

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 421 Session of
2019

INTRODUCED BY BOSCOLA, BROWNE, MENSCH, BARTOLOTTA, KILLION,
LAUGHLIN, SCAVELLO, STEFANO AND PHILLIPS-HILL, MARCH 25, 2019

AMENDED IN APPROPRIATIONS COMMITTEE, OCTOBER 28, 2019

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 ballots, further providing for form of~~
12 ~~official election ballot; in voting machines, further~~
13 ~~providing for requirements of voting machines and for form of~~
14 ~~ballot labels on voting machines; in electronic voting~~
15 ~~systems, further providing for requirements of electronic~~
16 ~~voting systems, for forms and for election day procedures and~~
17 ~~the process of voting; and, in preparation for and conduct of~~
18 ~~primaries and elections, further providing for instructions~~
19 ~~of voters and manner of voting in districts in which voting~~
20 ~~machines are used, for count and return of votes in districts~~
21 ~~in which ballots are used and for what ballots shall be~~
22 ~~counted, manner of counting and defective ballots.~~

23 AMENDING THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320), ENTITLED <--
24 "AN ACT CONCERNING ELECTIONS, INCLUDING GENERAL, MUNICIPAL,
25 SPECIAL AND PRIMARY ELECTIONS, THE NOMINATION OF CANDIDATES,
26 PRIMARY AND ELECTION EXPENSES AND ELECTION CONTESTS; CREATING
27 AND DEFINING MEMBERSHIP OF COUNTY BOARDS OF ELECTIONS;
28 IMPOSING DUTIES UPON THE SECRETARY OF THE COMMONWEALTH,
29 COURTS, COUNTY BOARDS OF ELECTIONS, COUNTY COMMISSIONERS;
30 IMPOSING PENALTIES FOR VIOLATION OF THE ACT, AND CODIFYING,
31 REVISING AND CONSOLIDATING THE LAWS RELATING THERETO; AND
32 REPEALING CERTAIN ACTS AND PARTS OF ACTS RELATING TO

1 ELECTIONS," IN PRELIMINARY PROVISIONS, FURTHER PROVIDING FOR
2 DEFINITIONS; IN THE SECRETARY OF THE COMMONWEALTH, PROVIDING
3 FOR REQUIREMENTS FOR DISAPPROVAL OR DECERTIFICATION OF VOTING
4 APPARATUSES AND FOR CENSUS OUTREACH; IN DISTRICT ELECTION
5 OFFICERS, FURTHER PROVIDING FOR COMPENSATION OF DISTRICT
6 ELECTION OFFICERS; IN ELECTION DISTRICTS AND POLLING PLACES,
7 FURTHER PROVIDING FOR RESTRICTIONS ON ALTERATION; IN
8 NOMINATION OF CANDIDATES, FURTHER PROVIDING FOR PETITION MAY
9 CONSIST OF SEVERAL SHEETS AND AFFIDAVIT OF CIRCULATOR, FOR <--
10 MANNER OF SIGNING NOMINATION PETITIONS AND TIME OF
11 CIRCULATING AND FOR NOMINATIONS BY POLITICAL BODIES; IN
12 BALLOTS, FURTHER PROVIDING FOR FORM OF OFFICIAL PRIMARY
13 BALLOT, FOR FORM OF OFFICIAL ELECTION BALLOT AND, FOR NUMBER <--
14 OF BALLOTS TO BE PRINTED AND SPECIMEN BALLOTS AND FOR FORMS <--
15 OF BALLOTS ON FILE AND OPEN TO PUBLIC INSPECTION AND BALLOTS
16 AND DIAGRAMS TO BE FURNISHED TO CANDIDATES AND PARTIES; IN
17 VOTING MACHINES, FURTHER PROVIDING FOR REQUIREMENTS OF VOTING
18 MACHINES AND FOR FORM OF BALLOT LABELS ON VOTING MACHINES; IN
19 ELECTRONIC VOTING SYSTEMS, FURTHER PROVIDING FOR REQUIREMENTS
20 OF ELECTRONIC VOTING SYSTEMS, FOR FORMS, FOR ELECTION DAY
21 PROCEDURES AND THE PROCESS OF VOTING AND FOR POST ELECTION
22 PROCEDURES; PROVIDING FOR VOTING APPARATUS BONDS; IN
23 PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS,
24 FURTHER PROVIDING FOR MANNER OF APPLYING TO VOTE AND PERSONS
25 ENTITLED TO VOTE AND VOTER'S CERTIFICATES AND ENTRIES TO BE
26 MADE IN DISTRICT REGISTER AND NUMBERED LISTS OF VOTERS AND
27 CHALLENGES, FOR METHOD OF MARKING BALLOTS AND DEPOSITING SAME
28 IN DISTRICTS IN WHICH BALLOTS ARE USED, FOR INSTRUCTIONS OF
29 VOTERS AND MANNER OF VOTING IN DISTRICTS IN WHICH VOTING
30 MACHINES ARE USED, FOR COUNT AND RETURN OF VOTES IN DISTRICTS
31 IN WHICH BALLOTS ARE USED, FOR WHAT BALLOTS SHALL BE COUNTED,
32 MANNER OF COUNTING AND DEFECTIVE BALLOTS AND FOR CANVASS AND
33 RETURN OF VOTES IN DISTRICTS IN WHICH VOTING MACHINES ARE
34 USED AND PROVIDING FOR DEADLINE FOR RECEIPT OF VALID VOTER
35 REGISTRATION APPLICATION, FOR APPEALS AND FOR APPEALS TO
36 COURT OF COMMON PLEAS; IN VOTING BY QUALIFIED ABSENTEE
37 ELECTORS, FURTHER PROVIDING FOR APPLICATIONS FOR OFFICIAL
38 ABSENTEE BALLOTS, FOR DATE OF APPLICATION FOR ABSENTEE
39 BALLOT, FOR APPROVAL OF APPLICATION FOR ABSENTEE BALLOT, FOR
40 ABSENTEE ELECTORS FILES AND LISTS, FOR OFFICIAL ABSENTEE
41 VOTERS BALLOTS, FOR DELIVERING OR MAILING BALLOTS, FOR VOTING
42 BY ABSENTEE ELECTORS, FOR CANVASSING OF OFFICIAL ABSENTEE
43 BALLOTS AND FOR PUBLIC RECORDS; PROVIDING FOR VOTING BY
44 QUALIFIED MAIL-IN ELECTORS; IN RETURNS OF PRIMARIES AND
45 ELECTIONS, FURTHER PROVIDING FOR MANNER OF COMPUTING
46 IRREGULAR BALLOTS; ~~IN PRIMARY AND ELECTION EXPENSES, FURTHER~~ <--
47 ~~PROVIDING FOR REPORTING BY CANDIDATES AND POLITICAL~~
48 ~~COMMITTEES AND OTHER PERSONS;~~ PROVIDING FOR DISSEMINATION OF
49 INFORMATION AND FOR JURISDICTION; REMOVING REFERENCES TO THE <--
50 TRAFFIC COURT OF PHILADELPHIA; AND MAKING RELATED REPEALS.

51 The General Assembly of the Commonwealth of Pennsylvania
52 hereby enacts as follows:

53 ~~Section 1. Sections 1003(a), 1107(b), 1110(h), 1107 A(3),~~ <--
54 ~~1109 A(a) (2) and (d), 1112 A(a) (2) and (4), 1216(d) and (f),~~
55 ~~1222(a) and (b) and 1223(a) of the act of June 3, 1937~~

1 ~~(P.L.1333, No.320), known as the Pennsylvania Election Code, are~~
2 ~~amended to read:~~

3 ~~Section 1003. Form of Official Election Ballot.—~~

4 ~~(a) The official ballots for general, municipal and special~~
5 ~~elections shall be in substantially the following form:~~

6 OFFICIAL BALLOT

7 District, Ward,

8 City of, County of,

9 State of Pennsylvania

10 Election held on the day of, [19]

11 20.....

12 A cross (X) or check () mark in the square opposite the name of
13 any candidate indicates a vote for that candidate.

14 {To vote a straight party ticket, mark a cross (X) or check
15 () in the square, in the Party Column, opposite the name of the
16 party of your choice. To vote for an individual candidate of
17 another party after making a mark in the party square, mark a
18 cross (X) or check () opposite his name. For an office where
19 more than one candidate is to be voted for, the voter, after
20 marking in the party square, may divide his vote by marking a
21 cross (X) or check () to the right of each candidate for whom
22 he or she desires to vote. For such office votes shall not be
23 counted for candidates not individually marked.}

24 To vote for a person whose name is not on the ballot, write,
25 print or paste his name in the blank space provided for that
26 purpose. A cross (X) or check () mark in the square opposite
27 the names of the candidates of any party for President and Vice
28 President of the United States indicates a vote for all the
29 candidates of that party for presidential elector. To vote for
30 individual candidates for presidential elector, write, print or

1 ~~paste their names in the blank spaces provided for that purpose~~
2 ~~under the title "Presidential Electors." Mark ballot only in~~
3 ~~black lead pencil, indelible pencil or blue, black or blue black~~
4 ~~ink, in fountain pen or ball point pen; use the same pencil or~~
5 ~~pen for all markings you place on the ballot.~~

6 ~~Before leaving the voting compartment, fold this ballot,~~
7 ~~without displaying the markings thereon, in the same way it was~~
8 ~~folded when received, then leave the compartment and exhibit the~~
9 ~~ballot to one of the election officers who shall ascertain by an~~
10 ~~inspection of the number appearing upon the right hand corner of~~
11 ~~the back of the ballot whether the ballot so exhibited to him is~~
12 ~~the same ballot which the elector received before entering the~~
13 ~~voting compartment. If it is the same, the election officer~~
14 ~~shall direct the elector, without unfolding the ballot, to~~
15 ~~remove the perforated corner containing the number, and the~~
16 ~~elector shall immediately deposit the ballot in the ballot box.~~
17 ~~Any ballot deposited in a ballot box at any primary or election~~
18 ~~without having the said number torn off shall be void and shall~~
19 ~~not be counted.~~

20	{Party Column	Presidential Electors
21	To Vote a Straight Party Ticket	(Vote for the candidates of
22	Mark a Cross (X) or Check () in	one party for President and
23	this Column.	Vice President, or insert the
24		names of candidates.)
25		— For
26		John Stiles
27	Democratic	— and
28		Richard Doe,
29		Democratic
30		— For

1 ~~John Doe~~
2 ~~Republican~~ ~~and~~
3 ~~Richard Roe,~~
4 ~~Republican~~
5 ~~For~~
6 ~~John Smith~~
7 ~~Socialist~~ ~~and~~
8 ~~William Jones,~~
9 ~~Socialist~~
10 ~~Citizens]~~

