

AMENDMENTS TO HOUSE BILL NO. 1800

Sponsor: REPRESENTATIVE CONKLIN

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1 Amend Bill, page 1, lines 1 through 30; page 2, lines 1
2 through 60; page 3, lines 1 through 51; by striking out all of
3 said lines on said pages and inserting
4 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
5 "An act concerning elections, including general, municipal,
6 special and primary elections, the nomination of candidates,
7 primary and election expenses and election contests; creating
8 and defining membership of county boards of elections;
9 imposing duties upon the Secretary of the Commonwealth,
10 courts, county boards of elections, county commissioners;
11 imposing penalties for violation of the act, and codifying,
12 revising and consolidating the laws relating thereto; and
13 repealing certain acts and parts of acts relating to
14 elections," in preliminary provisions, further providing for
15 definitions; in district election officers, further providing
16 for compensation of district election officers; in election
17 districts and polling places, providing for ballot return
18 sites; providing for electronic poll books and for electronic
19 poll books and election infrastructure equipment bonds; in
20 preparation for and conduct of primaries and elections,
21 further providing for manner of applying to vote, persons
22 entitled to vote, voter's certificates, entries to be made in
23 district register, numbered lists of voters and challenges
24 and for deadline for receipt of valid voter registration
25 application; providing for early voting in elections; in
26 voting by qualified absentee electors, further providing for
27 date of application for absentee ballot, for approval of
28 application for absentee ballot, for envelopes for official
29 absentee ballots, for voting by absentee electors and for
30 canvassing of official absentee ballots and mail-in ballots;
31 in voting by qualified mail-in electors, further providing
32 for date of application for mail-in ballots, for approval of
33 application for mail-in ballot, for envelopes for official
34 mail-in ballots and for voting by mail-in electors; and
35 making an editorial change.
36 Amend Bill, page 3, lines 54 and 55; pages 4 through 182,

1 lines 1 through 30; page 183, lines 1 through 16; by striking
2 out all of said lines on said pages and inserting

3 Section 1. Section 102 of the act of June 3, 1937 (P.L.1333,
4 No.320), known as the Pennsylvania Election Code, is amended by
5 adding subsections to read:

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

9 * * *

10 (z.7) The words "ballot drop box" shall mean a secure
11 receptacle established by a county board of elections or county
12 election official by which a voted absentee ballot or mail-in
13 ballot may be deposited by hand by the voter, including language
14 about tampering, and constructed to withstand vandalism by being
15 capable of securely receiving and holding the absentee ballots
16 and mail-in ballots and being locked, with a clearly identified
17 ballot insertion slot and a unique identifying number.

18 (z.8) The words "public university" shall mean an
19 institution of the Pennsylvania State System of Higher Education
20 established under section 2002-A of the act of March 10, 1949
21 (P.L.30, No.14), known as the Public School Code of 1949, and a
22 State-related university as defined in section 4(d) of the act
23 of November 26, 1997 (P.L.508, No.55), known as the Institutions
24 of Purely Public Charity Act.

25 (z.9) The words "community college" shall mean a public
26 college or technical institute which is established and operated
27 in accordance with the provisions of section 1901-A of the
28 Public School Code of 1949, by a local sponsor which provides a
29 two-year, postsecondary, college parallel, terminal general,
30 terminal technical, out of school-youth or adult education
31 program or any combination of the programs.

32 Section 2. Section 412.2(a) of the act is amended to read:

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

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

39 * * *

40 Section 3. Article V heading of the act is amended to read:

41 ARTICLE V

42 Election Districts [and], Polling Places and Ballot Drop Boxes

43 Section 4. Article V of the act is amended by adding a
44 subarticle to read:

45 (b.1) Ballot Drop Boxes

46 Section 531.1. Drop Off Locations to be Selected by County
47 Board of Elections.--(a) The county board of elections shall
48 select and fix the ballot drop box locations within each county
49 and may, at any time, for any reason, change the ballot drop box

1 locations within the county.

2 (1) The county board of elections shall inform the secretary
3 of the ballot drop box locations at least sixty-five days prior
4 to the primary election, special election, municipal election or
5 general election.

6 (2) The county board of elections shall publicly announce,
7 not less than fifty-five days prior to any primary election,
8 special election, municipal election or general election, by
9 posting at its office in a conspicuous place and prominently
10 featured on the county's publicly accessible Internet website, a
11 list of the ballot drop box locations within the county. The
12 list must include the address, dates and hours of operation of
13 the ballot drop boxes, ballot return deadline, contact
14 information for the county board of elections and accessibility
15 information. The list shall be available for public inspection
16 at the office of the county board of elections.

17 (3) If an additional ballot drop box is added, or a ballot
18 drop box is moved, the county board of elections must notify the
19 secretary immediately and simultaneously update the county's
20 publicly accessible Internet website with the new locations.

21 (b) Each county must provide at least two ballot drop boxes
22 within the county for each primary election, special election,
23 municipal election or general election. The ballot drop boxes
24 must be arrayed throughout the county in a manner that provides
25 for the greatest convenience for electors. Each ballot drop box
26 must be on sites that meet the accessibility requirements
27 applicable to polling places. A ballot drop box shall be
28 considered accessible if it is in compliance with the Americans
29 with Disabilities Act of 1990 (Public Law 101-336, 104 Stat.
30 327). The county board of elections may add additional ballot
31 drop boxes, as necessary. Nothing in this section shall limit
32 counties to only two ballot drop boxes if the county board of
33 elections deems additional ballot drop boxes are necessary.

34 (c) In addition to the requirements under subsection (b),
35 for a primary election, special election, municipal election or
36 general election there must be a minimum number of ballot drop
37 boxes equal to at least one ballot drop box for every 50,000
38 residents of the county as determined by the most recent Federal
39 decennial census, and each annual American Community Survey
40 (ACS) population update.

41 (d) A minimum of one ballot drop box must be within one mile
42 of each public university or community college that has five
43 thousand or more enrolled students. At least one ballot drop box
44 shall be on each campus of a public university or college campus
45 that has ten thousand or more enrolled students. The following
46 shall apply:

47 (1) As used in this subsection, the number of enrolled
48 students at a campus shall be the highest number of full-time,
49 part-time, graduate and undergraduate students, not including
50 students solely registered for online courses, during the fall
51 semester of the year of the previous general election according

1 to the data collected by the Department of Education.

2 (2) The data collected by the Secretary of Education shall
3 be reported to the secretary, on or before December 1 prior to
4 each general election year. The secretary shall determine from
5 the data which public university or community colleges meet the
6 enrollment thresholds and notify each respective county board of
7 elections at least eighty-five days prior to any election.

8 Section 531.2. Signage, Hours of Operation and Security.--

9 (a) Each ballot drop box must be labeled "Official Ballot Drop
10 Box" and must include the following:

11 (1) Specific points identifying the slot where ballots are
12 to be inserted. A ballot drop box may have more than one ballot
13 slot.

14 (2) Language stating counterfeiting, forging, tampering with
15 or destroying ballots is a second-degree misdemeanor under
16 sections 1816 and 1817 of this act.

17 (3) A statement that third-party return of a ballot is
18 prohibited unless the individual returning the ballot:

19 (i) is rendering assistance to a disabled voter or an
20 emergency absentee voter as authorized by law; or

21 (ii) is a member of the same household as the voter and the
22 third-party is registered at the same residential address and
23 unit number.

24 (4) A statement requesting that the designated county
25 elections official shall be notified immediately if the ballot
26 drop box is full, not functioning or is damaged, including a
27 telephone number and email address for the designated county
28 elections official.

