

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 75 Session of 2017

INTRODUCED BY SNYDER, DEAN, MATZIE, GERGELY, MARSHALL, GAINNEY, SAMUELSON, YOUNGBLOOD, V. BROWN, O'BRIEN, BULLOCK, McNEILL, KINSEY, D. COSTA, MULLERY, WARD, FRANKEL, SCHLOSSBERG, BIZZARRO, McCARTER, SIMS, CARROLL, STURLA, FREEMAN, DeLUCA AND WARREN, JANUARY 23, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 23, 2017

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," in preparation for and conduct of primaries and
 12 elections, further providing for notice of November
 13 elections, providing for early voting and further providing
 14 for duties of election officials; in voting by qualified
 15 absentee electors, further providing for application for
 16 absentee ballots; and repealing provisions of Title 25 of the
 17 Pennsylvania Consolidated Statutes relating to application
 18 for absentee ballots.

19 The General Assembly of the Commonwealth of Pennsylvania
 20 hereby enacts as follows:

21 Section 1. Section 1201 of the act of June 3, 1937
 22 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
 23 amended to read:

24 Section 1201. Notice of November Elections.--The county

1 board of each county shall, not earlier than [ten] fifteen days
2 nor later than [three] nine days before each November election,
3 give notice of the same by newspaper publication in the county
4 in accordance with the provisions of section 106 of this act,
5 said notice to be published twice in counties of the first class
6 and once in all other counties. Such notice shall set forth--(a)
7 the officers to be elected in the State at large, or in said
8 county, or in any district of which said county or part thereof
9 forms a part, or in any city, borough, township, school
10 district, poor district, ward or other district which is
11 contained in such county; (b) the names of the candidates for
12 election to Federal, State, county and city offices, whose names
13 will appear upon the ballots or ballot labels; (c) the text of
14 all constitutional amendments and other questions to be
15 submitted at such election; (d) the places at which the election
16 is to be held in the various election districts of the county;
17 and (e) the date of the election and the hours during which the
18 polls will be open. Such notice may include a portion of the
19 form of ballot or diagram of the face of the voting machine in
20 reduced size.

21 Section 2. The act is amended by adding sections to read:

22 Section 1201.3. Early Voting Period.--Notwithstanding any
23 other provision of this act to the contrary, the county board of
24 each county shall provide for early voting to begin eight days
25 prior to the dates of elections established in accordance with
26 Article VI. The early voting period shall end seven days after
27 the early voting start date.

28 Section 1201.4. Early Voting Sites.--(a) The county board
29 of each county shall designate early voting sites where electors
30 may cast their ballots during the early voting period

1 established in accordance with section 1201.3.

2 (b) The early voting sites shall include the office of the
3 county board of elections and sites designated by the county
4 board within the election district. The early voting sites shall
5 be geographically located to provide electors in the election
6 district an equal opportunity to cast a ballot. Aside from the
7 office of the county board of elections, the county board is
8 prohibited from designating early voting sites outside the
9 geographical boundary of election districts within their county.
10 The county board shall make available at these sites the same
11 cards of instructions and supplies required under section 1202
12 of this act.

13 (c) During the early voting period, the county board shall
14 appoint, in the same manner, clerks of elections and machine
15 inspectors at each designated early voting polling place as
16 provided for under Article IV.

17 Section 1203.1. Meeting of Election Officers for Early
18 Voting; Voter's Certificates.--(a) The provisions of section
19 1208 regarding meeting of election officers shall apply to the
20 early voting period.

21 (b) At each early voting site, the county board shall
22 prepare a suitable number of voter's certificates as provided
23 for in section 1203. Each elector who appears to vote at an
24 early voting site shall complete a voter certificate and shall
25 present to an election officer one of the forms of photo
26 identification as established in section 1210, if such photo
27 identification is required.

28 Section 1205.1. Days and Times for Opening and Closing Polls
29 at Early Voting Sites.--The county board of each county shall
30 designate the early voting sites to be open from 8 A.M. to 7

1 P.M. each weekday during the early voting period and from 1 P.M.
2 to 5 P.M. on Saturday and Sunday during the early voting period.
3 Early voting sites shall allow any person in line at the closing
4 of an early voting site to cast a vote.

5 Section 1205.2. Extending Absentee Eligibility.--A qualified
6 elector, as defined in section 102, shall continue to be
7 eligible for an absentee ballot if the qualified elector is
8 expected to be absent from his election district during the
9 early voting period and on election day and meets the conditions
10 under section 102(w).

11 Section 3. Section 1225 of the act is amended by adding
12 subsections to read:

13 Section 1225. Signing and Disposition of Returns, District
14 Register and Voting Check List; Posting; Return of Ballot
15 Boxes.--* * *

16 (d) During early voting periods, each judge of elections
17 shall make the voter check list available no later than twelve
18 o'clock noon of each day and shall be contemporaneously provided
19 to the Secretary of the Commonwealth but shall not tabulate
20 votes prior to the close of the polls on election day. The
21 ballot of each elector voting early may be counted even if the
22 elector dies on or before election day. The county board shall
23 maintain a voting check list in such a way to ensure that
24 electors are prohibited from casting additional ballots at
25 either an early voting site or on election day in their
26 precinct.

27 (e) An early voting site designated by the county board
28 shall submit a detailed report of security procedures to secure
29 the ballots prior to the early voting period to the Secretary of
30 the Commonwealth.

1 Section 4. Section 1302(a) of the act is amended to read:

2 Section 1302. Applications for Official Absentee Ballots.--

3 (a) Any qualified elector defined in preceding section 1301,
4 subsections (a) to (h), inclusive, may apply at any time before
5 any primary or election for any official absentee ballot in
6 person, on any form supplied by the Federal Government, [or] on
7 any official county board of election form or on any other
8 signed document addressed to the Secretary of the Commonwealth
9 of Pennsylvania or the county board of election of the county in
10 which his voting residence is located.

11 * * *

12 Section 5. Repeals are as follows:

13 (1) The General Assembly finds and declares that the
14 repeal under paragraph (2) is necessary to effectuate the
15 amendment of section 1302(a) of the act.

16 (2) The provisions of 25 Pa.C.S. § 3302 are repealed.

17 Section 6. This act shall take effect in 60 days.