THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 106 Session of 2021

INTRODUCED BY ARGALL, MARTIN, STEFANO, PHILLIPS-HILL, DiSANTO, BAKER, MASTRIANO, PITTMAN AND REGAN, JANUARY 22, 2021

AMENDMENTS TO HOUSE AMENDMENTS, IN SENATE, JULY 7, 2022

A JOINT RESOLUTION

1 Proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, PROVIDING THAT THERE IS NO CONSTITUTIONAL RIGHT TO TAXPAYER-FUNDED ABORTION OR OTHER RIGHT RELATING TO ABORTION; further providing for action on concurrent orders and resolutions and, for Lieutenant Governor, providing for executive orders; further providing AND for qualifications of electors; and providing for election audits.

9 The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

11 Section 1. The following separate and distinct amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

14 (1) THAT ARTICLE I BE AMENDED BY ADDING A SECTION TO READ: § 30. ABORTION.

16 THIS CONSTITUTION DOES NOT GRANT THE RIGHT TO TAXPAYER-FUNDED ABORTION OR ANY OTHER RIGHT RELATING TO ABORTION.

18 (1) (2) That section 9 of Article III be amended to read: § 9. Action on concurrent orders and resolutions.

20 Every order, resolution or vote, to which the concurrence of
both Houses may be necessary, except on the questions of adjournment, disapproval of a regulation or termination or extension of a disaster emergency declaration as declared by an executive order or proclamation, or portion of a disaster emergency declaration as declared by an executive order or proclamation, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

(2) That section 4 of Article IV be amended to read:

§ 4. Lieutenant Governor.

A Lieutenant Governor shall be chosen jointly with the Governor by the casting by each voter of a single vote applicable to both offices, for the same term, and subject to the same provisions as the Governor. Each candidate for Governor, having been nominated under the laws of this Commonwealth, shall, subject to the approval of the political party or political body, if any, nominating such candidate, select a candidate for Lieutenant Governor within such time before the gubernatorial general election as the General Assembly shall prescribe by law. A person may not seek election to both offices simultaneously. The Lieutenant Governor shall be President of the Senate. As such, he may vote in case of a tie on any question except the final passage of a bill or joint resolution, the adoption of a conference report or the concurrence in amendments made by the House of Representatives.

(3) That Article IV be amended by adding a section to read:

§ 21. Executive orders.

An executive order or proclamation by the Governor or an
executive agency with the force and effect of law may not be in
effect for more than 21 days, unless otherwise extended in whole
or in part by concurrent resolution of the General Assembly.

(4) That section 1 of Article VII be amended to read:
§ 1. Qualifications of electors.

[Every citizen 21] Only citizens 18 years of age or older,
possessing the following qualifications, shall be entitled to
vote at all elections subject, however, to such laws requiring
and regulating the registration of electors as the General
Assembly may enact.

1. He or she shall have been a citizen of the United States
at least one month.

2. He or she shall have resided in the State [90] 30 days
immediately preceding the election.

3. He or she shall have resided in the election district
where he or she shall offer to vote at least [60] 30 days
immediately preceding the election, except that if qualified to
vote in an election district prior to removal of residence, he
or she may, if a resident of Pennsylvania, vote in the election
district from which he or she removed his or her residence
within [60] 30 days preceding the election.

4. He or she shall present valid identification prior to
voting, regardless of voting method. If an elector does not
possess valid identification, he or she shall, upon request, be
furnished with a government issued identification at no cost to
the elector. For purposes of this paragraph, the term "valid
identification" shall mean any unexpired government-issued
identification, unless otherwise authorized by statute.

(4) THAT SECTION 1 OF ARTICLE VII BE AMENDED TO READ: <--
EVERY CITIZEN 21 YEARS OF AGE, POSSESSING THE FOLLOWING
QUALIFICATIONS, SHALL BE ENTITLED TO VOTE AT ALL ELECTIONS
SUBJECT, HOWEVER, TO SUCH LAWS REQUIRING AND REGULATING THE
REGISTRATION OF ELECTORS AS THE GENERAL ASSEMBLY MAY ENACT.