29 (b) While available, the ballot drop box shall be securely
30 fastened to a stationary surface, an immovable object or placed
31 behind a counter. The ballot drop box shall be secured by a lock
32 and shall include a tamper-evident seal. Only the county board
33 of elections, the county election official, county election
34 official staff or another individual designated by the county
35 election official shall have access to the means to unfasten the
36 lock.

37 (c) Ballot drop boxes must be made available for use by the
38 voter no less than forty days prior to a primary election,
39 special election, municipal election or general election.

40 (d) On the date of any primary election, special election,
41 municipal election or general election, the ballot drop box
42 shall be closed when the election ends at eight o'clock P.M.

43 Section 531.3. Removal of Absentee Ballots and Mail-In
44 Ballots.--(a) Absentee and mail-in ballots must be removed from
45 each ballot drop box at least once every twenty-four hours,
46 excluding Saturdays and Sundays, by at least two people
47 designated by the county board of elections or the county
48 election official. Each person removing ballots from any ballot
49 drop box shall display proper identification.

50 (b) As directed by the secretary, each county board of
51 elections shall develop ballot collection and chain of custody

1 procedures. Each county shall create and use a form entitled the
2 Ballot Drop Box Collection Form when retrieving absentee ballots
3 and mail-in ballots from the ballot drop boxes.

4 (c) A Ballot Drop Box Collection Form must be completed and
5 signed by the county designees each time absentee ballots and
6 mail-in ballots are removed from a ballot drop box. A Ballot
7 Drop Box Collection Form must include spaces for the following
8 information:

9 (1) The ballot drop box location and the unique identifying
10 number of the ballot drop box.

11 (2) The date and time ballots were emptied from the ballot
12 drop box.

13 (3) The names of the individuals removing the ballots from
14 the ballot drop box and the name of the individual who secured
15 and relocked the ballot drop box.

16 (4) The name of the county election official or designee
17 receiving the secured transport container.

18 (5) The date and time the county election official or
19 designee received the secured transport container.

20 (6) The number of ballots delivered in the secured transport
21 container.

22 (7) An area to mark if there is evidence of tampering on the
23 secured transport container.

24 (d) Absentee ballots and mail-in ballots from ballot drop
25 boxes must be returned to the county board of elections in
26 secured transport containers and immediately taken to a secure
27 location established by the county board of elections. The
28 county election official or the official's designee shall take
29 control of the secured transport container and inspect the
30 container for tampering. The county election official or
31 official's designee shall complete the Ballot Drop Box
32 Collection Form.

33 (e) An individual may not interfere with the emptying of
34 ballot drop boxes. An individual who interferes with the removal
35 of ballots from a ballot drop box or inhibits or prevents a
36 voter or authorized agent from lawfully depositing a ballot
37 commits a criminal offense under section 1849.

38 Section 531.4. Canvassing of Ballots Collected from Ballot
39 Drop Boxes.--Each absentee ballot and mail-in ballot removed
40 from a ballot drop box shall be canvassed in accordance with
41 section 1308.

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

43 ARTICLE XI-C

44 ELECTRONIC POLL BOOKS

45 Section 1101-C. Definitions.

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

49 "Board." The county board of elections.

50 "Department." The Department of State of the Commonwealth.

51 "Electronic poll books." A secure and self-contained

1 electronic record system, consisting of hardware components
2 procured by a board and a software component distributed by the
3 secretary, constituting the voters' certificates, voting check
4 list, numbered lists of voters and district register, for an
5 election district or for use with multiple election districts,
6 that:

7 (1) receives and stores electronically the signature of
8 voters appearing to vote and any other necessary voter
9 information;

10 (2) securely downloads and uploads voter information in
11 concert with county voter management systems;

12 (3) allows real-time tracking of voters for updates to
13 voter histories; and

14 (4) meets the standards published by the secretary under
15 section 1103-C.

16 "Secretary." The Secretary of the Commonwealth.

17 "SURE system." The Statewide Uniform Registry of Electors
18 established under 25 Pa.C.S. § 1222 (relating to SURE system).
19 Section 1102-C. Use.

20 Each board shall use electronic poll books that meet the
21 minimum standards published by the secretary under section 1103-
22 C for each primary and election held after December 31, 2024.
23 Electronic poll books shall replace paper-based poll books and
24 shall be used as all of the following in each voting location
25 allowed for by law in this Commonwealth:

26 (1) Voters' certificates.

27 (2) Voting check lists.

28 (3) Numbered lists of voters.

29 (4) District registers.

30 (5) For the management of election district voter rolls
31 during elections.

32 Section 1103-C. Standards.

33 The secretary, in coordination with the Office of
34 Administration and Office of Information Technology, shall
35 establish and publish requirements and specifications which
36 shall define the minimum standards required of electronic poll
37 books to ensure interoperability with the SURE system. The
38 requirements and specifications may include system
39 compatibility, screen size, security standards, signature
40 capture requirements, voter data fields and any other
41 requirements identified as necessary to meet the needs for each
42 voting location allowed by law in this Commonwealth.

43 Section 1104-C. Components.

44 (a) Hardware.--Each board shall be responsible for procuring
45 the hardware components of the electronic poll books. The
46 hardware components shall meet the specifications published by
47 the secretary in accordance with section 1103-C.

48 (b) Software.--The secretary shall distribute the software
49 component of the electronic poll books. The software component
50 shall be owned, maintained and be subject to restrictions
51 published by the department.

1 (c) Prohibited interest.--The secretary, the department
2 staff involved with implementation, maintenance or upkeep of the
3 SURE system or electronic poll books or any member of a board
4 may not hold a pecuniary interest in an electronic poll book,
5 components of an electronic poll book or in the design,
6 manufacture or sale of an electronic poll book.
7 Section 1105-C. Funding for acquisition.

8 (a) Declaration of policy.--The General Assembly finds and
9 declares that funding of the acquisition of electronic poll
10 books for the management of voter data for each polling place in
11 this Commonwealth is in the best interest of this Commonwealth.

12 (b) Appropriation.--

13 (1) The General Assembly appropriates \$7,000,000 from
14 the General Fund to the department for the procurement of the
15 software component of the electronic poll book that builds on
16 and shall integrate with the SURE system and for the
17 development and implementation of a secure electronic poll
18 book network to be used by counties.

19 (2) The department shall retain ownership of the
20 software licenses and the contract management duties for the
21 software component of the electronic poll book. Except as
22 provided by law, any part of the appropriations made in this
23 subsection that remain unexpended, uncommitted or
24 unencumbered as of December 31, 2024, shall automatically
25 lapse as of December 31, 2024.

26 ARTICLE XI-D

27 ELECTRONIC POLL BOOKS AND

28 ELECTION INFRASTRUCTURE EQUIPMENT BONDS

29 Section 1101-D. Definitions.

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

33 "Account." The County Electronic Poll Book and Election
34 Infrastructure Equipment Reimbursement Account established under
35 section 1106-D.

36 "Authority." The Pennsylvania Economic Development Financing
37 Authority.

38 "Bond." Any type of revenue obligation, including a bond or
39 series of bonds, note, certificate or other instrument, issued
40 by the authority for the benefit of the department under this
41 article.

42 "Bond administrative expenses." Expenses incurred to
43 administer bonds as provided under the Financing Law, or as
44 necessary to ensure compliance with Federal or State law.

45 "Bond obligations." The principal of a bond and any premium
46 and interest payable on a bond, together with any amount owed
47 under a related credit agreement or a related resolution of the
48 authority authorizing a bond.

