, or both, in the
31 discretion of the court.

32 Section 1835. Repeat Voting at Elections.--If any person
33 shall vote in more than one election district, or otherwise
34 fraudulently vote more than once at the same primary or
35 election, or shall vote a ballot other than the ballot issued to
36 him by the election officers, or shall advise or procure another
37 so to do, he shall be guilty of a felony of the third degree,
38 and, upon conviction thereof, shall be sentenced to pay a fine
39 not exceeding [fifteen thousand (\$15,000)] thirty thousand
40 (\$30,000) dollars, or to undergo an imprisonment of not more
41 than [seven (7)] fourteen (14) years, or both, in the discretion
42 of the court.

43 Section 1836. Removing Ballots.--Any person removing any
44 ballot from any book of official ballots, except in the manner
45 provided by this act, shall be guilty of a misdemeanor of the
46 second degree, and, upon conviction thereof, shall be sentenced
47 to pay a fine not exceeding [five thousand (\$5,000)] ten
48 thousand (\$10,000) dollars, or to undergo an imprisonment of not
49 more than [two (2)] four (4) years, or both, in the discretion
50 of the court.

51 Section 1837. Commissioners to Take Soldiers' Votes.--Any

1 commissioner appointed by or under the provisions of Article
2 XIII of this act who shall knowingly violate his duty or
3 knowingly omit or fail to do his duty thereunder or violate any
4 part of his oath, shall be guilty of perjury, and, upon
5 conviction thereof, shall be sentenced to pay a fine not
6 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
7 or to undergo an imprisonment of not more than [one (1) year]
8 two (2) years, or both, in the discretion of the court.

9 Section 1838. Fraudulent Voting by Soldiers.--Any person who
10 shall vote or attempt to vote at any election by electors in
11 military service under the provisions of Article XIII of this
12 act, not being qualified to vote at such election, shall be
13 guilty of a misdemeanor, and, upon conviction thereof, shall be
14 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
15 two thousand (\$2,000) dollars, or to undergo an imprisonment of
16 not more than [one (1) year] two (2) years, or both, in the
17 discretion of the court.

18 Section 1839. Bribery at Elections.--Any person who shall,
19 directly or indirectly, give or promise or offer to give any
20 gift or reward in money, goods or other valuable thing to any
21 person, with intent to induce him to vote or refrain from voting
22 for any particular candidate or candidates or for or against any
23 constitutional amendment or other question at any primary or
24 election; or who shall, directly or indirectly, procure for or
25 offer or promise to procure for such person any such gift or
26 reward with the intent aforesaid; or, who with the intent to
27 influence or intimidate such person to give his vote or to
28 refrain from giving his vote for any particular candidate or
29 candidates or for or against any constitutional amendment or
30 other question at any primary or election, shall give to or
31 obtain for or assist in obtaining for or offer or promise to
32 give to or obtain for or assist in obtaining for such person any
33 office, place, appointment or employment, public or private, or
34 threaten such person with dismissal or discharge from any
35 office, place, appointment or employment, public or private,
36 then held by him, shall be guilty of a felony of the third
37 degree, and, upon conviction thereof, shall be sentenced to pay
38 a fine not exceeding [fifteen thousand (\$15,000)] thirty
39 thousand (\$30,000) dollars, or to undergo an imprisonment of not
40 more than [seven (7)] fourteen (14) years, or both, in the
41 discretion of the court.

42 Section 1840. Receipts and Disbursements of Primary and
43 Election Expenses by Persons Other Than Candidates and
44 Treasurers.--Any member of a political committee who shall
45 receive or disburse any money or incur any liability for primary
46 or election expenses, except through the treasurer of such
47 political committee, and any person not a candidate or member of
48 a political committee who shall receive or disburse any money or
49 incur any liability for primary or election expenses, shall be
50 guilty of a misdemeanor, and, upon conviction thereof, shall be
51 sentenced to pay a fine not exceeding [one thousand (\$1,000)]

1 two thousand (\$2,000) dollars, or to undergo an imprisonment of
2 not less than [one (1) month] two (2) months nor more than [two
3 (2)] four (4) years, or both, in the discretion of the court.

4 Section 1841. Receipts of Primary and Election Expenses by
5 Unauthorized Persons.--Any person or any political committee who
6 receives money on behalf of any candidate without being
7 authorized to do so under the provisions of section 1623, shall
8 be guilty of a misdemeanor, and, upon conviction thereof, shall
9 be sentenced to pay a fine not exceeding [five thousand dollars
10 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
11 imprisonment of not less than [one (1) month] two (2) months nor
12 more than [two (2)] four (4) years, or both, in the discretion
13 of the court.

