

AMENDMENTS TO HOUSE BILL NO. 847

Sponsor: REPRESENTATIVE KENYATTA

Printer's No. 823

1 Amend Bill, page 1, line 11, by inserting after "elections,"
2 in preliminary provisions, further providing for definitions;

3 Amend Bill, page 1, line 12, by inserting after "ballot"
4 , for approval of application for absentee ballot, for envelopes
5 for official absentee ballots, for voting by absentee
6 electors

7 Amend Bill, page 1, line 15, by inserting after "ballot"
8 , for envelopes for official mail-in ballots and for voting by
9 mail-in electors

10 Amend Bill, page 1, lines 20 through 22, by striking out all
11 of said lines and inserting

12 Section 1. Section 102(q.1) of the act of June 3, 1937
13 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
14 amended to read:

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

18 * * *

19 (q.1) The word "pre-canvass" shall mean the inspection and
20 opening of all envelopes containing official absentee ballots or
21 mail-in ballots, the removal of such ballots from the envelopes
22 and [the counting, computing and tallying of the votes reflected
23 on the ballots.] the preparation of those ballots for scanning,
24 including unfolding, straightening and duplicating if the ballot
25 is damaged in some way that prevents it from being scanned but
26 where the voter's intent is still clear. It shall also include
27 scanning the ballot into a voting machine or other automatic
28 tabulating device, if the equipment used by the county board of
29 elections permits a ballot to be scanned without tabulating or
30 counting the votes on the ballot scanned. The term does not
31 include the recording or publishing of the votes reflected on
32 the ballots.

33 * * *

34 Section 2. Section 1302.1(a) and (a.3)(1) and (2) of the act

1 are amended and the section is amended by adding a subsection to
2 read:

3 Amend Bill, page 1, line 25, by inserting a bracket before
4 "the" where it occurs the first time

5 Amend Bill, page 1, line 25, by inserting after "the" where
6 it occurs the first time

7] an

8 Amend Bill, page 2, line 7, by striking out "fourteenth" and
9 inserting

10 eleventh

11 Amend Bill, page 2, line 14, by striking out "fourteenth" and
12 inserting

13 eleventh

14 Amend Bill, page 2, line 18, by striking out "fourteenth" and
15 inserting

16 eleventh

17 Amend Bill, page 2, line 21, by striking out "fourteenth" and
18 inserting

19 eleventh

20 Amend Bill, page 2, line 30, by striking out "fourteenth" and
21 inserting

22 eleventh

23 Amend Bill, page 3, line 8, by striking out "fourteenth" and
24 inserting

25 eleventh

26 Amend Bill, page 3, by inserting between lines 14 and 15

27 (e) In-person request for absentee ballot.--A qualified
28 elector may submit an application for an absentee ballot in
29 person at an office of the county board of elections not later
30 than five o'clock P.M. of the day prior to the day of a primary
31 or election and the following process shall apply:

32 (1) The county board of elections shall immediately
33 determine the qualifications of the applicant by verifying
34 the proof of identification and comparing the information

1 provided on the application with the information contained on
2 the applicant's permanent registration card.

3 (2) If the board is satisfied that the applicant is
4 qualified to receive an official absentee ballot, the
5 application shall be marked "approved."

6 (3) The elector shall receive an official absentee
7 ballot and the two envelopes for the official absentee
8 ballot.

9 (4) The absentee ballot shall be processed in accordance
10 with the other procedures outlined in this article.

11 Section 3. Sections 1302.2(c) and 1304 of the act are
12 amended to read:

13 Section 1302.2. Approval of Application for Absentee
14 Ballot.--

15 * * *

16 (c) The county board of elections, upon receipt of any
17 application of a qualified elector required to be registered
18 under the provisions of preceding section 1301, shall determine
19 the qualifications of such applicant by verifying the proof of
20 identification and comparing the information set forth on such
21 application with the information contained on the applicant's
22 permanent registration card. If the board is satisfied that the
23 applicant is qualified to receive an official absentee ballot,
24 the application shall be marked "approved." Such approval
25 decision shall be final and binding, except that challenges may
26 be made only on the ground that the applicant was not a
27 qualified elector. Such challenges must be made to the county
28 board of elections [prior to five o'clock p.m. on the Friday]
29 eight days prior to the election: Provided, however, That a
30 challenge to an application for an absentee ballot shall not be
31 permitted on the grounds that the elector used an application
32 for an absentee ballot instead of an application for a mail-in
33 ballot or on the grounds that the elector used an application
34 for a mail-in ballot instead of an application for an absentee
35 ballot.