49 "Credit agreement." A loan agreement, a revolving credit
50 agreement, an agreement establishing a line of credit, a letter
51 of credit or another agreement that enhances the marketability,

1 security or creditworthiness of a bond.

2 "Department." The Department of State of the Commonwealth.

3 "Election infrastructure equipment." Hardware or software,
4 or both, that is used by a county in running elections. The term
5 includes mail-ballot processing equipment, such as envelope
6 openers, and information technology equipment, such as intrusion
7 detection sensors, deployed to enhance the security of
8 electronic voting systems, electronic poll books and other
9 election systems by detecting and reporting hacking attempts and
10 other election security breaches. The term does not include
11 electronic voting systems or electronic poll books.

12 "Electronic poll book." The components of electronic poll
13 books as defined in section 1101-C.

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

15 "Financing Law." The act of August 23, 1967 (P.L.251,
16 No.102), known as the Economic Development Financing Law.
17 Section 1102-D. Bond issuance.

18 (a) Declaration of policy.--The General Assembly finds and
19 declares that funding for electronic poll books and election
20 infrastructure equipment, including interest, through the
21 authority, is in the best interest of this Commonwealth.

22 (b) Authority.--Notwithstanding any other law, the following
23 shall apply:

24 (1) The department may be a project applicant under the
25 Financing Law and may apply to the authority for the funding
26 of electronic poll books and election infrastructure
27 equipment.

28 (2) The authority may issue bonds under the Financing
29 Law, consistent with this article, to finance a project or
30 projects consisting of funding the purchase, replacement or
31 lease of electronic poll books by the counties, the
32 reimbursement to the counties for their cost to purchase or
33 lease electronic poll books and for the purchase or lease of
34 election infrastructure equipment by the counties.

35 (3) Participation of an industrial and commercial
36 development authority shall not be required to finance the
37 projects or to issue the bonds described under this article.

38 (c) Debt or liability.--

39 (1) Bonds issued under this article shall not be a debt
40 or liability of the Commonwealth and shall not create or
41 constitute an indebtedness, liability or obligation of the
42 Commonwealth.

43 (2) Bond obligations and bond administrative expenses
44 shall be payable solely from revenues or money pledged or
45 available for repayment as authorized under this article.
46 This paragraph shall include the proceeds of any issuance of
47 bonds.

48 (3) Each bond shall contain on the bond's face a
49 statement that:

50 (i) the authority is obligated to pay the principal
51 or interest on the bonds only from the revenues or money

1 pledged or available for repayment as authorized under
2 this article;

3 (ii) neither the Commonwealth nor a county is
4 obligated to pay the principal or interest; and

5 (iii) the full faith and credit of the Commonwealth
6 or any county is not pledged to the payment of the
7 principal of or the interest on the bonds.

8 Section 1103-D. Criteria for bond issuance.

9 (a) Application.--

10 (1) The department shall apply to the authority to issue
11 bonds to provide financing to the department to:

12 (i) reimburse each county for the county's cost to
13 purchase or lease electronic poll books;

14 (ii) fund a county's purchase or lease of electronic
15 poll books; or

16 (iii) fund the purchase or lease of election
17 infrastructure equipment.

18 (2) The choice of the funding options under paragraph
19 (1) (i) or (ii) and the choice of type of electronic poll
20 books shall be at the discretion of the Secretary of the
21 Commonwealth.

22 (b) Issuance.--Bonds may be issued in one or more series,
23 and each series may finance reimbursement grants to one or more
24 counties.

25 (c) Terms.--

26 (1) The department, with the approval of the Office of
27 the Budget, shall specify in its application to the
28 authority:

29 (i) the maximum principal amount of the bonds for
30 each bond issue; and

31 (ii) the maximum term of the bonds consistent with
32 applicable law.

33 (2) The total principal amount for all bonds, not
34 including refunding bonds, issued under this article may not
35 exceed \$60,000,000.

36 (3) The term of the bonds issued under this article may
37 not exceed 10 years from the respective date of original
38 issuance.

39 (d) Expiration.--For the purpose of this article, the
40 authorization to issue bonds, except for the authorization to
41 issue refunding bonds, shall expire December 31, 2024.

42 Section 1104-D. Issuance of bonds and sources of payments.

43 (a) Issuance.--The authority shall consider issuing the
44 bonds upon application by the department. Bonds issued under
45 this article shall be subject to the provisions of the Financing
46 Law, unless otherwise specified under this article.

47 (b) Service agreement authorized.--The authority and the
48 department may enter into an agreement or service agreement to
49 effectuate this article, including an agreement to secure bonds
50 issued for the purposes under section 1102-D(b), pursuant to
51 which the department shall agree to pay the bond obligations and

1 bond administrative expenses to the authority in each fiscal
2 year that the bonds or refunding bonds are outstanding in
3 amounts sufficient to timely pay in full the bond obligations,
4 bond administrative expenses and any other financing costs due
5 on the bonds issued for the purposes under section 1102-D(b).
6 The department's payment of the bond obligations, bond
7 administrative expenses and other financing costs due on the
8 bonds as service charges under an agreement or service agreement
9 shall be subject to and dependent upon the appropriation of
10 funds by the General Assembly to the department for payment of
11 the service charges. The service agreement may be amended or
12 supplemented by the authority and the department in connection
13 with the issuance of any series of bonds or refunding bonds
14 authorized under this article.

15 Section 1105-D. Sale of bonds.

16 The authority shall offer the bonds for sale by means of a
17 public, competitive sale or by means of a negotiated sale based
18 on the authority's determination of which method will produce
19 the most benefit to counties and the Commonwealth.

20 Section 1106-D. Deposit of bond proceeds.

21 The net proceeds of bonds, other than refunding bonds,
22 exclusive of costs of issuance, reserves and any other financing
23 charges, shall be transferred by the authority to the State
24 Treasurer for deposit into a restricted account established in
25 the State Treasury and held solely for the purposes under
26 section 1102-D(b) to be known as the County Electronic Poll Book
27 and Election Infrastructure Equipment Reimbursement Account. The
28 department shall pay out the bond proceeds to the counties from
29 the account in accordance with this article.

30 Section 1107-D. Payment of bond-related obligations.

31 For each fiscal year in which bond obligations and bond
32 administrative expenses will be due, the authority shall notify
33 the department of the amount of bond obligations and the
34 estimated amount of bond administrative expenses in sufficient
35 time, as determined by the department, to permit the department
36 to request an appropriation sufficient to pay bond obligations
37 and bond administrative expenses that will be due and payable in
38 the following fiscal year. The authority's calculation of the
39 amount of bond obligations and bond administrative expenses that
40 will be due shall be subject to verification by the department.

41 Section 1108-D. Commonwealth not to impair bond-related
42 obligations.

43 The Commonwealth pledges that it shall not do any of the
44 following:

45 (1) Limit or alter the rights and responsibilities of
46 the authority or the department under this article, including
47 the responsibility to:

48 (i) pay bond obligations and bond administrative
49 expenses; and

50 (ii) comply with any other instrument or agreement
51 pertaining to bonds.

1 (2) Alter or limit the service agreement under section
2 1104-D(b).

3 (3) Impair the rights and remedies of the holders of
4 bonds, until each bond issued and the interest on the bond
5 are fully met and discharged.

6 Section 1109-D. Personal liability.

7 The members, directors, officers and employees of the
8 department and the authority shall not be personally liable as a
9 result of good faith exercise of the rights and responsibilities
10 granted under this article.