14 Section 1843. Contributions by Corporations or
15 Unincorporated Associations.--Any corporation or unincorporated
16 association, which shall pay, give or lend or agree to pay, give
17 or lend any money belonging to such corporation or
18 unincorporated association or in its custody or control, in
19 violation of the provisions of section 1633, shall be guilty of
20 a misdemeanor, and, upon conviction thereof, shall be sentenced
21 to pay a fine of not less than [one thousand dollars (\$1,000)]
22 two thousand dollars (\$2,000) nor more than [ten thousand
23 dollars (\$10,000)] twenty thousand dollars (\$20,000). Any
24 director, officer, agent or employe of any corporation or
25 unincorporated association who shall on behalf of such
26 corporation or unincorporated association pay, give or lend or
27 authorize to be paid, given or lent any money belonging to such
28 corporation or unincorporated association or in its custody or
29 control in violation of the provisions of section 1633, shall be
30 guilty of a misdemeanor, and, upon conviction thereof, shall be
31 sentenced to pay a fine not exceeding [ten thousand dollars
32 (\$10,000)] twenty thousand dollars (\$20,000), or to undergo an
33 imprisonment of not less than [one (1) month] two (2) months nor
34 more than [two (2)] four (4) years, or both, in the discretion
35 of the court.

36 Section 1845. Failure to File Expense Account.--Any
37 candidate or treasurer of a political committee or person acting
38 as such treasurer who shall fail to file an account of primary
39 or election expenses, as required by this act, shall be guilty
40 of a misdemeanor, and, upon conviction thereof, shall be
41 sentenced to pay a fine not exceeding [five thousand dollars
42 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
43 imprisonment of not less than [one (1) month] two (2) months nor
44 more than [two (2)] four (4) years, or both, in the discretion
45 of the court.

46 Section 1847. Prohibiting Duress and Intimidation of Voters
47 and Interference with the Free Exercise of the Elective
48 Franchise.--Any person or corporation who, directly or
49 indirectly--(a) uses or threatens to use any force, violence or
50 restraint, or inflicts or threatens to inflict any injury,
51 damage, harm or loss, or in any other manner practices

1 intimidation or coercion upon or against any person, in order to
2 induce or compel such person to vote or refrain from voting at
3 any election, or to vote or refrain from voting for or against
4 any particular person, or for or against any question submitted
5 to voters at such election, or to place or cause to be placed or
6 refrain from placing or causing to be placed his name upon a
7 register of voters, or on account of such person having voted or
8 refrained from voting at such election, or having voted or
9 refrained from voting for or against any particular person or
10 persons or for or against any question submitted to voters at
11 such election, or having registered or refrained from
12 registering as a voter; or (b) by abduction, duress or coercion,
13 or any forcible or fraudulent device or contrivance, whatever,
14 impedes, prevents, or otherwise interferes with the free
15 exercise of the elective franchise by any voter, or compels,
16 induces, or prevails upon any voter to give or refrain from
17 giving his vote for or against any particular person at any
18 election; or (c) being an employer, pays his employes the salary
19 or wages due in "pay envelopes" upon which or in which there is
20 written or printed any political motto, device, statement or
21 argument containing threats, express or implied, intended or
22 calculated to influence the political opinions or actions of
23 such employes, or within ninety days of any election or primary
24 puts or otherwise exhibits in the establishment or place where
25 his employes are engaged in labor, any handbill or placard
26 containing any threat, notice, or information that if any
27 particular ticket or candidate is elected or defeated work in
28 his place or establishment will cease, in whole or in part, his
29 establishment be closed up, or the wages of his employes
30 reduced, or other threats, express or implied, intended or
31 calculated to influence the political opinions or actions of his
32 employes, shall be guilty of a misdemeanor of the second degree.
33 Any person or corporation, convicted of a violation of any of
34 the provisions of this section, shall be sentenced to pay a fine
35 not exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
36 dollars, or such person or the officers, directors or agents of
37 such corporation responsible for the violation of this section,
38 shall be sentenced to undergo an imprisonment of not more than
39 [two (2)] four (4) years, or both, in the discretion of the
40 court.

41 Section 1848. Failure to Perform Duty.--Any Secretary of the
42 Commonwealth, member of a county board of elections, chief
43 clerk, employe, overseer, judge of election, inspector of
44 election, clerk of election, machine inspector or custodian or
45 deputy custodian of voting machines on whom a duty is laid by
46 this act who shall wilfully neglect or refuse to perform his
47 duty, shall be guilty of a misdemeanor, and, upon conviction
48 thereof, shall be sentenced to pay a fine not exceeding [one
49 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
50 an imprisonment of not more than [two (2)] four (4) years, or
51 both, in the discretion of the court.