11 ~~Presidential Electors.~~
12 ~~(Vote for the candidates of one party for President and Vice~~
13 ~~President, or insert the names of candidates)~~
14 ~~For~~
15 ~~John Stiles and Richard Doe..... Democratic~~
16 ~~For~~
17 ~~John Doe and Richard Roe..... Republican~~
18 ~~For~~
19 ~~John Smith and William Jones..... Socialist~~
20 ~~For~~
21 ~~..... Citizens~~

22 ~~United States Senator.~~
23 ~~(Vote for one)~~
24 ~~Richard Roe Democratic~~
25 ~~John Doe Republican~~
26 ~~Richard Stiles Socialist~~
27 ~~Governor.~~
28 ~~(Vote for one)~~
29 ~~Richard Roe Democratic~~
30 ~~John Doe Republican~~

1 ~~Richard Stiles Socialist~~
2 ~~Representatives in Congress,~~
3 ~~..... District.~~
4 ~~(Vote for one)~~

5 ~~Richard Roe Democratic~~
6 ~~John Doe Republican~~

7 ~~Richard Stiles Socialist~~
8 ~~Senator in the General Assembly,~~
9 ~~..... District.~~
10 ~~(Vote for one)~~

11 ~~John Doe Democratic~~
12 ~~Richard Roe Republican~~

13 * * *

14 ~~Section 1107. Requirements of Voting Machines. No voting~~
15 ~~machine shall, upon any examination or reexamination, be~~
16 ~~approved by the Secretary of the Commonwealth, or by any~~
17 ~~examiner appointed by him, unless it shall, at the time, satisfy~~
18 ~~the following requirements:~~

19 * * *

20 ~~{(b) It shall permit each voter, at other than primary~~
21 ~~elections, to vote a straight political party ticket in one~~
22 ~~operation, and, in one operation, to vote for all the candidates~~
23 ~~of one political party for presidential electors, and, in one~~
24 ~~operation, to vote for all the candidates of one political party~~
25 ~~for every office to be voted for, except those offices as to~~
26 ~~which he votes for individual candidates.}~~

27 * * *

28 ~~Section 1110. Form of Ballot Labels on Voting Machines.~~

29 * * *

30 ~~(h) The names of all candidates of a political party shall~~

~~1 appear in the same row or column, and except in cases of names
2 of presidential commitments of nominees for delegate or
3 alternate delegate to political party National conventions no
4 other names shall appear in the same row or column[, to the left
5 or top of which shall be a straight party lever, by means of
6 which an elector may, in one operation, vote for all the
7 candidates of that political party for every office to be voted
8 for]. Where the names of the delegate or alternate delegate and
9 the presidential candidate he is supporting shall both appear,
10 the print size of the name of the delegate or alternate delegate
11 shall be equal to the size of the name of the particular
12 presidential candidate to whom he is committed, or in the case
13 where he is uncommitted, the word "uncommitted" shall appear in
14 the same size print. The names of such candidates shall be
15 arranged under or opposite the title of the office for which
16 they are candidates, and shall appear in the order of the votes
17 obtained by the candidate for Governor of the party nominated at
18 the last gubernatorial election, beginning with the party
19 obtaining the highest number of votes: Provided, however, That
20 in the case of parties or bodies not represented on the ballot
21 at the last gubernatorial election, the names of the candidates
22 of such parties shall be arranged alphabetically, according to
23 the party or body name. The names of all candidates of a
24 political body shall appear in the same row or column, and, if
25 the number of parties and bodies permits, each political body
26 shall be entitled exclusively to a separate row or column[, with
27 a straight party lever]. If, however, the number of political
28 parties and political bodies renders it impossible or
29 impracticable to so arrange the political bodies, in such case
30 said bodies shall not be entitled to a separate row or column~~

1 ~~[and a straight party lever], but shall be listed by political~~
2 ~~appellations on the first left hand or top row, with the~~
3 ~~designating letter and number of the ballot label where their~~
4 ~~candidates may be found, together with the political~~
5 ~~appellations of other political bodies, whose candidates may be~~
6 ~~interspersed on the same row or column. Subject to the aforesaid~~
7 ~~limitations, the form and arrangement of ballot labels, as to~~
8 ~~the placing thereon of political bodies, shall be within the~~
9 ~~discretion of the county board.~~

10 * * *

11 ~~Section 1107 A. Requirements of Electronic Voting Systems.—~~
12 ~~No electronic voting system shall, upon any examination or~~
13 ~~reexamination, be approved by the Secretary of the Commonwealth,~~
14 ~~or by any examiner appointed by him, unless it shall be~~
15 ~~established that such system, at the time of such examination or~~
16 ~~reexamination:~~

17 * * *

18 ~~{(3) Permits each voter, at other than primary elections, to~~
19 ~~vote a straight political party ticket by one mark or act and,~~
20 ~~by one mark or act, to vote for all the candidates of one~~
21 ~~political party for presidential electors and, by one mark or~~
22 ~~act, to vote for all the candidates of one political party for~~
23 ~~every office to be voted for, and every such mark or act shall~~
24 ~~be equivalent to and shall be counted as a vote for every~~
25 ~~candidate of the political party so marked including its~~
26 ~~candidates for presidential electors, except with respect to~~
27 ~~those offices as to which the voter has registered a vote for~~
28 ~~individual candidates of the same or another political party or~~
29 ~~political body, in which case the automatic tabulating equipment~~
30 ~~shall credit the vote for that office only for the candidate~~

1 ~~individually so selected, notwithstanding the fact that the~~
2 ~~voter may not have individually voted for the full number of~~
3 ~~candidates for that office for which he was entitled to vote.]~~

4 * * *

5 Section 1109 A. Forms. (a) * * *

6 ~~(2) The pages placed on the voting device shall be of~~
7 ~~sufficient number to include, following the listing of~~
8 ~~particular candidates, the names of candidates for any~~
9 ~~nonpartisan offices and any measures for which a voter may be~~
10 ~~qualified to vote on a given election day, provided further that~~
11 ~~for municipal, general or special elections, the first ballot~~
12 ~~page shall list in the order that such political parties are~~
13 ~~entitled to priority on the ballot, the names of such political~~
14 ~~parties [with designating arrows so as to indicate the voting~~
15 ~~square or position on the ballot card where the voter may insert~~
16 ~~by one mark or punch the straight party ticket of his choice].~~

17 * * *

18 ~~{(d) In partisan elections the ballot cards shall include a~~
19 ~~voting square or position whereby the voter may by one punch or~~
20 ~~mark record a straight party ticket vote for all the candidates~~
21 ~~of one party or may vote a split ticket for the candidates of~~
22 ~~his choice.]~~

23 * * *

24 Section 1112 A. Election Day Procedures and the Process of
25 Voting. (a) In an election district which uses an electronic
26 voting system in which votes are registered electronically, the
27 following procedures will be applicable for the conduct of the
28 election at the election district:

29 * * *

30 (2) At [primary] all elections, the voter shall be able to

1 ~~vote for each candidate individually by the means provided. [At~~
2 ~~all other elections, he may vote for each candidate~~
3 ~~individually, or he may vote a straight political party ticket~~
4 ~~in one operation by operating the straight political party~~
5 ~~mechanism of the political party or political body of his~~
6 ~~choice. He may also, after having operated the straight party~~
7 ~~mechanism and before recording his vote, cancel the vote for any~~
8 ~~candidate of such political party or political body and may~~
9 ~~thereupon vote for a candidate of another party, or political~~
10 ~~body for the same office.] The voter may also vote individually~~
11 ~~for or against a question submitted to the vote of the electors.~~

12 * * *

13 ~~(4) At any general election at which presidential electors~~
14 ~~are to be chosen, each elector shall be permitted to vote by one~~
15 ~~operation for all the presidential electors of a political party~~
16 ~~or political body. For each party or body nominating~~
17 ~~presidential electors, a ballot label shall be provided~~
18 ~~containing only the words "Presidential Electors," preceded by~~
19 ~~the names of the party or body and followed by the names of the~~
20 ~~candidates thereof for the Office of President and Vice~~
21 ~~President, and the corresponding counter or registering device~~
22 ~~shall register votes cast for said electors when thus voted for~~
23 ~~collectively. If any elector desires to vote a ticket for~~
24 ~~presidential electors made up of the names of persons nominated~~
25 ~~by different parties or bodies, or partially of names of persons~~
26 ~~so in nomination and partially of names of persons not in~~
27 ~~nomination by any party or body, he may write or deposit a paper~~
28 ~~ballot prepared by himself in the receptacle provided in or on~~
29 ~~the voting device for that purpose, or he may list their names~~
30 ~~on the write in ballot or envelope provided for that purpose.~~

1 ~~The voting device shall be so constructed that it will not be~~
2 ~~possible for any one voter to vote a straight party ticket for~~
3 ~~presidential electors and at the same time to deposit a ballot~~
4 ~~for presidential electors in a receptacle as [hereinabove]~~
5 ~~provided in this section.~~ When the votes for presidential
6 electors are counted, the votes appearing upon the counter or
7 registering device corresponding to the ballot label containing
8 the names of the candidates for President and Vice President of
9 any party or body shall be counted as votes for each of the
10 candidates for presidential elector of such party or body, and
11 thereupon all candidates for presidential elector shall be
12 credited, in addition, with the votes cast for them upon the
13 ballots deposited in the machine, as [hereinabove] provided in
14 this section.