11 Section 1110-D. Annual report.

12 No later than March 1 of the year following the first full
13 year in which bonds have been issued under this article and for
14 each year thereafter in which bond obligations existed in the
15 prior year, the department shall submit an annual report to the
16 chair and minority chair of the Appropriations Committee of the
17 Senate, the chair and minority chair of the Appropriations
18 Committee of the House of Representatives, the chair and
19 minority chair of the State Government Committee of the Senate
20 and the chair and minority chair of the State Government
21 Committee of the House of Representatives providing all data
22 available on bonds issued or existing in the prior year. The
23 report shall include existing and anticipated bond principal,
24 interest and administrative costs, revenue, repayments,
25 refinancing, overall benefits to counties and any other relevant
26 data, facts and statistics that the department believes
27 necessary in the content of the report.

28 Section 1111-D. Reimbursement of county electronic poll book
29 and election infrastructure expenses.

30 (a) Application.--

31 (1) A county may apply to the department to receive
32 funding:

33 (i) to be reimbursed for its cost to purchase or
34 lease electronic poll books;

35 (ii) to fund its purchase or lease of electronic
36 poll books; or

37 (iii) to fund its purchase or lease of election
38 infrastructure equipment.

39 (2) Each county shall apply for funding on a form
40 containing information and documentation prescribed by the
41 department no later than July 1, 2022. The department may
42 allow a county to submit one or more applications.

43 (b) Documentation for prior purchase or lease.--If a county
44 seeks reimbursement of the county's cost to purchase or lease by
45 capital lease electronic poll books or election infrastructure
46 equipment that the county purchased or leased before the date
47 that the county submits its application to the department, the
48 county's application shall include documentation prescribed by
49 the department to substantiate the county's cost to purchase or
50 lease the electronic poll books or election infrastructure
51 equipment, including copies of fully executed electronic poll

1 book contracts, fully executed copies of election infrastructure
2 equipment contracts, invoices and proof of payment to the vendor
3 of the electronic poll book or election infrastructure
4 equipment.

5 (c) Documentation for subsequent purchase or lease.--If a
6 county seeks funding to purchase or lease electronic poll books
7 or election infrastructure equipment that the county will
8 purchase or lease after the date that the county submits its
9 application to the department, the county's application shall
10 include documentation prescribed by the department to
11 substantiate the county's estimate to purchase or lease the
12 electronic poll books or election infrastructure equipment,
13 including copies of fully executed electronic poll book
14 contracts or election infrastructure equipment bids or price
15 quotes submitted to the county and other price estimates or cost
16 proposals.

17 (d) Review.--The department shall review each county's
18 application on a rolling basis and shall either approve or deny
19 each county's application within 90 days of the date the
20 application is received by the department. A county may
21 supplement or amend submitted applications during the 90-day
22 review period in consultation with the department.

23 (e) Approval for prior purchase or lease.--If the department
24 approves a county's application submitted under subsection (b),
25 the department and the county shall enter into a written grant
26 agreement through which the department shall reimburse the
27 county at the amount determined under subsection (g).

28 (f) Approval for subsequent purchase or lease.--If the
29 department approves a county's application under subsection (c),
30 the department and the county shall enter into a written grant
31 agreement through which the department shall provide funding to
32 the county to purchase or lease electronic poll books or
33 election infrastructure equipment at the amount determined under
34 subsection (g). The county shall hold the grant money in an
35 account of the county that is separate from each other county
36 account. The county shall deliver quarterly reports to the
37 department of the electronic poll book costs or election
38 infrastructure equipment costs paid from the grant money in a
39 form prescribed by the department. The county shall return any
40 unspent grant money to the department within 30 days of the
41 expiration of the grant agreement.

42 (g) Payments.--

43 (1) A county shall only receive amounts under this
44 section to the extent that the department has bond proceeds
45 available in the account from which to make payments.

46 (2) Except as provided under paragraph (3), a county
47 which submitted an application approved under subsection (e)
48 or (f) may receive 100% of the total amount submitted under
49 subsection (b) or (c) which may be reimbursed or paid.

50 (3) If the total amount submitted by all counties under
51 paragraph (2) exceeds the total amount available for

1 reimbursement or payment, a county may receive a portion of
2 the amount available equal to the total amount submitted by
3 the county under subsection (b) or (c) which may be
4 reimbursed or paid, divided by the total amount submitted by
5 all counties under subsection (b) or (c) which may be
6 reimbursed or paid.

7 (4) The department shall prioritize the funding of
8 electronic poll books over the funding of election
9 infrastructure equipment.

10 Section 6. Section 1210(a.4)(5)(i) and (ii) of the act are
11 amended to read:

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

15 (a.4) * * *

16 (5) (i) Except as provided in subclause (ii), if it is
17 determined that the individual was registered and entitled to
18 vote at the election district where the ballot was cast,
19 including where the individual registers under 25 Pa.C.S. §
20 1325.1 (relating to same-day voter registration) and casts a
21 provisional ballot, the county board of elections shall compare
22 the signature on the provisional ballot envelope with the
23 signature on the elector's registration form and, if the
24 signatures are determined to be genuine, shall count the ballot
25 if the county board of elections confirms that the individual
26 did not cast any other ballot, including an absentee ballot, in
27 the election.

28 (ii) A provisional ballot shall not be counted if:

29 (A) either the provisional ballot envelope under clause (3)
30 or the affidavit under clause (2) is not signed by the
31 individual;

32 (B) the signature required under clause (3) and the
33 signature required under clause (2) are either not genuine or
34 are not executed by the same individual;

35 (C) a provisional ballot envelope does not contain a secrecy
36 envelope;

37 (D) in the case of a provisional ballot that was cast under
38 subsection (a.2)(1)(i), within six calendar days following the
39 election the elector fails to appear before the county board of
40 elections to execute an affirmation or the county board of
41 elections does not receive an electronic, facsimile or paper
42 copy of an affirmation affirming, under penalty of perjury, that
43 the elector is the same individual who personally appeared
44 before the district election board on the day of the election
45 and cast a provisional ballot and that the elector is indigent
46 and unable to obtain proof of identification without the payment
47 of a fee;

48 (E) in the case of a provisional ballot that was cast under
49 subsection (a.2)(1)(ii), within six calendar days following the
50 election, the elector fails to appear before the county board of
51 elections to present proof of identification and execute an

1 affirmation or the county board of elections does not receive an
2 electronic, facsimile or paper copy of the proof of
3 identification and an affirmation affirming, under penalty of
4 perjury, that the elector is the same individual who personally
5 appeared before the district election board on the day of the
6 election and cast a provisional ballot; [or]

7 (F) the elector's absentee ballot or mail-in ballot is
8 timely received by a county board of elections[.] except if the
9 voter was provided information by the county board of elections
10 of a defect in the voter's absentee ballot or mail-in ballot and
11 has not returned a completed Absentee Ballot and Mail-in Ballot
12 Cure Form; or

13 (G) an application for voter registration was made under 25
14 Pa.C.S. § 1325.1, but the application was rejected by the
15 appropriate commission.

16 * * *

17 Section 7. Section 1231(b) (1), (3) and (4) of the act are
18 amended and the subsection is amended by adding a paragraph to
19 read:

20 Section 1231. Deadline for Receipt of Valid Voter
21 Registration Application.--* * *

22 (b) In the administration of voter registration, each
23 commission shall ensure that an applicant who is a qualified
24 elector is registered to vote in an election when the applicant
25 has met any of the following conditions:

26 (1) In the case of voter registration with a motor vehicle
27 driver's license application under 25 Pa.C.S. § 1323 (relating
28 to application with driver's license application), if the valid
29 voter registration application is received by the [appropriate
30 commission] Department of Transportation not later than fifteen
31 days before the election.