1.  HE OR SHE SHALL HAVE BEEN A CITIZEN OF THE UNITED STATES
    AT LEAST ONE MONTH.

2.  HE OR SHE SHALL HAVE RESIDED IN THE STATE 90 DAYS
    IMMEDIATELY PRECEDING THE ELECTION.

3.  HE OR SHE SHALL HAVE RESIDED IN THE ELECTION DISTRICT
    WHERE HE OR SHE SHALL OFFER TO VOTE AT LEAST 60 DAYS IMMEDIATELY
    PRECEDING THE ELECTION, EXCEPT THAT IF QUALIFIED TO VOTE IN AN
    ELECTION DISTRICT PRIOR TO REMOVAL OF RESIDENCE, HE OR SHE MAY,
    IF A RESIDENT OF PENNSYLVANIA, VOTE IN THE ELECTION DISTRICT
    FROM WHICH HE OR SHE REMOVED HIS OR HER RESIDENCE WITHIN 60 DAYS
    PRECEDING THE ELECTION.

(B) IN ADDITION TO THE QUALIFICATIONS UNDER SUBSECTION (A)
OF THIS SECTION, A QUALIFIED ELECTOR SHALL PROVIDE A VALID
IDENTIFICATION AT EACH ELECTION IN ACCORDANCE WITH THE
FOLLOWING:

1.  WHEN VOTING IN PERSON, THE QUALIFIED ELECTOR SHALL
    PRESENT A VALID IDENTIFICATION BEFORE RECEIVING A BALLOT TO VOTE
    IN PERSON.

2.  WHEN NOT VOTING IN PERSON, THE QUALIFIED ELECTOR SHALL
    PROVIDE PROOF OF A VALID IDENTIFICATION WITH HIS OR HER BALLOT.

(C) IF A QUALIFIED ELECTOR DOES NOT POSSESS A VALID
IDENTIFICATION, HE OR SHE SHALL, UPON REQUEST AND CONFIRMATION
OF IDENTITY, BE FURNISHED WITH A GOVERNMENT-ISSUED
IDENTIFICATION AT NO COST TO THE QUALIFIED ELECTOR.

(D) FOR PURPOSES OF THIS SECTION, THE TERM "VALID
IDENTIFICATION" MEANS AN UNEXPIRED GOVERNMENT-ISSUED
(5) That Article VII be amended by adding a section to read:

§ 15. Election audits.

The General Assembly shall by statute provide for the auditing of elections, including the administration of elections, certification of election machines, the accuracy of the list of registered voters, the administration of voter registration and election results. Election audits shall be conducted by the Auditor General. In years when the Auditor General stands for election to any office, an Independent Auditor shall conduct the audit.

Section 2. (a) Upon the first passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments.

(b) Upon the second passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall:

(1) Submit the proposed constitutional amendment under section 1(1) of this resolution to the qualified electors of 20210SB0106PN1857 - 5 -
this Commonwealth as a separate ballot question at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of
Article XI of the Constitution of Pennsylvania and which
occurs at least three months after the proposed
constitutional amendment is passed by the General Assembly.

(2) Submit the proposed constitutional amendment under
section 1(2) of this resolution to the qualified electors of
this Commonwealth as a separate ballot question at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of
Article XI of the Constitution of Pennsylvania and which
occurs at least three months after the proposed
constitutional amendment is passed by the General Assembly.

(3) Submit the proposed constitutional amendment under
section 1(3) of this resolution to the qualified electors of
this Commonwealth as a separate ballot question at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of
Article XI of the Constitution of Pennsylvania and which
occurs at least three months after the proposed
constitutional amendment is passed by the General Assembly.

(4) Submit the proposed constitutional amendment under
section 1(4) of this resolution to the qualified electors of
this Commonwealth as a separate ballot question at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of
Article XI of the Constitution of Pennsylvania and which
occurs at least three months after the proposed
constitutional amendment is passed by the General Assembly.
(5) Submit the proposed constitutional amendment under section 1(5) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.