15 * * *

16 Section 1216. ~~Instructions of Voters and Manner of Voting in~~
17 ~~Districts in Which Voting Machines are Used.~~

18 * * *

19 (d) ~~At [primaries] all elections, he shall vote for each~~
20 ~~candidate individually by operating the key, handle, pointer or~~
21 ~~knob, upon or adjacent to which the name of such candidate is~~
22 ~~placed. [At elections, he may vote for each candidate~~
23 ~~individually by operating the key, handle, pointer or knob, upon~~
24 ~~or adjacent to which the names of candidates of his choice are~~
25 ~~placed, or he may vote a straight political party ticket in one~~
26 ~~operation by operating the straight political party lever of the~~
27 ~~political party or political body of his choice, if such machine~~
28 ~~has thereon a separate lever for all the candidates of the~~
29 ~~political body. He may also, after having operated the straight~~
30 ~~party lever, and before recording his vote, cancel the vote for~~

1 ~~any candidate of such political party or political body by~~
2 ~~replacing the individual key, handle, pointer or knob of such~~
3 ~~candidate, and may thereupon vote for a candidate of another~~
4 ~~party, or political body for the same office by operating the~~
5 ~~key, handle, pointer or knob, upon or adjacent to which the name~~
6 ~~of such candidate appears.] In the case of a question submitted~~
7 ~~to the vote of the electors, the elector shall operate the key,~~
8 ~~handle, pointer or knob corresponding to the answer which he~~
9 ~~desires to give.~~

10 * * *

11 ~~(f) At any general election at which presidential electors~~
12 ~~are to be chosen, each elector shall be permitted to vote by one~~
13 ~~operation for all the presidential electors of a political party~~
14 ~~or political body. For each party or body nominating~~
15 ~~presidential electors, a ballot label shall be provided~~
16 ~~containing only the words "Presidential Electors," preceded by~~
17 ~~the names of the party or body and followed by the names of the~~
18 ~~candidates thereof for the office of President and Vice~~
19 ~~President, and the corresponding counter or registering device~~
20 ~~shall register votes cast for said electors when thus voted for~~
21 ~~collectively. If an elector desires to vote a ticket for~~
22 ~~presidential electors made up of the names of persons nominated~~
23 ~~by different parties or bodies, or partially of names of persons~~
24 ~~so in nomination and partially of names of persons not in~~
25 ~~nomination by any party or body, or wholly of names of persons~~
26 ~~not in nomination by any party or body, he may write or deposit~~
27 ~~a paper ballot prepared by himself in the receptacle provided in~~
28 ~~or on the machine for the purpose. The machine shall be so~~
29 ~~constructed that it will not be possible for any one voter to~~
30 ~~vote a straight party ticket for presidential electors and at~~

1 ~~the same time to deposit a ballot for presidential electors in a~~
2 ~~receptacle as [hereinabove] provided in this section. When the~~
3 ~~votes for presidential electors are counted, the votes appearing~~
4 ~~upon the counter or registering device corresponding to the~~
5 ~~ballot label containing the names of the candidates for~~
6 ~~President and Vice President of any party or body shall be~~
7 ~~counted as votes for each of the candidates for presidential~~
8 ~~elector of such party or body, and thereupon all candidates for~~
9 ~~presidential elector shall be credited, in addition, with the~~
10 ~~votes cast for them upon the ballots deposited in the machine,~~
11 ~~as [hereinabove] provided in this section.~~

12 * * *

13 ~~Section 1222. Count and Return of Votes in Districts in~~
14 ~~Which Ballots are Used.—~~

15 ~~(a) As soon as all the ballots have been properly accounted~~
16 ~~for, and those outside the ballot box, as well as the "Voting~~
17 ~~Check List," numbered lists of voters and district register~~
18 ~~sealed, the election officers shall forthwith open the ballot~~
19 ~~box, and take therefrom all ballots therein, and at primaries,~~
20 ~~separate the same according to the party to which they belong.—~~
21 ~~The ballots shall then be counted one by one, and a record made~~
22 ~~of the total number, and at primaries of the total number cast~~
23 ~~for each party. Then the judge, under the scrutiny of the~~
24 ~~minority inspector, or the minority inspector, under the~~
25 ~~scrutiny of the judge, in the presence of the other officers,~~
26 ~~clerks, and of the overseers, if any, and within the hearing and~~
27 ~~sight of the watchers outside the enclosed space, shall read~~
28 ~~aloud the names of the candidates marked or inserted upon each~~
29 ~~ballot (at primaries the ballots of each party being read in~~
30 ~~sequence), together with the office for which the person named~~

1 ~~is a candidate, and the answers contained on the ballots to the~~
2 ~~questions submitted, if any, and the majority inspector and~~
3 ~~clerks shall carefully enter each vote as read, and keep account~~
4 ~~of the same in ink in triplicate tally papers (triplicate tally~~
5 ~~papers for each party at primaries) to be provided by the county~~
6 ~~board of elections for that purpose, all three of which shall be~~
7 ~~made at the same time.]: Provided, That at all general,~~
8 ~~municipal and special elections, in entering each vote received~~
9 ~~by candidates at such election, it shall not be necessary to~~
10 ~~enter separate tally marks for each vote received by such~~
11 ~~candidates upon the ballots containing the same votes for the~~
12 ~~same names, commonly known, and in this act designated as~~
13 ~~"Straight Party Tickets" for such purpose straight party ticket~~
14 ~~votes shall be entered carefully as each straight party ticket~~
15 ~~vote is read on the triplicate tally sheets under the heading~~
16 ~~"Number of votes received upon~~
17 ~~the straight party tickets." Upon~~
18 ~~completing the number of votes received by each straight party~~
19 ~~ticket, the number so tallied for each party shall be entered~~
20 ~~numerically on the extreme right hand margin of each such tally~~
21 ~~paper.] All ballots, after being removed from the box, shall be~~
22 ~~kept within the unobstructed view of all persons in the voting~~
23 ~~room until replaced in the box. No person while handling the~~
24 ~~ballots shall have in his hand any pencil, pen, stamp or other~~
25 ~~means of marking or spoiling any ballot. The election officers~~
26 ~~shall forthwith proceed to canvass and compute the votes cast,~~
27 ~~and shall not adjourn or postpone the canvass or computation~~
28 ~~until it shall have been fully completed.~~

29 (b) ~~When the vote cast for the different persons named upon~~
30 ~~the ballots and upon the questions, if any, appearing thereon,~~

1 shall have been fully recorded in the tally papers and counted,
2 the election officers shall duly certify to the number of votes
3 east for each person (upon the respective party tickets at
4 primaries), and shall prepare in ink two (2) general returns,
5 showing, in addition to the entries made thereon as aforesaid,
6 the total number of ballots received from the county board (the
7 total of each party at primaries), the number of ballots cast
8 (the number of each party at primaries), the number of ballots
9 (of each party at primaries) declared void, and the number of
10 ballots spoiled and cancelled, and any blank ballots cast, as
11 well as the votes cast for each candidate. At elections, the
12 number of votes cast for each candidate by each political party
13 or political body of which such candidate is a nominee shall be
14 separately stated.[: Provided, That the number of votes received
15 by each set of candidates upon "straight party tickets" shall be
16 entered opposite the names of the respective candidates in a
17 column immediately adjoining upon the left which column shall be
18 of convenient width and shall be headed "number of votes
19 received upon straight party tickets."] In an immediate column
20 to the left thereto, the number of votes received by each
21 candidate upon all ballots [other than "straight party tickets"
22 including all ballots known as "split tickets"] shall be
23 entered, such column to be of convenient width and shall be
24 headed "number of votes [received other than upon straight party
25 tickets." The number of votes received by each candidate as
26 shown in the column headed "number of votes received upon
27 straight party tickets" shall then be added, together with the
28 number of votes received by each candidate as shown in the
29 column headed "number of votes received other than upon straight
30 party tickets" and thereupon, the] received." The total number

1 of votes received by each candidate shall be entered in a column
2 on the extreme right hand side of the return sheets, which
3 column shall be of convenient width and shall be headed "total
4 number of votes."

5 Nothing in this section contained shall be construed to
6 authorize or permit the canvassing, counting or tallying ballots
7 with any less degree of strictness than otherwise required by
8 law. [the intention of this section being to dispense with the
9 individual tally marks only so far as the so called "straight
10 party tickets" are concerned, and all other operations of
11 tallying, counting, canvassing and announcing the votes shall
12 proceed as near as may be in accordance with the other
13 provisions of this act.]

14 * * *

15 Section 1223. What Ballots Shall Be Counted; Manner of
16 Counting; Defective Ballots. (a) No ballot which is so marked
17 as to be capable of identification shall be counted. Any ballot
18 that is marked in blue, black or blue black ink, in fountain pen
19 or ball point pen, or black lead pencil or indelible pencil,
20 shall be valid and counted: Provided, That all markings on the
21 ballot are made by the same pen or pencil. Any ballot marked by
22 any other mark than an (X) or check () in the spaces provided
23 for that purpose shall be void and not counted: Provided,
24 however, That no vote recorded thereon shall be declared void
25 because a cross (X) or check () mark thereon is irregular in
26 form. [Any erasure, mutilation or defective marking of the
27 straight party column at November elections shall render the
28 entire ballot void, unless the voter has properly indicated his
29 choice for candidates in any office block, in which case the
30 vote or votes for such candidates only shall be counted.] Any

1 ~~erasure or mutilation in the vote in any office block shall~~
2 ~~render void the vote for any candidates in said block, but shall~~
3 ~~not invalidate the votes cast on the remainder of the ballot, if~~
4 ~~otherwise properly marked. Any ballot indicating a vote for any~~
5 ~~person whose name is not printed on the ballot, by writing,~~
6 ~~stamping or sticker, shall be counted as a vote for such person,~~
7 ~~if placed in the proper space or spaces provided for that~~
8 ~~purpose, whether or not an (X) or check () is placed after the~~
9 ~~name of such person: Provided, however, That if such writing,~~
10 ~~stamping or sticker is placed over the name of a candidate~~
11 ~~printed on the ballot, it shall render the entire vote in said~~
12 ~~office block void. If an elector shall mark his ballot for more~~
13 ~~persons for any office than there are candidates to be voted for~~
14 ~~for such office, or if, for any reason, it may be impossible to~~
15 ~~determine his choice for any office, his ballot shall not be~~
16 ~~counted for such office, but the ballot shall be counted for all~~
17 ~~offices for which it is properly marked. Ballots not marked, or~~
18 ~~improperly or defectively marked, so that the whole ballot is~~
19 ~~void, shall be set aside and shall be preserved with the other~~
20 ~~ballots.~~

21 * * *

22 Section 2. ~~This act shall apply to elections held on or~~
23 ~~after January 1, 2020.~~

24 Section 3. ~~This act shall take effect immediately.~~

25 SECTION 1. SECTION 102(Z.5) (3) OF THE ACT OF JUNE 3, 1937 <--
26 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE, IS
27 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
28 READ:

29 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS, WHEN USED IN
30 THIS ACT, SHALL HAVE THE FOLLOWING MEANINGS, UNLESS OTHERWISE

1 CLEARLY APPARENT FROM THE CONTEXT:

2 * * *

3 (Z.5) THE WORDS "PROOF OF IDENTIFICATION" SHALL MEAN:

4 * * *

5 (3) FOR A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301 OR A
6 QUALIFIED MAIL-IN ELECTOR UNDER SECTION 1301-D:

7 (I) IN THE CASE OF AN ELECTOR WHO HAS BEEN ISSUED A CURRENT
8 AND VALID DRIVER'S LICENSE, THE ELECTOR'S DRIVER'S LICENSE
9 NUMBER;

10 (II) IN THE CASE OF AN ELECTOR WHO HAS NOT BEEN ISSUED A
11 CURRENT AND VALID DRIVER'S LICENSE, THE LAST FOUR DIGITS OF THE
12 ELECTOR'S SOCIAL SECURITY NUMBER;

13 (III) IN THE CASE OF AN ELECTOR WHO HAS A RELIGIOUS
14 OBJECTION TO BEING PHOTOGRAPHED, A COPY OF A DOCUMENT THAT
15 SATISFIES PARAGRAPH (1); OR

16 (IV) IN THE CASE OF AN ELECTOR WHO HAS NOT BEEN ISSUED A
17 CURRENT AND VALID DRIVER'S LICENSE OR SOCIAL SECURITY NUMBER, A
18 COPY OF A DOCUMENT THAT SATISFIES PARAGRAPH (2).