32 * * *

33 (3) In the case of voter registration at a voter
34 registration agency under 25 Pa.C.S. § 1325 (relating to
35 government agencies), if the valid voter registration
36 application is received by the appropriate commission or the
37 Department of State not later than fifteen days before the
38 election.

39 (3.1) In the case of same-day voter registration under 25
40 Pa.C.S. § 1325.1 (relating to same-day voter registration), if
41 the valid voter registration application of the applicant is
42 accepted in the appropriate electoral district by the presiding
43 judge of elections.

44 (4) In any other case, if the valid voter registration
45 application of the applicant is received by the appropriate
46 commission or the Department of State not later than fifteen
47 days before the election.

48 * * *

49 Section 8. The act is amended by adding an article to read:

50 ARTICLE XII-A

51 EARLY VOTING IN ELECTIONS

1 Section 1201-A. Conduct.

2 (a) Authority.--Notwithstanding any law to the contrary,
3 each county board shall provide for a period of early voting in
4 elections as provided for under this article.

5 (b) Issuance of ballots and voting booths.--The following
6 apply:

7 (1) If a request is made to vote early by a registered
8 elector, the county board shall issue a ballot to the
9 registered elector, except in districts where electronic
10 voting systems are used in accordance with Article XI-A, for
11 in-person early voting. Except as otherwise provided under
12 this article, each ballot issued to registered electors for
13 early voting must be voted on the premises of the county
14 board and returned to the county board.

15 (2) On the dates for early voting prescribed under
16 section 1203-A, each county board shall provide voting booths
17 with electronic voting systems certified by the secretary and
18 other suitable equipment for voting on the premises of the
19 county board and at any other early voting location
20 established by the county board for the conduct of early
21 voting in accordance with this article. Each ballot style
22 must be available in each early voting location, allowing any
23 registered voter of the county to vote in any of the early
24 voting locations.

25 (c) Lists of early voters.--The county board shall maintain
26 a list of each registered elector in each election district who
27 vote during the early voting period. The list must be maintained
28 for each election district in the county.

29 (d) District Register.--The district register shall indicate
30 whether a voter has voted early under this article.

31 Section 1202-A. Early voting locations.

32 (a) Minimum location requirement.--A county board shall
33 establish at least one early voting location for in-person early
34 voting at a location in the county.

35 (b) Minimum population requirement.--In addition to the
36 requirement under subsection (a), a county board shall establish
37 one early voting location for in-person early voting for every
38 100,000 residents of the county as determined by the most recent
39 Federal decennial census and each annual American Community
40 Survey population update.

41 (c) Additional locations.--In addition to the requirements
42 for early voting locations under subsections (a) and (b), a
43 county board may establish additional early voting locations for
44 in-person early voting.

45 (d) Location.--Early voting locations may be located in any
46 location eligible to be selected as a polling place under
47 Article V.

48 (e) Voting.--A registered elector entitled to early voting
49 may vote early at any early voting location established by the
50 county board.

51 (f) Factors.--If more than one early voting location or

1 temporary early voting location is established under this
2 section or section 1204-A, a county board shall consider the
3 following factors:

4 (1) proximity to public transportation lines and
5 availability of parking;

6 (2) travel time to the early voting location;

7 (3) commuter traffic patterns;

8 (4) geographic features that tend to affect access and
9 convenience;

10 (5) equitable distribution across the county so as to
11 afford maximally convenient options for electors;

12 (6) population density;

13 (7) use of existing voting locations that typically
14 serve a significant number of electors;

15 (8) use of public buildings that are known to electors
16 in the county, especially to the extent that using the
17 buildings results in cost savings compared to other potential
18 locations; and

19 (9) if private locations are considered or designated as
20 early voting locations, methods and standards to ensure the
21 security of voting conducted at the locations.

22 (g) Accessibility.--Early voting locations shall not be
23 subject to the same provisions as polling places but shall be
24 accessible to persons with disabilities.

25 (h) Prohibition.--An individual, if within an early voting
26 location or temporary early voting location, may not
27 electioneer or solicit votes for a political party, political
28 body or candidate. Written or printed material may not be posted
29 within the early voting location or temporary early voting
30 location, except as required under this act.

31 (i) Distance.--An individual, except a county designee,
32 watcher, person in the course of voting, person lawfully giving
33 assistance to a voter and peace and police officer, if permitted
34 under this act, must remain at least 10 feet distant from the
35 early voting location or temporary early voting location during
36 the progress of the voting.

37 (j) Watcher.--Each candidate and each party or political
38 body may appoint one watcher consistent with section 417 who
39 shall be present within the early voting location or temporary
40 early voting location from the time that county designees meet
41 prior to the opening of the early voting location or temporary
42 early voting location until the time that county designees
43 depart the early voting location or temporary early voting
44 location. A watcher must be a qualified elector of the county in
45 which the watcher serves and must show their certificates if
46 requested to do so.

47 Section 1203-A. Period for early voting.

48 (a) Commencement and ending.--The period for in-person early
49 voting shall begin on the 17th day preceding the date of an
50 election and extend through 5 p.m. on the Saturday before
51 election day.

1 (b) Schedules.--Except as provided under subsection (c), the
2 following shall apply for each election:

3 (1) Each early voting location must remain open
4 beginning the 17th day before an election through 5 p.m. the
5 Saturday before election day as follows:

6 (i) during the hours of 9 a.m. to 5 p.m.;

7 (ii) during the hours of 8 a.m. to 7 p.m. on the
8 second weekend before election day and any holiday; and

9 (iii) a county board may establish longer hours for
10 early voting locations in compliance with section 1206-A
11 and 1207-A.

12 (2) (Reserved).

13 (c) Emergency closure.--Notwithstanding subsection (b), a
14 county board may close an early voting location if the building
15 in which the early voting location is located has been closed by
16 a State, county or local agency in response to a severe weather
17 emergency or other emergency. The county board shall notify the
18 Secretary of the Commonwealth of each closure and shall make
19 reasonable efforts to provide notice to the public of an
20 alternative early voting location.

21 (d) Security of ballots and voting equipment.--The county
22 board shall ensure that each ballot, scanner and other voting
23 equipment used during the early voting period are secured in
24 accordance with Article XI-A. The following shall apply:

25 (1) At the beginning of each day of early voting, the
26 early voting location officials shall examine every ballot
27 box, scanner and tabulator, if applicable, to ensure that
28 they remain locked and sealed. Upon completion of their
29 examination, the early voting location officials shall sign a
30 declaration attesting to the same on a form prescribed by the
31 Secretary of the Commonwealth.

32 (2) At the end of each day of early voting, the early
33 voting location officials shall examine every ballot box,
34 scanner and tabulator, if applicable, to ensure that they
35 remain locked and sealed. Upon completion of their
36 examination, the early voting location officials shall sign a
37 declaration attesting to the same on a form prescribed by the
38 Secretary of the Commonwealth.

39 Section 1204-A. Designation of temporary early voting
40 locations.

41 (a) Temporary early voting locations.--In addition to early
42 voting locations established under section 1202-A, the county
43 board may establish temporary early voting locations for early
44 voting.

45 (b) Applicability of schedule.--The following apply:

46 (1) The schedules for the conduct of early voting under
47 section 1203-A(b) shall not apply to temporary early voting
48 locations. Early voting at temporary early voting locations
49 may be conducted on one or more days and during hours within
50 the early voting period established for in-person early
51 voting under section 1203-A(b), as determined by the county

1 board.

2 (2) The schedules for the conduct of early voting at a
3 temporary early voting location shall not need to be uniform
4 among the temporary early voting locations.

