

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2910 Session of
2006

INTRODUCED BY McILHINNEY, BALDWIN, BARRAR, BENNINGHOFF, BUNT,
CALTAGIRONE, COHEN, CREIGHTON, FAIRCHILD, FLEAGLE, FREEMAN,
GEORGE, GOODMAN, HARHART, HENNESSEY, HERSHEY, MANN,
McILHATTAN, PHILLIPS, SIPTROTH, E. Z. TAYLOR, TRUE, WATSON
AND WRIGHT, OCTOBER 17, 2006

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 17, 2006

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," further providing for instruction of voters; and
12 providing for right to use paper ballots.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 1111-A of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code,
17 added July 11, 1980 (P.L.600, No.128), is amended to read:

18 Section 1111-A. Instruction of Voters.--(a) During the
19 thirty days next preceding an election at which any electronic
20 voting system is to be used, the county board of elections shall
21 place on public exhibition, in such public places and in such

1 quantity and at such times as it shall deem most suitable for
2 the instruction and information of the voters of the county,
3 those components of the electronic voting system which are used
4 by the voter, containing a sample ballot designed for
5 instructional use. Such components shall be under the charge and
6 care of a person competent as custodian and instructor. No
7 voting system component which is assigned for use in an election
8 shall be used for such public exhibition and instruction after
9 having been prepared and sealed for the election.

10 (b) At the polling place on the day of the election, each
11 voter who desires shall be instructed, by means of appropriate
12 diagrams and a model, in the operation of the voting device
13 before he enters the voting booth and of the ability to complete
14 a paper ballot under section 1123-A. If any voter shall ask for
15 further instructions concerning the manner of voting after
16 entering the voting booth, any election officer may give him
17 audible instructions without entering such booth, but no such
18 election officer shall when giving such instructions in any
19 manner request, suggest or seek to persuade or induce any such
20 voter to vote any particular ticket or for any particular
21 candidate or other person or for or against any particular
22 question.

23 (c) During the thirty days next preceding an election at
24 which any electronic voting system in which votes are registered
25 electronically is to be used, the county board of elections
26 shall conduct a public education program to inform voters of
27 their right to complete a paper ballot under section 1123-A. The
28 county board of elections shall place signs at each polling
29 place notifying voters of their right to complete a paper ballot
30 under section 1123-A.

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

2 Section 1123-A. Right to Use Paper Ballots.--(a)

3 Notwithstanding any other provision of this act, a voter in an
4 election district which uses an electronic voting system in
5 which votes are registered electronically shall have the right
6 to complete a paper ballot under this section.

7 (b) Paper ballots utilized under subsection (a) shall be
8 manually counted and shall not be entered into an electronic
9 voting system in any manner.

10 (c) Paper ballots utilized under subsection (a) shall be
11 printed for any election or office and the election shall be
12 conducted by the election officers provided for in this act and
13 the ballots counted and the return of the ballots made in the
14 manner required by law for such offices insofar as paper ballots
15 are used.

16 Section 3. The following provisions shall apply to elections
17 conducted after the effective date of this section:

18 (1) The amendment of section 1111-A of the act.

19 (2) The addition of section 1123-A of the act.

20 Section 4. This act shall take effect immediately.