19 (Z.6) THE WORDS "QUALIFIED MAIL-IN ELECTOR" SHALL MEAN A
20 QUALIFIED ELECTOR WHO IS NOT A QUALIFIED ABSENTEE ELECTOR.

21 SECTION 2. THE ACT IS AMENDED BY ADDING ~~A SECTION~~ SECTIONS <--
22 TO READ:

23 SECTION 207. REQUIREMENTS FOR DISAPPROVAL OR DECERTIFICATION
24 OF VOTING APPARATUSES.--(A) THE COMMONWEALTH MAY NOT DISAPPROVE
25 OR DECERTIFY A VOTING APPARATUS IN FIFTY PER CENTUM (50%) OR
26 MORE COUNTIES UNTIL THE REQUIREMENTS OF THIS SECTION HAVE BEEN
27 MET.

28 (B) IF THE COMMONWEALTH INTENDS TO MAKE A DISAPPROVAL OR
29 DECERTIFICATION UNDER SUBSECTION (A), THE DEPARTMENT OF STATE
30 MUST SUBMIT A WRITTEN PLAN TO THE PRESIDENT PRO TEMPORE OF THE

1 SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE
2 APPROPRIATIONS COMMITTEE OF THE SENATE, THE APPROPRIATIONS
3 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE STATE GOVERNMENT
4 COMMITTEE OF THE SENATE AND THE STATE GOVERNMENT COMMITTEE OF
5 THE HOUSE OF REPRESENTATIVES AT LEAST ONE HUNDRED EIGHTY (180)
6 DAYS PRIOR TO THE EFFECTIVE DATE OF THE REPLACEMENT VOTING
7 APPARATUSES, CONTAINING ALL OF THE FOLLOWING INFORMATION:

8 (1) THE REASON FOR THE DISAPPROVAL OR DECERTIFICATION.

9 (2) THE ESTIMATED COST TO REPLACE THE DISAPPROVED OR
10 DECERTIFIED VOTING APPARATUS AND THE PLAN FOR HOW FUNDING WILL
11 BE OBTAINED TO COVER THE ESTIMATED COST.

12 (3) A PLAN FOR REPLACING THE DISAPPROVED OR DECERTIFIED
13 VOTING APPARATUS.

14 (4) THE EFFECTIVE DATE OF THE REPLACEMENT VOTING APPARATUS.

15 (C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
16 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
17 THE CONTEXT CLEARLY INDICATES OTHERWISE:

18 "ELECTRONIC VOTING SYSTEM" SHALL HAVE THE MEANING GIVEN TO
19 THE TERM IN SECTION 1101-A.

20 "VOTING APPARATUS" SHALL MEAN A KIND OR TYPE OF ELECTRONIC
21 VOTING SYSTEM THAT RECEIVED THE APPROVAL OF THE SECRETARY OF THE
22 COMMONWEALTH UNDER SECTION 1105-A.

23 SECTION 208. CENSUS OUTREACH.--THE DEPARTMENT OF STATE MAY
24 UTILIZE UP TO FOUR MILLION DOLLARS (\$4,000,000) OF FUNDS NOT
25 EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FROM THE
26 GENERAL FUND FOR A FISCAL YEAR ENDING BEFORE JULY 1, 2020, FOR
27 AN EXECUTIVE BRANCH AGENCY, WHICH IS SUBJECT TO THE POLICY,
28 SUPERVISION AND CONTROL OF THE GOVERNOR, FOR COMMUNICATION,
29 ADMINISTRATION AND ASSISTANCE WITHIN EACH COUNTY OF THE
30 COMMONWEALTH FOR THE PURPOSE OF ENSURING A COMPLETE AND ACCURATE

1 CENSUS COUNT OF THE COMMONWEALTH IN THE 2020 FEDERAL DECENNIAL
2 CENSUS. THE FUNDS SHALL BE TRANSFERRED BY THE SECRETARY OF THE
3 BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY TO MAKE PAYMENTS
4 UNDER THIS SECTION AND, WHEN TRANSFERRED, ARE HEREBY
5 APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS SECTION. THE
6 SECRETARY OF THE BUDGET MAY MAKE A TRANSFER OF FUNDS IF THE
7 TRANSFER WILL NOT RESULT IN A DEFICIT IN AN APPROPRIATION FROM
8 WHICH FUNDS ARE TRANSFERRED. THE SECRETARY OF THE BUDGET SHALL
9 PROVIDE AT LEAST TEN DAYS PRIOR NOTIFICATION OF A TRANSFER TO
10 THE CHAIR AND THE MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE
11 OF THE SENATE AND THE CHAIR AND MINORITY CHAIR OF THE
12 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

13 SECTION 3. SECTIONS 412.2, 536(A) AND (B), 630.1, 908, 909, <--
14 910, 951(D), 976, 981.1, 993(A), 998(A) AND (B), 1002(A) AND <--
15 (B), 1003(A) AND (E), 1004, 1007, 1008, 1107(B), 1110(H), 1107- <--
16 A(3), 1109-A(A) (2) AND (D), 1112-A(A) (2) AND (4) AND (B) (4) AND <--
17 1113-A(D), 1210(A.4) (1) AND (5) (II), 1215(B) AND (C), 1216(D) <--
18 AND (F), 1222, 1223(A) AND 1227(D) OF THE ACT ARE AMENDED TO
19 READ:

20 SECTION 412.2. COMPENSATION OF DISTRICT ELECTION OFFICERS.-- <--
21 (A) IN ALL COUNTIES REGARDLESS OF CLASS, [THE COMPENSATION OF]
22 JUDGES OF ELECTION, INSPECTORS OF ELECTION, CLERKS AND MACHINE
23 OPERATORS SHALL BE PAID COMPENSATION AS FIXED BY THE COUNTY
24 BOARD OF ELECTIONS FOR EACH ELECTION [IN ACCORDANCE WITH THE
25 FOLLOWING:

ELECTION OFFICERS	MINIMUM	MAXIMUM
	COMPENSATION	COMPENSATION
JUDGES OF ELECTION	\$75	\$200
INSPECTORS OF ELECTION	\$75	\$195
CLERKS AND MACHINE OPERATORS	\$70	\$195]

1 , WHICH AMOUNT SHALL BE AT LEAST \$75 AND NOT MORE THAN \$200.

2 (A.1) AN ELECTION OFFICER SHALL RECEIVE ADDITIONAL
3 COMPENSATION, AS FIXED BY THE COUNTY BOARD OF ELECTIONS, FOR
4 PARTICIPATING IN ELECTION TRAINING.

5 (A.2) A JUDGE OF ELECTION SHALL RECEIVE ADDITIONAL
6 COMPENSATION, AS FIXED BY THE COUNTY BOARD OF ELECTIONS, FOR
7 PICKING UP AND RETURNING ELECTION MATERIALS.

8 (B) IF A COUNTY BOARD OF ELECTIONS AUTHORIZES THAT THE
9 DUTIES OF A CLERK OF ELECTIONS OR MACHINE OPERATOR MAY BE
10 PERFORMED BY TWO INDIVIDUALS WHO EACH PERFORM [SUCH] THE DUTIES
11 FOR ONE-HALF OF AN ELECTION DAY, [SUCH INDIVIDUALS SHALL EACH]
12 EACH INDIVIDUAL SHALL BE COMPENSATED AT ONE-HALF OF THE RATE
13 AUTHORIZED FOR A SINGLE INDIVIDUAL WHO PERFORMS THE DUTIES FOR
14 THE ENTIRE ELECTION DAY.

15 (C) THE COUNTY BOARD OF ELECTIONS MAY[, IN ITS DISCRETION,]
16 ESTABLISH DIFFERENT PER DIEM RATES WITHIN [THE MINIMA AND MAXIMA
17 PROVIDED FOR IN] MINIMUM AND MAXIMUM RATES PROVIDED FOR UNDER
18 SUBSECTION (A) BASED ON THE NUMBER OF VOTES CAST FOR THE
19 FOLLOWING GROUPS:

20 (1) 150 VOTES OR FEWER.

21 (2) 151 TO 300 VOTES.

22 (3) 301 TO 500 VOTES.

23 (4) 501 TO 750 VOTES.

24 (5) 751 VOTES AND OVER.

25 (D) FOR TRANSMITTING RETURNS OF ELECTIONS AND THE BALLOT BOX
26 OR BOXES, ALL JUDGES OF ELECTION SHALL BE ENTITLED TO RECEIVE
27 THE ADDITIONAL SUM OF [TWENTY DOLLARS (\$20)] \$20.

28 (E) THE COUNTY BOARD OF ELECTIONS MAY[, IN ITS DISCRETION,]
29 REQUIRE THE MINORITY INSPECTOR OF ELECTION TO ACCOMPANY THE
30 JUDGE OF ELECTION IN TRANSMITTING THE RETURNS OF ELECTIONS, IN

1 WHICH CASE THE MINORITY INSPECTOR OF ELECTION SHALL BE ENTITLED
2 TO RECEIVE THE ADDITIONAL SUM OF [TWENTY DOLLARS (\$20)] \$20.

3 (F) THE [PERSON] INDIVIDUAL FURNISHING TRANSPORTATION TO THE
4 JUDGE OF ELECTION AND THE MINORITY INSPECTOR IN TRANSMITTING
5 RETURNS AND BALLOT BOXES SHALL BE ENTITLED TO A MINIMUM OF
6 [THIRTY-FIVE CENTS (35¢)] 35¢ PER CIRCULAR MILE FROM THE POLLING
7 PLACE TO THE COUNTY COURT HOUSE. THE NAME OF [SUCH PERSON] THE
8 INDIVIDUAL SHALL APPEAR ON THE VOUCHER OF THE JUDGE OF
9 ELECTION[, AND ONLY ONE PERSON SHALL] AND ONLY ONE INDIVIDUAL
10 MAY RECEIVE MILEAGE COMPENSATION.