5 Section 1205-A. Public buildings.

6 (a) Early voting locations.--The following apply:

7 (1) Upon request by a county board, the governing body
8 of a municipality shall make public buildings within the
9 county available as early voting locations without charge. A
10 request to use a public building shall include reasonably
11 necessary time before and after the period that early voting
12 will be conducted at the public building.

13 (2) A municipality making a public building available as
14 an early voting location shall ensure that any portion of the
15 building made available is accessible to voters with
16 disabilities and elderly voters.

17 (b) (Reserved).

18 Section 1206-A. Publication of early voting locations and
19 schedules.

20 (a) Notice.--During the week immediately preceding the
21 commencement of early voting and at least once each week during
22 the period of early voting, the county board shall publish in a
23 newspaper of general circulation in the county a schedule
24 stating:

25 (1) the location of each early voting location; and

26 (2) the dates and hours that early voting will be
27 conducted at each temporary early voting location.

28 (b) Posting requirements.--Each county board shall post a
29 copy of the schedule at an office or other location that is to
30 be used as a temporary early voting location. The schedule must
31 be posted continuously for a period beginning not later than the
32 10th day before the commencement of early voting and ending on
33 the last day of the early voting period.

34 (c) Copies.--The county board must make copies of the
35 schedule available to the public in reasonable quantities
36 without charge during the period of posting.

37 (d) Electronic posting.--If the county board maintains a
38 publicly accessible Internet website, the county board shall
39 make the schedule available on the website during the period of
40 posting.

41 (e) Prohibition and exception after schedule publication.--
42 The following apply:

43 (1) Additional early voting locations may not be
44 established after the schedule is published under this
45 section.

46 (2) Additional temporary early voting locations may be
47 established after the schedule is published if the temporary
48 early voting locations are open to each registered elector.
49 The locations, dates and hours of each additional temporary
50 early voting location shall be reported to the Secretary of
51 the Commonwealth and posted on the county board's publicly

1 accessible Internet website.

2 Section 1207-A. List of early voting locations.

3 At least 10 days before the commencement of early voting,
4 each county board shall provide the Secretary of the
5 Commonwealth with a list of each early voting location and the
6 hours each location will be open for early voting.

7 Section 1208-A. Results.

8 Results of early voting may not be made available to the
9 public other than through the tabulation process used for votes
10 cast on election day, after the closing of polls.

11 Section 9. Section 1302.1(a) of the act is amended and the
12 section is amended by adding a subsection to read:

13 Section 1302.1. Date of Application for Absentee Ballot.--

14 (a) Except as provided in subsection (a.3), applications for
15 absentee ballots shall be received in the office of the county
16 board of elections not earlier than fifty (50) days before the
17 primary or election, except that if a county board of elections
18 determines that it would be appropriate to its operational
19 needs, any applications for absentee ballots received more than
20 fifty (50) days before the primary or election may be processed
21 before that time. [Applications] Except as provided under
22 subsection (a.1), applications for absentee ballots shall be
23 processed if received not later than five o'clock P.M. [of the
24 first Tuesday] on the fifteenth day prior to the day of any
25 primary or election.

26 (a.1) Notwithstanding subsection (a), an application for an
27 absentee ballot received from an applicant who presents his or
28 her own application at an office of the county board shall be
29 processed if received not later than five o'clock P.M. of the
30 day prior to the day of any primary or election.

31 * * *

32 Section 10. Sections 1302.2(c), 1304 and 1306 of the act,
33 amended March 27, 2020 (P.L.41, No.12), are amended to read:

34 Section 1302.2. Approval of Application for Absentee
35 Ballot.--* * *

36 (c) The county board of elections, upon receipt of any
37 application of a qualified elector required to be registered
38 under the provisions of preceding section 1301, shall determine
39 the qualifications of such applicant by verifying the proof of
40 identification and comparing the information set forth on such
41 application with the information contained on the applicant's
42 permanent registration card. If the board is satisfied that the
43 applicant is qualified to receive an official absentee ballot,
44 the application shall be marked "approved." Such approval
45 decision shall be final and binding, except that challenges may
46 be made only on the ground that the applicant was not a
47 qualified elector. Such challenges must be made to the county
48 board of elections prior to five o'clock p.m. on the Friday
49 prior to the election or prior to the pre-canvass of an
50 elector's absentee ballot, whichever is earlier: Provided,
51 however, That a challenge to an application for an absentee

1 ballot shall not be permitted on the grounds that the elector
2 used an application for an absentee ballot instead of an
3 application for a mail-in ballot or on the grounds that the
4 elector used an application for a mail-in ballot instead of an
5 application for an absentee ballot.

6 * * *

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

8 (a) The county boards of election shall provide two
9 additional envelopes for each official absentee ballot of such
10 size and shape as shall be prescribed by the Secretary of the
11 Commonwealth, in order to permit the placing of one within the
12 other and both within the mailing envelope. On the smaller of
13 the two envelopes to be enclosed in the mailing envelope shall
14 be printed, stamped or endorsed the words "Official Election
15 Ballot," and nothing else. On the larger of the two envelopes,
16 to be enclosed within the mailing envelope, shall be printed,
17 stamped or endorsed the United States Postal Service's Official
18 Election Mail logo, a prepaid reply mail option under subsection
19 (b), the form of the declaration of the elector, and the name
20 and address of the county board of election of the proper
21 county. The larger envelope shall also contain information
22 indicating the local election district of the absentee voter.
23 Said form of declaration and envelope shall be as prescribed by
24 the Secretary of the Commonwealth and shall contain among other
25 things a statement of the electors qualifications, together with
26 a statement that such elector has not already voted in such
27 primary or election. The mailing envelope addressed to the
28 elector shall contain the two envelopes, the official absentee
29 ballot, lists of candidates, when authorized by section 1303
30 subsection (b) of this act, the uniform instructions in form and
31 substance as prescribed by the Secretary of the Commonwealth and
32 nothing else.

33 (b) The county board of election shall provide prepaid
34 postage for the larger of the two additional envelopes. The
35 county board of election shall utilize a United States Postal
36 Service prepaid reply mail option.

37 (c) The county board of election shall include a United
38 States Postal Service Intelligent Mail barcode or successor
39 system allowing mail tracking as specified by the Secretary of
40 the Commonwealth, on both the mailing envelope and larger
41 envelope.

42 Section 1306. Voting by Absentee Electors.--(a) Except as
43 provided in paragraphs (2) and (3), at any time after receiving
44 an official absentee ballot, but on or before eight o'clock P.M.
45 the day of the primary or election, the elector shall, in
46 secret, proceed to mark the ballot only in black lead pencil,
47 indelible pencil or blue, black or blue-black ink, in fountain
48 pen or ball point pen, and then fold the ballot, enclose and
49 securely seal the same in the envelope on which is printed,
50 stamped or endorsed "Official Election Ballot." This envelope
51 shall then be placed in the second one, on which is printed the

1 form of declaration of the elector, and the address of the
2 elector's county board of election and the local election
3 district of the elector. The elector shall then fill out, date
4 and sign the declaration printed on such envelope. Such envelope
5 shall then be securely sealed and the elector shall send same by
6 mail, postage prepaid, except where franked, or deliver it in
7 person to either said county board of election or at a ballot
8 drop box.

9 (2) Any elector, spouse of the elector or dependent of the
10 elector, qualified in accordance with the provisions of section
11 1301, subsections (e), (f), (g) and (h) to vote by absentee
12 ballot as herein provided, shall be required to include on the
13 form of declaration a supporting declaration in form prescribed
14 by the Secretary of the Commonwealth, to be signed by the head
15 of the department or chief of division or bureau in which the
16 elector is employed, setting forth the identity of the elector,
17 spouse of the elector or dependent of the elector.