1 Section 1849. Hindering or Delaying Performance of Duty.--
2 Any person who intentionally interferes with, hinders or delays
3 or attempts to interfere with, hinder or delay any other person
4 in the performance of any act or duty authorized or imposed by
5 this act, shall be guilty of a misdemeanor, and, upon conviction
6 thereof, shall be sentenced to pay a fine not exceeding [five
7 hundred (\$500)] one thousand (\$1,000) dollars, or to undergo an
8 imprisonment of not more than [one (1) year] two (2) years, or
9 both, in the discretion of the court.

10 Section 1850. Violation of Any Provision of Act.--Any person
11 who shall violate any of the provisions of this act, for which a
12 penalty is not herein specifically provided, shall be guilty of
13 a misdemeanor, and, upon conviction thereof, shall be sentenced
14 to pay a fine not exceeding [one thousand (\$1,000)] two thousand
15 (\$2,000) dollars, or to undergo an imprisonment of not more than
16 [one (1) year] two (2) years, or both, in the discretion of the
17 court.

18 Section 17. Section 1853 of the act, amended March 27, 2020
19 (P.L.41, No.12), is amended to read:

20 Section 1853. Violations of Provisions Relating to Absentee
21 and Mail-in Ballots.--If any person shall sign an application
22 for absentee ballot, mail-in ballot or declaration of elector on
23 the forms prescribed knowing any matter declared therein to be
24 false, or shall vote any ballot other than one properly issued
25 to the person, or vote or attempt to vote more than once in any
26 election for which an absentee ballot or mail-in ballot shall
27 have been issued to the person, or shall disclose results of a
28 pre-canvassing meeting under section 1308(g)(1.1), or shall
29 violate any other provisions of Article XIII or Article XIII-D
30 of this act, the person shall be guilty of a misdemeanor of the
31 third degree, and, upon conviction, shall be sentenced to pay a
32 fine not exceeding [two thousand five hundred dollars (\$2,500)]
33 five thousand dollars (\$5,000), or be imprisoned for a term not
34 exceeding [two (2)] four (4) years, or both, at the discretion
35 of the court.

36 If any chief clerk or member of a board of elections, member
37 of a return board or member of a board of registration
38 commissioners, shall neglect or refuse to perform any of the
39 duties prescribed by Article XIII or Article XIII-D of this act,
40 or shall reveal or divulge any of the details of any ballot cast
41 in accordance with the provisions of Article XIII or Article
42 XIII-D of this act, or shall disclose results of a pre-
43 canvassing meeting under section 1308(g)(1.1), or shall count an
44 absentee ballot or mail-in ballot knowing the same to be
45 contrary to Article XIII or Article XIII-D, or shall reject an
46 absentee ballot or mail-in ballot without reason to believe that
47 the same is contrary to Article XIII or Article XIII-D, or shall
48 permit an elector to cast the elector's ballot other than a
49 provisional ballot at a polling place knowing that there has
50 been issued to the elector an absentee ballot or mail-in ballot,
51 the [elector] individual shall be guilty of a felony of the

1 third degree, and, upon conviction, shall be punished by a fine
2 not exceeding [fifteen thousand dollars (\$15,000)] thirty
3 thousand dollars (\$30,000), or be imprisoned for a term not
4 exceeding [seven (7)] fourteen (14) years, or both, at the
5 discretion of the court.

6 Section 18. The act is amended by adding a section to read:

7 Section 1855. Unlawful Collection of Ballots.--A person who
8 willfully collects or returns absentee or mail-in ballots in
9 violation of this act commits a felony of the third degree and,
10 upon conviction, shall be punished by a fine not exceeding
11 thirty thousand dollars (\$30,000), or be imprisoned for a term
12 not exceeding fourteen (14) years, or both, at the discretion of
13 the court.

14 Section 19. The act is amended by adding an article to read:

15 ARTICLE XX

16 REIMBURSEMENTS

17 Section 2001. General rule.

18 The following shall apply:

19 (1) The State Treasurer shall reimburse counties for 50%
20 of the cost of replacing voting machines or ballot processing
21 machines, not more than once every 10 years, except that:

22 (i) The State Treasurer shall reimburse counties for
23 50% of the cost of replacing equipment at any time if the
24 equipment previously used by the county was decertified
25 by the department.

26 (ii) The State Treasurer shall reimburse counties
27 for 100% of the cost of purchasing ballot processing
28 machines within one year after the effective date of this
29 section.

30 (2) The State Treasurer shall reimburse counties for
31 100% of the cost of issuing registration cards required under
32 section 302(s), within one year of the effective date of this
33 section.

34 Section 2002. (Reserved).

35 Section 20. This act shall apply to elections held on or
36 after the effective date of this section.

37 Section 21. This act shall take effect immediately.