11 (H) WHEN A PRIMARY AND SPECIAL ELECTION OR A SPECIAL
12 ELECTION AND A GENERAL OR MUNICIPAL ELECTION TAKE PLACE ON THE
13 SAME DATE, [THEY] THE ELECTIONS SHALL BE CONSTRUED AS ONE
14 ELECTION FOR THE PURPOSE OF RECEIVING COMPENSATION.

15 (I) COMPENSATION AND OTHER PAYMENTS RECEIVED BY ELECTION
16 OFFICIALS [PURSUANT TO] UNDER THIS SECTION SHALL NOT BE DEEMED
17 INCOME CLASSIFIED AND CATEGORIZED UNDER SECTION 303 OF THE ACT
18 OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE "TAX REFORM CODE OF
19 1971."

20 SECTION 536. RESTRICTIONS ON ALTERATION.-- (A) EXCEPT AS
21 PROVIDED IN SUBSECTION (B), THERE SHALL BE NO POWER TO
22 ESTABLISH, ABOLISH, DIVIDE, CONSOLIDATE OR ALTER IN ANY MANNER
23 AN ELECTION DISTRICT DURING THE PERIOD [JULY 15, 2009] FROM
24 DECEMBER 31, 2019, THROUGH NOVEMBER 30, [2012] 2022, OR THROUGH
25 RESOLUTION OF ALL JUDICIAL APPEALS TO THE [2012] 2022
26 CONGRESSIONAL REDISTRICTING PLAN, WHICHEVER OCCURS LATER.

27 (B) DURING THE PERIOD FROM [JULY 15, 2009] DECEMBER 31,
28 2019, THROUGH DECEMBER 31, [2010] 2020, AN ELECTION DISTRICT MAY
29 BE DIVIDED OR ELECTION DISTRICTS MAY BE COMBINED IF THE
30 FOLLOWING ARE MET:

1 (1) IN THE CASE OF THE DIVISION OF AN ELECTION DISTRICT, THE
2 BOUNDARY OF EACH RESULTING DISTRICT IS COMPOSED ENTIRELY OF
3 CLEARLY VISIBLE PHYSICAL FEATURES CONFORMING WITH THE CENSUS
4 BLOCK LINES OR PORTIONS OF THE ORIGINAL BOUNDARY OF THE ELECTION
5 DISTRICT WHICH WAS DIVIDED.

6 (2) IN THE CASE OF THE COMBINATION OF ELECTION DISTRICTS,
7 THE BOUNDARY OF EACH RESULTING DISTRICT IS COMPOSED ENTIRELY OF
8 PORTIONS OF THE ORIGINAL BOUNDARIES OF THE ELECTION DISTRICTS
9 WHICH WERE COMBINED.

10 * * *

11 SECTION 630.1. AFFIDAVITS OF CANDIDATES.--EACH CANDIDATE FOR <--
12 ANY STATE, COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP,
13 SCHOOL DISTRICT OR POOR DISTRICT OFFICE, OR FOR THE OFFICE OF
14 UNITED STATES SENATOR OR REPRESENTATIVE IN CONGRESS, SELECTED AS
15 PROVIDED IN SECTION 630 OF THIS ACT, SHALL FILE WITH THE
16 NOMINATION CERTIFICATE AN AFFIDAVIT STATING-- (A) HIS RESIDENCE,
17 WITH STREET AND NUMBER, IF ANY, AND HIS POST-OFFICE ADDRESS; (B)
18 HIS ELECTION DISTRICT, GIVING CITY, BOROUGH, TOWN OR TOWNSHIP;
19 (C) THE NAME OF THE OFFICE FOR WHICH HE CONSENTS TO BE A
20 CANDIDATE; (D) THAT HE IS ELIGIBLE FOR SUCH OFFICE; (E) THAT HE
21 WILL NOT KNOWINGLY VIOLATE ANY PROVISION OF THIS ACT, OR OF ANY
22 LAW REGULATING AND LIMITING ELECTION EXPENSES AND PROHIBITING
23 CORRUPT PRACTICES IN CONNECTION THEREWITH; (F) UNLESS HE IS A
24 CANDIDATE FOR JUDGE OF A COURT OF COMMON PLEAS, THE PHILADELPHIA
25 MUNICIPAL COURT [OR THE TRAFFIC COURT OF PHILADELPHIA,] OR FOR
26 THE OFFICE OF SCHOOL BOARD IN A DISTRICT WHERE THAT OFFICE IS
27 ELECTIVE OR FOR THE OFFICE OF JUSTICE OF THE PEACE, THAT HE IS
28 NOT A CANDIDATE FOR THE SAME OFFICE OF ANY PARTY OR POLITICAL
29 BODY OTHER THAN THE ONE DESIGNATED IN SUCH CERTIFICATE; (G) THAT
30 HE IS AWARE OF THE PROVISIONS OF SECTION 1626 OF THIS ACT

1 REQUIRING ELECTION AND POST-ELECTION REPORTING OF CAMPAIGN
2 CONTRIBUTIONS AND EXPENDITURES; AND (H) THAT HE IS NOT A
3 CANDIDATE FOR AN OFFICE WHICH HE ALREADY HOLDS, THE TERM OF
4 WHICH IS NOT SET TO EXPIRE IN THE SAME YEAR AS THE OFFICE
5 SUBJECT TO THE AFFIDAVIT.

6 SECTION 908. MANNER OF SIGNING NOMINATION PETITIONS; TIME OF
7 CIRCULATING.--EACH SIGNER OF A NOMINATION PETITION SHALL SIGN
8 BUT ONE SUCH PETITION FOR EACH OFFICE TO BE FILLED, AND SHALL
9 DECLARE THEREIN THAT HE IS A REGISTERED AND ENROLLED MEMBER OF
10 THE PARTY DESIGNATED IN SUCH PETITION: PROVIDED, HOWEVER, THAT
11 WHERE THERE ARE TO BE ELECTED TWO OR MORE PERSONS TO THE SAME
12 OFFICE, EACH SIGNER MAY SIGN PETITIONS FOR AS MANY CANDIDATES
13 FOR SUCH OFFICE AS, AND NO MORE THAN, HE COULD VOTE FOR AT THE
14 SUCCEEDING ELECTION. HE SHALL ALSO DECLARE THEREIN THAT HE IS A
15 QUALIFIED ELECTOR OF THE COUNTY THEREIN NAMED, AND IN CASE THE
16 NOMINATION IS NOT TO BE MADE OR CANDIDATES ARE NOT TO BE ELECTED
17 BY THE ELECTORS OF THE STATE AT LARGE, OF THE POLITICAL DISTRICT
18 THEREIN NAMED, IN WHICH THE NOMINATION IS TO BE MADE OR THE
19 ELECTION IS TO BE HELD. HE SHALL ADD HIS [RESIDENCE] ADDRESS
20 WHERE HE IS DULY REGISTERED AND ENROLLED, GIVING CITY, BOROUGH
21 OR TOWNSHIP, WITH STREET AND NUMBER, IF ANY, AND SHALL LEGIBLY
22 PRINT HIS NAME AND ADD THE DATE OF SIGNING, EXPRESSED IN WORDS
23 OR NUMBERS: PROVIDED, HOWEVER, THAT IF THE SAID POLITICAL
24 DISTRICT NAMED IN THE PETITION LIES WHOLLY WITHIN ANY CITY,
25 BOROUGH OR TOWNSHIP, OR IS COEXTENSIVE WITH SAME, IT SHALL NOT
26 BE NECESSARY FOR ANY SIGNER OF A NOMINATION PETITION TO STATE
27 THEREIN THE CITY, BOROUGH OR TOWNSHIP OF HIS RESIDENCE. NO
28 NOMINATION PETITION SHALL BE CIRCULATED PRIOR TO THE THIRTEENTH
29 TUESDAY BEFORE THE PRIMARY, AND NO SIGNATURE SHALL BE COUNTED
30 UNLESS IT BEARS A DATE AFFIXED NOT EARLIER THAN THE THIRTEENTH

1 TUESDAY NOR LATER THAN THE TENTH TUESDAY PRIOR TO THE PRIMARY.
2 SECTION 909. PETITION MAY CONSIST OF SEVERAL SHEETS;
3 [AFFIDAVIT] STATEMENT OF CIRCULATOR.--SAID NOMINATION PETITION
4 MAY BE ON ONE OR MORE SHEETS, AND DIFFERENT SHEETS MUST BE USED
5 FOR SIGNERS RESIDENT IN DIFFERENT COUNTIES. IF MORE THAN ONE
6 SHEET IS USED, THEY SHALL BE BOUND TOGETHER WHEN OFFERED FOR
7 FILING IF THEY ARE INTENDED TO CONSTITUTE ONE PETITION, AND EACH
8 SHEET SHALL BE NUMBERED CONSECUTIVELY BEGINNING WITH NUMBER ONE,
9 AT THE FOOT OF EACH PAGE. IN CASES OF PETITIONS FOR DELEGATE OR
10 ALTERNATE DELEGATE TO NATIONAL CONVENTIONS, EACH SHEET SHALL
11 CONTAIN A NOTATION INDICATING THE PRESIDENTIAL CANDIDATE TO WHOM
12 HE IS COMMITTED OR THE TERM "UNCOMMITTED." EACH SHEET SHALL HAVE
13 APPENDED THERETO THE [AFFIDAVIT] STATEMENT OF THE CIRCULATOR OF
14 EACH SHEET, SETTING FORTH, SUBJECT TO THE PENALTIES OF 18
15 PA.C.S. § 4904 (RELATING TO UNSWORN FALSIFICATION TO
16 AUTHORITIES)--(A) THAT HE OR SHE IS A QUALIFIED ELECTOR OF THE
17 COMMONWEALTH, WHO IS DULY REGISTERED AND ENROLLED AS A MEMBER OF
18 THE [DESIGNATED PARTY OF THE STATE, OR OF THE POLITICAL
19 DISTRICT, AS THE CASE MAY BE, REFERRED TO] PARTY DESIGNATED IN
20 SAID PETITION, UNLESS SAID PETITION RELATES TO THE NOMINATION OF
21 A CANDIDATE FOR A COURT OF COMMON PLEAS, FOR THE PHILADELPHIA
22 MUNICIPAL COURT [OR FOR THE TRAFFIC COURT OF PHILADELPHIA] OR <--
23 FOR JUSTICE OF THE PEACE, IN WHICH EVENT THE CIRCULATOR NEED NOT
24 BE A DULY REGISTERED AND ENROLLED MEMBER OF THE DESIGNATED
25 PARTY; (B) HIS RESIDENCE, GIVING CITY, BOROUGH OR TOWNSHIP, WITH
26 STREET AND NUMBER, IF ANY; (C) THAT THE SIGNERS THERETO SIGNED
27 WITH FULL KNOWLEDGE OF THE CONTENTS OF THE PETITION; (D) THAT
28 THEIR RESPECTIVE RESIDENCES ARE CORRECTLY STATED THEREIN; (E)
29 THAT THEY ALL RESIDE IN THE COUNTY NAMED IN THE [AFFIDAVIT]
30 STATEMENT; (F) THAT EACH SIGNED ON THE DATE SET OPPOSITE HIS

1 NAME; AND (G) THAT, TO THE BEST OF [AFFIANT'S] THE CIRCULATOR'S
2 KNOWLEDGE AND BELIEF, THE SIGNERS ARE QUALIFIED ELECTORS AND
3 DULY REGISTERED AND ENROLLED MEMBERS OF THE DESIGNATED PARTY OF
4 THE STATE, OR OF THE POLITICAL DISTRICT, AS THE CASE MAY BE.