18 (3) Any elector who has filed his application in accordance
19 with section 1302 subsection (e)(2), and is unable to sign his
20 declaration because of illness or physical disability, shall be
21 excused from signing upon making a declaration which shall be
22 witnessed by one adult person in substantially the following
23 form: I hereby declare that I am unable to sign my declaration
24 for voting my absentee ballot without assistance because I am
25 unable to write by reason of my illness or physical disability.
26 I have made or received assistance in making my mark in lieu of
27 my signature.

28 (Mark)
29 (Date)
30
31 (Complete Address of Witness) (Signature of Witness)

32 (b) (1) Any elector who receives and votes an absentee
33 ballot pursuant to section 1301 shall not be eligible to vote at
34 a polling place on election day. The district register at each
35 polling place shall clearly identify electors who have received
36 and voted absentee ballots as ineligible to vote at the polling
37 place, and district election officers shall not permit electors
38 who voted an absentee ballot to vote at the polling place.

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

42 (3) Notwithstanding paragraph (2), an elector who requests
43 an absentee ballot and who is not shown on the district register
44 as having voted the ballot may vote at the polling place if the
45 elector remits the ballot and the envelope containing the
46 declaration of the elector to the judge of elections to be
47 spoiled and the elector signs a statement subject to the
48 penalties under 18 Pa.C.S. § 4904 (relating to unsworn
49 falsification to authorities) in substantially the following
50 form:

51 I hereby declare that I am a qualified registered elector who

1 has obtained an absentee ballot or mail-in ballot. I further
2 declare that I have not cast my absentee ballot or mail-in
3 ballot, and that instead I remitted my absentee ballot or
4 mail-in ballot and the envelope containing the declaration of
5 the elector to the judge of elections at my polling place to
6 be spoiled and therefore request that my absentee ballot or
7 mail-in ballot be voided.

8 (Date)

9 (Signature of Elector).....(Address of Elector)

10 (Local Judge of Elections)

11 (c) Except as provided under 25 Pa.C.S. § 3511 (relating to
12 receipt of voted ballot), a completed absentee ballot must be
13 received in the office of the county board of elections or
14 delivered to a ballot drop box no later than eight o'clock P.M.
15 on the day of the primary or election.

16 (d) Nothing under this section shall be construed to
17 prohibit an elector from returning the completed ballot of
18 another member of the elector's household, registered at the
19 same residential address and unit number.

20 Section 11. Section 1308(a) and (g)(1)(ii) and (1.1) and (4)
21 (ii) and (iii) of the act, amended March 27, 2020 (P.L.41,
22 No.12), are amended and subsections (a) and (g) are amended by
23 adding paragraphs to read:

24 Section 1308. Canvassing of Official Absentee Ballots and
25 Mail-in Ballots.--(a) The county boards of election, upon
26 receipt of official absentee ballots in sealed official absentee
27 ballot envelopes as provided under this article and mail-in
28 ballots as in sealed official mail-in ballot envelopes as
29 provided under Article XIII-D, shall [safely keep the ballots in
30 sealed or locked containers until they are to be canvassed by
31 the county board of elections. An absentee ballot, whether
32 issued to a civilian, military or other voter during the regular
33 or emergency application period, shall be canvassed in
34 accordance with subsection (g). A mail-in ballot shall be
35 canvassed in accordance with subsection (g).] mark the date of
36 receipt in the voter's record and shall examine the ballot
37 envelope containing the declaration of the elector to verify
38 completion of the declaration as required under sections 1306
39 and 1306-D. The following shall apply:

40 (1) If the declaration of the elector has been completed as
41 required under sections 1306 and 1306-D, the absentee and mail-
42 in ballots shall safely be kept in sealed or locked containers
43 until the ballots are to be pre-canvassed or canvassed by the
44 county board of elections. An absentee ballot, notwithstanding
45 if the absentee ballot is issued to a civilian, military or
46 other voter during the regular or emergency application period,
47 shall be pre-canvassed or canvassed in accordance with
48 subsection (g). A mail-in ballot shall be pre-canvassed in
49 accordance with subsection (g).

50 (2) If the declaration of the elector has not been correctly
51 signed as required under sections 1306 and 1306-D, the county

1 board of elections shall enter into the voter's record in the
2 voter registration system that the absentee ballot or mail-in
3 ballot has an issue with the voter's declaration requiring
4 correction in order for the absentee ballot or mail-in ballot to
5 be counted. Absentee ballots or mail-in ballots with erroneous
6 declaration of the elector shall be kept in a separate sealed or
7 locked container. The following shall apply:

8 (i) Within twenty-four (24) hours of a finding under
9 paragraph (2), the county board of elections shall notify the
10 voter by letter, by email if the voter has provided an email
11 address and by phone if the voter has provided a phone number,
12 of the error and shall provide an Absentee Ballot and Mail-in
13 Ballot Cure Form. The form shall be created by the Secretary of
14 the Commonwealth and shall contain a location for the voter to
15 place the voter's Pennsylvania driver's license or Department of
16 Transportation identification card number or last four digits of
17 the voter's Social Security number and instructions on how to
18 return the form. Instead of providing a driver's license,
19 Department of Transportation identification card number or the
20 last four digits of the voter's Social Security number, a voter
21 may provide a legible copy or photograph of a government-issued
22 document, including an official Federal, State, county or
23 municipal document which lists the voter's name and address, a
24 student identification document issued by an institution of
25 higher education as defined in section 118(c) of the act of
26 March 10, 1949 (P.L.30, No.14), known as the Public School Code
27 of 1949, in this Commonwealth or a utility bill, telephone bill,
28 bank statement, government check, paycheck or tax or rent
29 receipt which lists the voter's name and address. The cure shall
30 include the following attestation in substantially the following
31 form:

32 I hereby declare that I am a qualified registered elector in
33 this election who requested and returned an absentee ballot
34 or mail-in ballot to (county) and that I have not and will
35 not vote more than one ballot in this election.

36 (Date)

37 (Signature of Elector)

38 (ii) The Absentee Ballot and Mail-in Ballot Cure Form and
39 instructions on how to return the form shall be made available
40 on the Department of State and each county board's publicly
41 accessible Internet website.

42 (iii) If the voter completes and returns the Absentee Ballot
43 and Mail-in Ballot Cure Form before noon on the sixth day after
44 the election, the voter's ballot shall be counted as provided
45 under subsection (g)(4)(iii). If the voter fails to complete and
46 return the form before noon on the sixth day after the election,
47 the absentee ballot or mail-in ballot shall be set aside and
48 declared void. The voter may return the Absentee Ballot and
49 Mail-in Ballot Cure Form by email, fax, or other form of
50 electronic submission, mail or delivery in person to the county
51 board of elections.

1 (iv) The voter shall be provided with information on how to
2 vote by provisional ballot on election day instead of completing
3 an Absentee Ballot and Mail-In Ballot Cure Form.

4 (v) A missing or inaccurate date on the declaration of the
5 elector on the outer return envelope of an absentee or mail-in
6 ballot shall not be a fatal defect for the ballot, if the
7 voter's declaration signature is contained in the declaration,
8 or the signature has been cured through use of the notice and
9 cure process under this section.

