

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1236 Session of
2007

INTRODUCED BY RAPP, CAUSER, PYLE, SONNEY, BARRAR, BENNINGHOFF,
CALTAGIRONE, CARROLL, CREIGHTON, DENLINGER, FAIRCHILD, GEIST,
GEORGE, GINGRICH, GRELL, HARPER, HARRIS, HENNESSEY, HERSHEY,
KAUFFMAN, M. KELLER, KORTZ, McILHATTAN, MILLARD, R. MILLER,
MILNE, PHILLIPS, PICKETT, READSHAW, ROHRER, RUBLEY, SAYLOR,
STERN AND SWANGER, MAY 4, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 4, 2007

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 absentee electors files and
12 lists.

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

15 Section 1. Section 1302.3 of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code,
17 amended December 11, 1968 (P.L.1183, No.375), is amended to
18 read:

19 Section 1302.3. Absentee Electors Files and Lists.--(a) The
20 county board of elections shall maintain at its office a file
21 containing the duplicate absentee voter's temporary registration

1 cards of every registered elector to whom an absentee ballot has
2 been sent. Such duplicate absentee voter's temporary
3 registration cards shall be filed by election districts and
4 within each election district in exact alphabetical order and
5 indexed. The registration cards so filed shall constitute the
6 Registered Absentee Voters File for the Primary or Election of
7 (date of primary or election) and shall be kept on file for a
8 period commencing the Tuesday prior to the day of the primary or
9 election until the day following the primary or election or the
10 day the county board of elections certifies the returns of the
11 primary or election, whichever date is later. Such file shall be
12 open to public inspection at all times subject to reasonable
13 safeguards, rules and regulations[.], including requiring any
14 individual who asks to inspect the file to identify himself, and
15 present identification that includes a photograph and signature,
16 by signing his name and printing his name and address on a form
17 prepared by the county board. The county board of elections
18 shall post in a conspicuous public place at its office a sign
19 stating that the file is open to public inspection upon
20 completion of the form.

21 (b) The county board of elections shall [post in a
22 conspicuous public place] maintain at its office a master list
23 arranged in alphabetical order by election districts setting
24 forth the name and residence, and at primaries, the party
25 enrollment, of (1) every military elector to whom an absentee
26 ballot is being sent, each such name to be prefixed with an "M";
27 (2) every bedridden or hospitalized veteran outside the county
28 of his residence who is not registered and to whom an absentee
29 ballot is being sent, each such name to be prefixed with a "V";
30 and (3) every registered elector who has filed his application

1 for an absentee ballot too late for the extraction of his
2 original registration card and to whom a ballot is being sent
3 and every qualified elector who has filed his application for an
4 absentee ballot and is entitled, under provisions of the
5 Permanent Registration Law as now or hereinafter enacted by the
6 General Assembly, to absentee registration prior to or
7 concurrently with the time of voting, each such name to be
8 prefixed with a "C." This list shall be known as the Military,
9 Veterans and Emergency Civilians Absentee Voters File for the
10 Primary or Election of (date of primary or election) [and shall
11 be posted for a period commencing the Tuesday prior to the day
12 of the primary or election until the day following the primary
13 or election or the day on which the county board of elections
14 certifies the returns of the primary or election, whichever date
15 is later]. Such [file] list shall be open to public inspection
16 at all times subject to reasonable safeguards, rules and
17 regulations[.], including requiring any individual who asks to
18 inspect the list to identify himself, and present identification
19 that includes a photograph and signature, by signing his name
20 and printing his name and address on a form prepared by the
21 county board. The county board of elections shall post in a
22 conspicuous public place at its office a sign stating that the
23 list is open to public inspection upon completion of the form.
24 This [posted] list shall not contain any military address or
25 references to any military organization. Upon written request,
26 the county board shall furnish a copy of such list to any
27 candidate or party county chairman.

28 (c) Not less than five days preceding the election, the chief
29 clerk shall prepare a list for each election district showing
30 the names and post office addresses of all voting residents

1 thereof to whom official absentee ballots shall have been
2 issued. Each such list shall be prepared in duplicate, shall be
3 headed "Persons in (give identity of election district) to whom
4 absentee ballots have been issued for the election of (date of
5 election)," and shall be signed by him not less than four days
6 preceding the election. He shall [post the original of each such
7 list in a conspicuous place] maintain the original of each list
8 in the office of the county election board [and see that it is
9 kept so posted until the close of the polls on election day].
10 Each list shall be open to public inspection at all times
11 subject to reasonable safeguards, rules and regulations,
12 including requiring any individual who asks to inspect a list to
13 identify himself, and present identification that includes a
14 photograph and signature, by signing his name and printing his
15 name and address on a form prepared by the county board. The
16 chief clerk shall post in a conspicuous public place in the
17 office of the county election board a sign stating that the list
18 is open to public inspection upon completion of the form. Upon
19 written request, the chief clerk shall furnish a copy of such
20 list to any candidate or party county chairman. He shall cause
21 the duplicate of each such list to be delivered to the judge of
22 election in the election district in the same manner and at the
23 same time as are provided in this act for the delivery of other
24 election supplies, and it shall be the duty of such judge of
25 election to [post] maintain such duplicate list [in a
26 conspicuous place] within the polling place of his district [and
27 see that it is kept so posted] throughout the time that the
28 polls are open. [Upon written request, he shall furnish a copy
29 of such list to any candidate or party county chairman.] The
30 judge of election shall make the duplicate list available for

1 inspection on the day of the election or primary subject to
2 reasonable safeguards, rules and regulations including requiring
3 any individual who asks to inspect a list to identify himself,
4 and present identification that includes a photograph and
5 signature, by signing his name and printing his name and address
6 on a form prepared by the county board. The judge of election
7 shall post in a conspicuous public place within the polling
8 place of his district a sign stating that the duplicate list is
9 open to public inspection upon completion of the form.

10 Section 2. This act shall take effect in 60 days.