5 SECTION 910. AFFIDAVITS OF CANDIDATES.--EACH CANDIDATE FOR <--
6 ANY STATE, COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP,
7 WARD, SCHOOL DISTRICT, POOR DISTRICT, ELECTION DISTRICT, PARTY
8 OFFICE, PARTY DELEGATE OR ALTERNATE, OR FOR THE OFFICE OF UNITED
9 STATES SENATOR OR REPRESENTATIVE IN CONGRESS, SHALL FILE WITH
10 HIS NOMINATION PETITION HIS AFFIDAVIT STATING--(A) HIS
11 RESIDENCE, WITH STREET AND NUMBER, IF ANY, AND HIS POST-OFFICE
12 ADDRESS; (B) HIS ELECTION DISTRICT, GIVING CITY, BOROUGH, TOWN
13 OR TOWNSHIP; (C) THE NAME OF THE OFFICE FOR WHICH HE CONSENTS TO
14 BE A CANDIDATE; (D) THAT HE IS ELIGIBLE FOR SUCH OFFICE; (E)
15 THAT HE WILL NOT KNOWINGLY VIOLATE ANY PROVISION OF THIS ACT, OR
16 OF ANY LAW REGULATING AND LIMITING NOMINATION AND ELECTION
17 EXPENSES AND PROHIBITING CORRUPT PRACTICES IN CONNECTION
18 THEREWITH; (F) UNLESS HE IS A CANDIDATE FOR JUDGE OF A COURT OF
19 COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE TRAFFIC
20 COURT OF PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL DIRECTOR IN
21 A DISTRICT WHERE THAT OFFICE IS ELECTIVE OR FOR THE OFFICE OF
22 JUSTICE OF THE PEACE THAT HE IS NOT A CANDIDATE FOR NOMINATION
23 FOR THE SAME OFFICE OF ANY PARTY OTHER THAN THE ONE DESIGNATED
24 IN SUCH PETITION; (G) IF HE IS A CANDIDATE FOR A DELEGATE, OR
25 ALTERNATE DELEGATE, MEMBER OF STATE COMMITTEE, NATIONAL
26 COMMITTEE OR PARTY OFFICER, THAT HE IS A REGISTERED AND ENROLLED
27 MEMBER OF THE DESIGNATED PARTY; (H) IF HE IS A CANDIDATE FOR
28 DELEGATE OR ALTERNATE DELEGATE THE PRESIDENTIAL CANDIDATE TO
29 WHOM HE IS COMMITTED OR THE TERM "UNCOMMITTED"; (I) THAT HE IS
30 AWARE OF THE PROVISIONS OF SECTION 1626 OF THIS ACT REQUIRING

1 PRE-ELECTION AND POST-ELECTION REPORTING OF CAMPAIGN
2 CONTRIBUTIONS AND EXPENDITURES; AND (J) THAT HE IS NOT A
3 CANDIDATE FOR AN OFFICE WHICH HE ALREADY HOLDS, THE TERM OF
4 WHICH IS NOT SET TO EXPIRE IN THE SAME YEAR AS THE OFFICE
5 SUBJECT TO THE AFFIDAVIT. IN CASES OF PETITIONS FOR DELEGATE AND
6 ALTERNATE DELEGATE TO NATIONAL CONVENTIONS, THE CANDIDATE'S
7 AFFIDAVIT SHALL STATE THAT HIS SIGNATURE TO THE DELEGATE'S
8 STATEMENT, AS HEREINAFTER SET FORTH, IF SUCH STATEMENT IS SIGNED
9 BY SAID CANDIDATE, WAS AFFIXED TO THE SHEET OR SHEETS OF SAID
10 PETITION PRIOR TO THE CIRCULATION OF SAME. IN THE CASE OF A
11 CANDIDATE FOR NOMINATION AS PRESIDENT OF THE UNITED STATES, IT
12 SHALL NOT BE NECESSARY FOR SUCH CANDIDATE TO FILE THE AFFIDAVIT
13 REQUIRED IN THIS SECTION TO BE FILED BY CANDIDATES, BUT THE
14 POST-OFFICE ADDRESS OF SUCH CANDIDATE SHALL BE STATED IN SUCH
15 NOMINATION PETITION.

16 SECTION 951. NOMINATIONS BY POLITICAL BODIES.--* * *

17 (D) NOMINATION PAPERS MAY BE ON ONE OR MORE SHEETS AND
18 DIFFERENT SHEETS MUST BE USED FOR SIGNERS RESIDENT IN DIFFERENT
19 COUNTIES. IF MORE THAN ONE SHEET IS USED, THEY SHALL BE BOUND
20 TOGETHER WHEN OFFERED FOR FILING IF THEY ARE INTENDED TO
21 CONSTITUTE ONE NOMINATION PAPER, AND EACH SHEET SHALL BE
22 NUMBERED CONSECUTIVELY, BEGINNING WITH NUMBER ONE (1) AT THE
23 FOOT OF EACH PAGE. EACH SHEET SHALL HAVE APPENDED THERETO THE
24 [AFFIDAVIT] STATEMENT OF SOME PERSON, NOT NECESSARILY A SIGNER,
25 AND NOT NECESSARILY THE SAME PERSON ON EACH SHEET, SETTING
26 FORTH, SUBJECT TO THE PENALTIES OF 18 PA.C.S. § 4904 (RELATING
27 TO UNSWORN FALSIFICATION TO AUTHORITIES)--[(1) THAT THE AFFIANT
28 IS A QUALIFIED ELECTOR OF THE STATE, OR OF THE ELECTORAL
29 DISTRICT, AS THE CASE MAY BE, REFERRED TO IN THE NOMINATION
30 PAPER;] (2) [HIS] THE PERSON'S RESIDENCE, GIVING CITY, BOROUGH

1 OR TOWNSHIP WITH STREET AND NUMBER, IF ANY; (3) THAT THE SIGNERS
2 SIGNED WITH FULL KNOWLEDGE OF THE CONTENTS OF THE NOMINATION
3 PAPER; (4) THAT THEIR RESPECTIVE RESIDENCES ARE CORRECTLY STATED
4 THEREIN; (5) THAT THEY ALL RESIDE IN THE COUNTY NAMED IN THE
5 [AFFIDAVIT] STATEMENT; (6) THAT EACH SIGNED ON THE DATE SET
6 OPPOSITE HIS NAME; AND (7) THAT, TO THE BEST OF [AFFIANT'S] THE
7 PERSON'S KNOWLEDGE AND BELIEF, THE SIGNERS ARE QUALIFIED
8 ELECTORS OF THE STATE, OR OF THE ELECTORAL DISTRICT, AS THE CASE
9 MAY BE.

10 * * *

11 SECTION 976. EXAMINATION OF NOMINATION PETITIONS, <--
12 CERTIFICATES AND PAPERS; RETURN OF REJECTED NOMINATION
13 PETITIONS, CERTIFICATES AND PAPERS.--WHEN ANY NOMINATION
14 PETITION, NOMINATION CERTIFICATE OR NOMINATION PAPER IS
15 PRESENTED IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH OR
16 OF ANY COUNTY BOARD OF ELECTIONS FOR FILING WITHIN THE PERIOD
17 LIMITED BY THIS ACT, IT SHALL BE THE DUTY OF THE SAID OFFICER OR
18 BOARD TO EXAMINE THE SAME. NO NOMINATION PETITION, NOMINATION
19 PAPER OR NOMINATION CERTIFICATE SHALL BE PERMITTED TO BE FILED
20 IF--(A) IT CONTAINS MATERIAL ERRORS OR DEFECTS APPARENT ON THE
21 FACE THEREOF, OR ON THE FACE OF THE APPENDED OR ACCOMPANYING
22 AFFIDAVITS; OR (B) IT CONTAINS MATERIAL ALTERATIONS MADE AFTER
23 SIGNING WITHOUT THE CONSENT OF THE SIGNERS; OR (C) IT DOES NOT
24 CONTAIN A SUFFICIENT NUMBER OF SIGNATURES AS REQUIRED BY LAW;
25 PROVIDED, HOWEVER, THAT THE SECRETARY OF THE COMMONWEALTH OR THE
26 COUNTY BOARD OF ELECTIONS, ALTHOUGH NOT HEREBY REQUIRED SO TO
27 DO, MAY QUESTION THE GENUINENESS OF ANY SIGNATURE OR SIGNATURES
28 APPEARING THEREON, AND IF HE OR IT SHALL THEREUPON FIND THAT ANY
29 SUCH SIGNATURE OR SIGNATURES ARE NOT GENUINE, SUCH SIGNATURE OR
30 SIGNATURES SHALL BE DISREGARDED IN DETERMINING WHETHER THE