10 * * *

11 (g) (1) * * *

12 (ii) An absentee ballot cast by any absentee elector as
13 defined in section 1301(i), (j), (k), (l), (m) and (n), an
14 absentee ballot under section 1302(a.3) or a mail-in ballot cast
15 by a mail-in elector shall be canvassed in accordance with this
16 subsection if the absentee ballot or mail-in ballot is received
17 in the office of the county board of elections or delivered to a
18 ballot drop box no later than eight o'clock P.M. on the day of
19 the primary or election.

20 (1.1) The county board of elections shall meet no earlier
21 than [seven] nine o'clock A.M. on the twenty-first day prior to
22 election day and no later than seven o'clock A.M. on election
23 day to pre-canvass all ballots received prior to the meeting.
24 The pre-canvass meeting may continue until eight o'clock P.M. on
25 election day. A county board of elections shall provide at least
26 forty-eight hours' notice of a pre-canvass meeting by publicly
27 posting a notice of a pre-canvass meeting on its publicly
28 accessible Internet website. One authorized representative of
29 each candidate in an election and one representative from each
30 political party shall be permitted to remain in the room in
31 which the absentee ballots and mail-in ballots are pre-
32 canvassed. No person observing, attending or participating in a
33 pre-canvass meeting may disclose the results of any portion of
34 any pre-canvass meeting prior to the close of the polls.

35 * * *

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

41 * * *

42 (ii) If any of the envelopes on which are printed, stamped
43 or endorsed the words "Official Election Ballot" contain any
44 text, mark or symbol which reveals the identity of the elector,
45 the elector's political affiliation or the elector's candidate
46 preference, [the envelopes and the ballots contained therein
47 shall be set aside and declared void.] or the ballot is not
48 sealed inside the Official Election Ballot envelope, the county
49 board of elections shall place the voted absentee ballot or
50 voted mail-in ballot into an Official Election Ballot envelope
51 in a manner as to maintain the secrecy of the voted absentee

1 ballot or voted mail-in ballot. The Official Election Ballot
2 envelope shall be sealed and shall be pre-canvassed or canvassed
3 in accordance with subparagraph (iii).

4 (iii) The county board shall then break the seals of such
5 envelopes, remove the ballots and count, compute and tally the
6 votes. If an absentee ballot or mail-in ballot is damaged or
7 defective so that the absentee ballot or mail-in ballot cannot
8 properly be counted by the automatic tabulating equipment, a
9 true duplicate copy shall be made and substituted for the
10 damaged absentee ballot or mail-in ballot. Each duplicate
11 absentee ballot or mail-in ballot shall be clearly labeled
12 "duplicate" and shall bear a serial number which shall be
13 recorded on the damaged or defective absentee ballot or mail-in
14 ballot.

15 * * *

16 (8) The Secretary of the Commonwealth may develop an
17 electronic system through which qualified electors may track and
18 verify the status of the qualified elector's absentee or mail-in
19 ballot, including, but not limited to, the dates that the ballot
20 was mailed by the county board, received by the county board,
21 pre-canvassed and accepting for counting, pre-canvassed and in
22 need of cure or rejected for a flaw not subject to cure.

23 * * *

24 Section 12. Section 1302.1-D(a) of the act is amended and
25 the section is amended by adding a subsection to read:
26 Section 1302.1-D. Date of application for mail-in ballot.

27 (a) General rule.--Applications for mail-in ballots shall be
28 received in the office of the county board of elections not
29 earlier than 50 days before the primary or election, except that
30 if a county board of elections determines that it would be
31 appropriate to the county board of elections' operational needs,
32 any applications for mail-in ballots received more than 50 days
33 before the primary or election may be processed before that
34 time. [Applications] Except as provided in subsection (a.1),
35 applications for mail-in ballots shall be processed if received
36 not later than five o'clock P.M. [of the first Tuesday] on the
37 fifteenth day prior to the day of any primary or election.

38 (a.1) Exception.--Notwithstanding subsection (a), an
39 application for a mail-in ballot received from an applicant who
40 presents his or her own application at an office of the county
41 board shall be processed if received not later than five o'clock
42 P.M. of the day prior to the day of any primary or election.

43 * * *

44 Section 13. Section 1302.2-D(a)(3) of the act, amended March
45 27, 2020 (P.L.41, No.12), is amended to read:

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

47 (a) Approval process.--The county board of elections, upon
48 receipt of any application of a qualified elector under section
49 1301-D, shall determine the qualifications of the applicant by
50 verifying the proof of identification and comparing the
51 information provided on the application with the information

1 contained on the applicant's permanent registration card. The
2 following shall apply:

3 * * *

4 (3) Challenges must be made to the county board of
5 elections prior to five o'clock p.m. on the Friday prior to
6 the election or prior to the pre-canvass of an elector's
7 mail-in ballot, whichever is earlier: Provided, however, That
8 a challenge to an application for a mail-in ballot shall not
9 be permitted on the grounds that the elector used an
10 application for a mail-in ballot instead of an application
11 for an absentee ballot or on the grounds that the elector
12 used an application for an absentee ballot instead of an
13 application for a mail-in ballot.

14 * * *

15 Section 14. Sections 1304-D(a) and 1306-D(a) and (c) of the
16 act, amended March 27, 2020 (P.L.41, No.12), are amended and the
17 sections are amended by adding subsections to read:

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

19 (a) Additional envelopes.--The county boards of election
20 shall provide two additional envelopes for each official mail-in
21 ballot of a size and shape as shall be prescribed by the
22 Secretary of the Commonwealth, in order to permit the placing of
23 one within the other and both within the mailing envelope. On
24 the smaller of the two envelopes to be enclosed in the mailing
25 envelope shall be printed, stamped or endorsed the words
26 "Official Election Ballot," and nothing else. On the larger of
27 the two envelopes, to be enclosed within the mailing envelope,
28 shall be printed, stamped or endorsed the United States Postal
29 Service's Official Election Mail logo, a prepaid reply mail
30 option pursuant to subsection (a.1), the form of the declaration
31 of the elector and the name and address of the county board of
32 election of the proper county. The larger envelope shall also
33 contain information indicating the local election district of
34 the mail-in voter.

35 (a.1) Prepaid postage.--The county board of elections shall
36 provide prepaid postage for the larger of the two additional
37 envelopes. The county board of elections shall utilize a United
38 States Postal Service prepaid reply mail option.

39 (a.2) Mail tracking.--The county board of elections shall
40 include a United States Postal Service Intelligent Mail barcode
41 or successor system allowing mail tracking as specified by the
42 Secretary of the Commonwealth, on both the mailing envelope and
43 larger envelope.

44 * * *

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

46 (a) General rule.--At any time after receiving an official
47 mail-in ballot, but on or before eight o'clock P.M. the day of
48 the primary or election, the mail-in elector shall, in secret,
49 proceed to mark the ballot only in black lead pencil, indelible
50 pencil or blue, black or blue-black ink, in fountain pen or ball
51 point pen, and then fold the ballot, enclose and securely seal

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

11 * * *

12 (c) Deadline.--Except as provided under 25 Pa.C.S. § 3511
13 (relating to receipt of voted ballot), a completed mail-in
14 ballot must be received in the office of the county board of
15 elections or delivered to a ballot drop box no later than eight
16 o'clock P.M. on the day of the primary or election.

17 (d) Construction.--Nothing under this section shall be
18 construed to prohibit an elector from returning the completed
19 ballot of another member of the elector's household, registered
20 at the same residential address and unit number.

21 Section 15. The provisions of this act are severable. If any
22 provision of this act or its application to any person or
23 circumstance is held invalid, the invalidity shall not affect
24 other provisions or applications of this act which can be given
25 effect without the invalid provision or application.

26 Section 16. This act shall take effect in 60 days.