36 * * *

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

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

1 of the Commonwealth and shall contain among other things a
2 statement of the electors qualifications, together with a
3 statement that such elector has not already voted in such
4 primary or election. The mailing envelope addressed to the
5 elector shall contain the two envelopes, the official absentee
6 ballot, lists of candidates, when authorized by section 1303
7 subsection (b) of this act, the uniform instructions in form and
8 substance as prescribed by the Secretary of the Commonwealth and
9 nothing else. Use of the inner envelope is at the discretion of
10 the voter. A failure to use the inner envelope shall not be an
11 acceptable reason for disqualifying the ballot.

12 Section 4. Section 1306 of the act is amended by adding a
13 subsection to read:

14 Section 1306. Voting by Absentee Electors.--* * *

15 (d) The date written on the envelope shall be the date the
16 elector has signed the declaration. Failure to date the envelope
17 or signing the envelope with a date that is not within the time
18 period between the date the ballot was received by the voter and
19 when it was received by the county board of election shall not
20 disqualify the ballot if the declaration is otherwise properly
21 executed.

22 Amend Bill, page 3, line 15, by striking out "2" where it
23 occurs the first time and inserting

24 5

25 Amend Bill, page 3, line 16, by inserting after "amended"
26 where it occurs the first time

27 , paragraph (1) is amended by adding a subparagraph

28 Amend Bill, page 3, by inserting between lines 28 and 29

29 (iii) For an absentee ballot or mail-in ballot that the
30 declaration of the elector is unsigned, the county board of
31 elections shall:

32 (A) Notify the elector by mail that the ballot will not be
33 counted unless action is taken by the elector within six days
34 following the closing of polls on election day. The county board
35 shall also attempt to notify the elector by email, telephone or
36 text message.

37 (B) Direct the elector to either appear before the Board of
38 Elections to execute an affirmation attesting, under penalty of
39 perjury, that the elector is the same individual who remitted
40 the absentee ballot or mail-in ballot, or to provide an
41 electronic, facsimile or paper copy of the affirmation to the
42 county board of elections.

43 Amend Bill, page 4, line 24, by striking out "shall" and
44 inserting

1 may
2 Amend Bill, page 6, line 7, by inserting after "unsigned"
3 , wrongly dated
4 Amend Bill, page 6, line 21, by striking out "3" and
5 inserting
6 5
7 Amend Bill, page 7, line 3, by striking out "fourteenth" and
8 inserting
9 eleventh
10 Amend Bill, page 7, line 7, by striking out "the" where it
11 occurs the first time and inserting
12 an
13 Amend Bill, page 7, line 8, by striking out "first Tuesday"
14 and inserting
15 day
16 Amend Bill, page 7, by inserting between lines 21 and 22
17 Section 6. Sections 1304-D and 1306-D of the act are amended
18 by adding subsections to read:
19 Section 1304-D. Envelopes for official mail-in ballots.
20 * * *
21 (e) Inner envelope.--Use of the inner envelope is at the
22 discretion of the voter. A failure to use the inner envelope
23 shall not be an acceptable reason for disqualifying the ballot.
24 Section 1306-D. Voting by mail-in electors.
25 * * *
26 (d) Date.--The date written on the envelope shall be the
27 date the elector has signed the declaration. Failure to date the
28 envelope or signing the envelope with a date that is not within
29 the time period between the date the ballot was received by the
30 voter and when it was received by the county board of election
31 shall not disqualify the ballot if the declaration is otherwise
32 properly executed.
33 Amend Bill, page 7, line 22, by striking out "4" and
34 inserting
35 7
36 Amend Bill, page 8, line 4, by striking out "5" and inserting
37 8