1 NOMINATION PETITION, NOMINATION PAPER OR NOMINATION CERTIFICATE
2 CONTAINS A SUFFICIENT NUMBER OF SIGNATURES AS REQUIRED BY LAW;
3 OR (D) IN THE CASE OF NOMINATION PETITIONS, IF NOMINATION
4 PETITIONS HAVE BEEN FILED FOR PRINTING THE NAME OF THE SAME
5 PERSON FOR THE SAME OFFICE, EXCEPT THE OFFICE OF JUDGE OF A
6 COURT OF COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE
7 TRAFFIC COURT OF PHILADELPHIA,] OR THE OFFICE OF SCHOOL DIRECTOR
8 IN DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR THE OFFICE OF
9 JUSTICE OF THE PEACE UPON THE OFFICIAL BALLOT OF MORE THAN ONE
10 POLITICAL PARTY; OR (E) IN THE CASE OF NOMINATION PAPERS, IF THE
11 CANDIDATE NAMED THEREIN HAS FILED A NOMINATION PETITION FOR ANY
12 PUBLIC OFFICE FOR THE ENSUING PRIMARY, OR HAS BEEN NOMINATED FOR
13 ANY SUCH OFFICE BY NOMINATION PAPERS PREVIOUSLY FILED; OR (F) IF
14 THE NOMINATION PETITIONS OR PAPERS ARE NOT ACCOMPANIED BY THE
15 FILING FEE OR CERTIFIED CHECK REQUIRED FOR SAID OFFICE; OR (G)
16 IN THE CASE OF NOMINATION PAPERS, THE APPELLATION SET FORTH
17 THEREIN IS IDENTICAL WITH OR DECEPTIVELY SIMILAR TO THE WORDS
18 USED BY ANY EXISTING PARTY OR BY ANY POLITICAL BODY WHICH HAS
19 ALREADY FILED NOMINATION PAPERS FOR THE SAME OFFICE, OR IF THE
20 APPELLATION SET FORTH THEREIN CONTAINS PART OF THE NAME, OR AN
21 ABBREVIATION OF THE NAME OR PART OF THE NAME OF AN EXISTING
22 POLITICAL PARTY, OR OF A POLITICAL BODY WHICH HAS ALREADY FILED
23 NOMINATION PAPERS FOR THE SAME OFFICE. THE INVALIDITY OF ANY
24 SHEET OF A NOMINATION PETITION OR NOMINATION PAPER SHALL NOT
25 AFFECT THE VALIDITY OF SUCH PETITION OR PAPER IF A SUFFICIENT
26 PETITION OR PAPER REMAINS AFTER ELIMINATING SUCH INVALID SHEET.
27 THE ACTION OF SAID OFFICER OR BOARD IN REFUSING TO RECEIVE AND
28 FILE ANY SUCH NOMINATION PETITION, CERTIFICATE OR PAPER, MAY BE
29 REVIEWED BY THE COURT UPON AN APPLICATION TO COMPEL ITS
30 RECEPTION AS OF THE DATE WHEN IT WAS PRESENTED TO THE OFFICE OF

1 SUCH OFFICER OR BOARD: PROVIDED, HOWEVER, THAT SAID OFFICER OR
2 BOARD SHALL BE ENTITLED TO A REASONABLE TIME IN WHICH TO EXAMINE
3 ANY PETITIONS, CERTIFICATES OR PAPERS, AND TO SUMMON AND
4 INTERROGATE THE CANDIDATES NAMED THEREIN, OR THE PERSONS
5 PRESENTING SAID PETITIONS, CERTIFICATES OR PAPERS, AND HIS OR
6 THEIR RETENTION OF SAME FOR THE PURPOSE OF MAKING SUCH
7 EXAMINATION OR INTERROGATION SHALL NOT BE CONSTRUED AS AN
8 ACCEPTANCE OR FILING.

9 UPON COMPLETION OF ANY EXAMINATION, IF ANY NOMINATION
10 PETITION, CERTIFICATE OR PAPER IS FOUND TO BE DEFECTIVE, IT
11 SHALL FORTHWITH BE REJECTED AND RETURNED TO THE CANDIDATE OR ONE
12 OF THE CANDIDATES NAMED THEREIN, TOGETHER WITH A STATEMENT OF
13 THE REASONS FOR SUCH REJECTION:

14 PROVIDED FURTHER, THAT NO NOMINATION PETITION, NOMINATION
15 PAPER OR NOMINATION CERTIFICATE SHALL BE PERMITTED TO BE FILED,
16 IF THE POLITICAL PARTY OR POLITICAL BODY REFERRED TO THEREIN
17 SHALL BE COMPOSED OF A GROUP OF ELECTORS WHOSE PURPOSES OR AIMS,
18 OR ONE OF WHOSE PURPOSES OR AIMS, IS THE ESTABLISHMENT, CONTROL,
19 CONDUCT, SEIZURE OR OVERTHROW OF THE GOVERNMENT OF THE
20 COMMONWEALTH OF PENNSYLVANIA OR THE UNITED STATES OF AMERICA BY
21 THE USE OF FORCE, VIOLENCE, MILITARY MEASURE OR THREATS OF ONE
22 OR MORE OF THE FOREGOING. THE AUTHORITY TO REJECT SUCH
23 NOMINATION PETITION, PAPER OR CERTIFICATE FOR THIS REASON SHALL,
24 WHEN FILED WITH THE SECRETARY OF THE COMMONWEALTH, BE VESTED IN
25 A COMMITTEE COMPOSED OF THE GOVERNOR, THE ATTORNEY GENERAL AND
26 THE SECRETARY OF THE COMMONWEALTH, AND WHEN FILED WITH ANY
27 COUNTY BOARD OF ELECTIONS SHALL BE VESTED IN SUCH BOARD. IF IN
28 SUCH CASE THE COMMITTEE OR BOARD, AS THE CASE MAY BE, SHALL
29 CONCLUDE THAT THE ACCEPTANCE OF SUCH NOMINATION PETITION, PAPER
30 OR CERTIFICATE SHOULD BE REFUSED, IT SHALL WITHIN TWO DAYS OF

1 THE FILING OF SUCH NOMINATION PETITION, PAPER OR CERTIFICATE FIX
2 A PLACE AND A TIME FIVE DAYS IN ADVANCE FOR HEARING THE MATTER,
3 AND NOTICE THEREOF SHALL BE GIVEN TO ALL PARTIES AFFECTED
4 THEREBY. AT THE TIME AND PLACE SO FIXED THE COMMITTEE OR BOARD,
5 AS THE CASE MAY BE, SHALL HEAR TESTIMONY, BUT SHALL NOT BE BOUND
6 BY TECHNICAL RULES OF EVIDENCE. THE TESTIMONY PRESENTED SHALL BE
7 STENOGRAPHICALLY RECORDED AND MADE A PART OF THE RECORD OF THE
8 COMMITTEE OR BOARD. WITHIN TWO DAYS AFTER SUCH HEARING THE
9 COMMITTEE OR BOARD, IF SATISFIED UPON COMPETENT EVIDENCE THAT
10 THE SAID NOMINATION PETITION, PAPER OR CERTIFICATE IS NOT
11 ENTITLED TO BE ACCEPTED AND FILED, IT SHALL ANNOUNCE ITS
12 DECISION AND IMMEDIATELY NOTIFY THE PARTIES AFFECTED THEREBY.
13 FAILURE TO ANNOUNCE DECISION WITHIN TWO DAYS AFTER SUCH HEARING
14 SHALL BE CONCLUSIVE THAT SUCH NOMINATION PETITION, PAPER OR
15 CERTIFICATE HAS BEEN ACCEPTED AND FILED. THE DECISION OF SAID
16 COMMITTEE OR BOARD IN REFUSING TO ACCEPT AND FILE SUCH
17 NOMINATION PETITION, PAPER OR CERTIFICATE MAY BE REVIEWED BY THE
18 COURT UPON AN APPLICATION TO COMPEL ITS RECEPTION AS OF THE DATE
19 WHEN PRESENTED TO THE SECRETARY OF THE COMMONWEALTH OR SUCH
20 BOARD. THE APPLICATION SHALL BE MADE WITHIN TWO DAYS OF THE TIME
21 WHEN SUCH DECISION IS ANNOUNCED. IF THE APPLICATION IS PROPERLY
22 MADE, ANY JUDGE OF SAID COURT MAY FIX A TIME AND PLACE FOR
23 HEARING THE MATTER IN DISPUTE, OF WHICH NOTICE SHALL BE SERVED
24 WITH A COPY OF SAID APPLICATION UPON THE SECRETARY OF THE
25 COMMONWEALTH OR THE COUNTY BOARD OF ELECTIONS, AS THE CASE MAY
26 BE. AT THE TIME SO FIXED, THE COURT, OR ANY JUDGE THEREOF
27 ASSIGNED FOR THE PURPOSE, SHALL HEAR THE CASE DE NOVO. IF AFTER
28 SUCH HEARING THE SAID COURT SHALL FIND THAT THE DECISION OF THE
29 COMMITTEE OR THE BOARD WAS ERRONEOUS, IT SHALL ISSUE ITS MANDATE
30 TO THE COMMITTEE OR BOARD TO CORRECT ITS DECISION AND TO ACCEPT

1 AND FILE THE NOMINATION PAPER, PETITION OR CERTIFICATE. FROM ANY
2 DECISION OF THE COURT AN APPEAL MAY BE TAKEN WITHIN TWO DAYS
3 AFTER THE ENTRY THEREOF. IT SHALL BE THE DUTY OF THE SAID COURT
4 TO FIX THE HEARING AND TO ANNOUNCE ITS DECISION WITHIN SUCH
5 PERIOD OF TIME AS WILL PERMIT THE SECRETARY OF THE COMMONWEALTH
6 OR THE COUNTY BOARD OF ELECTIONS TO PERMIT THE NAMES OF THE
7 CANDIDATES AFFECTED BY THE COURT'S DECISION TO BE PRINTED ON THE
8 BALLOT, IF THE COURT SHOULD SO DETERMINE.

9 SECTION 981.1. AFFIDAVITS OF CANDIDATES.--EACH CANDIDATE FOR
10 ANY STATE, COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP,
11 WARD, SCHOOL DISTRICT, POOR DISTRICT OR ELECTION DISTRICT
12 OFFICE, OR FOR THE OFFICE OF UNITED STATES SENATOR OR
13 REPRESENTATIVE IN CONGRESS, SELECTED AS PROVIDED IN SECTIONS 979
14 AND 980 OF THIS ACT, SHALL FILE WITH THE SUBSTITUTED NOMINATION
15 CERTIFICATE AN AFFIDAVIT STATING--(A) HIS RESIDENCE, WITH STREET
16 AND NUMBER, IF ANY, AND HIS POST-OFFICE ADDRESS; (B) HIS
17 ELECTION DISTRICT, GIVING CITY, BOROUGH, TOWN OR TOWNSHIP; (C)
18 THE NAME OF THE OFFICE FOR WHICH HE CONSENTS TO BE A CANDIDATE;
19 (D) THAT HE IS ELIGIBLE FOR SUCH OFFICE; (E) THAT HE WILL NOT
20 KNOWINGLY VIOLATE ANY PROVISION OF THIS ACT, OR OF ANY LAW
21 REGULATING AND LIMITING ELECTION EXPENSES AND PROHIBITING
22 CORRUPT PRACTICES IN CONNECTION THEREWITH; (F) UNLESS HE IS A
23 CANDIDATE FOR JUDGE OF A COURT OF COMMON PLEAS, THE PHILADELPHIA
24 MUNICIPAL COURT [OR THE TRAFFIC COURT OF PHILADELPHIA,] OR FOR
25 THE OFFICE OF SCHOOL BOARD IN A DISTRICT WHERE THAT OFFICE IS
26 ELECTIVE OR FOR THE OFFICE OF JUSTICE OF THE PEACE, THAT HE IS
27 NOT A CANDIDATE FOR THE SAME OFFICE OF ANY PARTY OR POLITICAL
28 BODY OTHER THAN THE ONE DESIGNATED IN SUCH CERTIFICATE; (G) THAT
29 HE IS AWARE OF THE PROVISIONS OF SECTION 1626 OF THIS ACT
30 REQUIRING ELECTION AND POST-ELECTION REPORTING OF CAMPAIGN

1 CONTRIBUTIONS AND EXPENDITURES; AND (H) THAT HE IS NOT A
2 CANDIDATE FOR AN OFFICE WHICH HE ALREADY HOLDS, THE TERM OF
3 WHICH IS NOT SET TO EXPIRE IN THE SAME YEAR AS THE OFFICE
4 SUBJECT TO THE AFFIDAVIT.

5 SECTION 993. FILLING OF CERTAIN VACANCIES IN PUBLIC OFFICE
6 BY MEANS OF NOMINATION CERTIFICATES AND NOMINATION PAPERS.-- (A)
7 IN ALL CASES WHERE A VACANCY SHALL OCCUR FOR ANY CAUSE IN AN
8 ELECTIVE PUBLIC OFFICE, INCLUDING THAT OF JUDGE OF A COURT OF
9 RECORD, AT A TIME WHEN SUCH VACANCY IS REQUIRED BY THE
10 PROVISIONS OF THE CONSTITUTION OR THE LAWS OF THIS COMMONWEALTH
11 TO BE FILLED AT THE ENSUING ELECTION BUT AT A TIME WHEN
12 NOMINATIONS FOR SUCH OFFICE CANNOT BE MADE UNDER ANY OTHER
13 PROVISION OF THIS ACT, NOMINATIONS TO FILL SUCH VACANCIES SHALL
14 BE MADE BY POLITICAL PARTIES IN ACCORDANCE WITH PARTY RULES
15 RELATING TO THE FILLING OF VACANCIES BY MEANS OF NOMINATION
16 CERTIFICATES IN THE FORM PRESCRIBED IN SECTION NINE HUNDRED
17 NINETY-FOUR OF THIS ACT, AND BY POLITICAL BODIES BY MEANS OF
18 NOMINATION PAPERS IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS
19 NINE HUNDRED FIFTY-ONE, NINE HUNDRED FIFTY-TWO AND NINE HUNDRED
20 FIFTY-FOUR OF THIS ACT. NO SUCH NOMINATION CERTIFICATE SHALL
21 NOMINATE ANY PERSON WHO HAS ALREADY BEEN NOMINATED BY ANY OTHER
22 POLITICAL PARTY OR BY ANY POLITICAL BODY FOR THE SAME OFFICE
23 UNLESS SUCH PERSON IS A CANDIDATE FOR THE OFFICE OF JUDGE OF A
24 COURT OF COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE
25 TRAFFIC COURT OF PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL
26 DIRECTOR IN DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR FOR THE
27 OFFICE OF JUSTICE OF THE PEACE. NO SUCH NOMINATION PAPERS SHALL
28 NOMINATE ANY PERSON WHO HAS ALREADY BEEN NOMINATED BY ANY
29 POLITICAL PARTY OR BY ANY OTHER POLITICAL BODY FOR ANY OFFICE TO
30 BE FILLED AT THE ENSUING NOVEMBER ELECTION, UNLESS SUCH PERSON

1 IS A CANDIDATE FOR THE OFFICE OF JUDGE OF A COURT OF COMMON
2 PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE TRAFFIC COURT OF
3 PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL DIRECTOR IN DISTRICTS
4 WHERE THAT OFFICE IS ELECTIVE OR FOR THE OFFICE OF JUSTICE OF
5 THE PEACE.

6 * * *

7 SECTION 998. SUBSTITUTED NOMINATIONS TO FILL CERTAIN
8 VACANCIES FOR A NOVEMBER ELECTION.-- (A) ANY VACANCY HAPPENING
9 OR EXISTING IN ANY PARTY NOMINATION MADE IN ACCORDANCE WITH THE
10 PROVISIONS OF SECTION NINE HUNDRED NINETY-THREE OF THIS ACT FOR
11 A NOVEMBER ELECTION BY REASON OF THE DEATH OR WITHDRAWAL OF ANY
12 CANDIDATE MAY BE FILLED BY A SUBSTITUTED NOMINATION MADE BY SUCH
13 COMMITTEE AS IS AUTHORIZED BY THE RULES OF THE PARTY TO MAKE
14 NOMINATIONS IN THE EVENT OF VACANCIES ON THE PARTY TICKET, IN
15 THE FORM PRESCRIBED BY SECTION NINE HUNDRED NINETY-FOUR OF THIS
16 ACT. BUT NO SUBSTITUTED NOMINATION CERTIFICATE SHALL NOMINATE
17 ANY PERSON WHO HAS ALREADY BEEN NOMINATED BY ANY OTHER POLITICAL
18 PARTY OR BY ANY POLITICAL BODY FOR THE SAME OFFICE, UNLESS SUCH
19 PERSON IS A CANDIDATE FOR THE OFFICE OF JUDGE OF A COURT OF
20 COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE TRAFFIC
21 COURT OF PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL DIRECTOR IN
22 DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR FOR THE OFFICE OF
23 JUSTICE OF THE PEACE.

24 (B) IN CASE OF THE DEATH OR WITHDRAWAL OF ANY CANDIDATE
25 NOMINATED BY A POLITICAL BODY FOR AN ELECTION, THE COMMITTEE
26 NAMED IN THE ORIGINAL NOMINATION PAPERS MAY NOMINATE A
27 SUBSTITUTE IN HIS PLACE BY FILING A SUBSTITUTED NOMINATION
28 CERTIFICATE IN THE FORM AND MANNER PRESCRIBED BY SECTION NINE
29 HUNDRED EIGHTY OF THIS ACT. IN THE CASE OF A VACANCY CAUSED BY
30 THE DEATH OF ANY CANDIDATE, SAID NOMINATION CERTIFICATE SHALL BE

1 ACCOMPANIED BY A DEATH CERTIFICATE PROPERLY CERTIFIED. NO
2 SUBSTITUTED NOMINATION CERTIFICATE SHALL NOMINATE ANY PERSON WHO
3 HAS ALREADY BEEN NOMINATED BY ANY POLITICAL PARTY OR BY ANY
4 OTHER POLITICAL BODY FOR ANY OFFICE TO BE FILLED AT THE ENSUING
5 NOVEMBER ELECTION, UNLESS SUCH PERSON IS A CANDIDATE FOR THE
6 OFFICE OF JUDGE OF A COURT OF COMMON PLEAS, THE PHILADELPHIA
7 MUNICIPAL COURT [OR THE TRAFFIC COURT OF PHILADELPHIA,] OR FOR
8 THE OFFICE OF SCHOOL DIRECTOR IN DISTRICTS WHERE THAT OFFICE IS
9 ELECTIVE OR FOR THE OFFICE OF JUSTICE OF THE PEACE.

10 * * *

11 SECTION 1002. FORM OF OFFICIAL PRIMARY BALLOT.-- (A) AT
12 PRIMARIES SEPARATE OFFICIAL BALLOTS SHALL BE PREPARED FOR EACH
13 PARTY WHICH SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

14 OFFICIAL..... PRIMARY BALLOT.

15 (NAME OF PARTY)

16DISTRICT,WARD, CITY OF.....,

17 COUNTY OF....., STATE OF PENNSYLVANIA

18PRIMARY ELECTION HELD ON THE.....DAY OF....., 19...

19 MAKE A CROSS (X) OR CHECK () IN THE SQUARE TO THE RIGHT OF
20 EACH CANDIDATE FOR WHOM YOU WISH TO VOTE. IF YOU DESIRE TO VOTE
21 FOR A PERSON WHOSE NAME IS NOT ON THE BALLOT, WRITE[, PRINT OR
22 PASTE] OR STAMP HIS NAME IN THE BLANK SPACE PROVIDED FOR THAT

23 PURPOSE. MARK BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE PENCIL
24 OR BLUE, BLACK OR BLUE-BLACK INK IN FOUNTAIN PEN OR BALL POINT
25 PEN. USE THE SAME PENCIL OR PEN FOR ALL MARKINGS YOU PLACE ON
26 THE BALLOT.

27 PRESIDENT OF THE UNITED STATES.

28 (VOTE FOR ONE)

29 JOHN DOE

30 RICHARD ROE

1 JOHN STILES

2 UNITED STATES SENATOR.

3 (VOTE FOR ONE)

4 JOHN DOE

5 RICHARD ROE

6 JOHN STILES

7 GOVERNOR.

8 (VOTE FOR ONE)

9 JOHN DOE

10 RICHARD ROE

11 JOHN STILES

12 REPRESENTATIVE IN CONGRESS.....DISTRICT.

13 (VOTE FOR ONE)

14 JOHN DOE

15 RICHARD ROE

16 JOHN STILES

17 DELEGATES AT LARGE TO NATIONAL CONVENTION.

18 (VOTE FOR.....)

19 JOHN DOE

20 (COMMITTED TO JEREMIAH SMITH)

21 JOHN STILES

22 (UNCOMMITTED)

23 DELEGATE TO NATIONAL CONVENTION.....DISTRICT.

24 (VOTE FOR.....)

25 JOHN DOE

26 (COMMITTED TO JEREMIAH SMITH)

27 JOHN STILES

28 (UNCOMMITTED)

29 SENATOR IN THE GENERAL ASSEMBLY.....DISTRICT.

30 (VOTE FOR ONE)

1 JOHN DOE
2 RICHARD ROE
3 JOHN STILES

MEMBER OF STATE COMMITTEE.

(VOTE FOR ONE)

6 JOHN DOE
7 RICHARD ROE
8 JOHN STILES

PARTY COMMITTEEMEN.

(VOTE FOR.....)

11 JOHN DOE
12 RICHARD ROE
13 JOHN STILES

14 (B) ON THE BACK OF EACH BALLOT SHALL BE PRINTED IN PROMINENT
15 TYPE THE WORDS "OFFICIAL PRIMARY BALLOT OFPARTY FOR"
16 FOLLOWED BY THE DESIGNATION OF THE ELECTION DISTRICT FOR WHICH
17 IT IS PREPARED, THE DATE OF THE PRIMARY AND THE FACSIMILE
18 SIGNATURES OF THE MEMBERS OF THE COUNTY BOARD OF ELECTIONS. THE
19 NAMES OF CANDIDATES SHALL IN ALL CASES BE ARRANGED UNDER THE
20 TITLE OF THE OFFICE FOR WHICH THEY ARE CANDIDATES, AND BE
21 PRINTED THEREUNDER IN THE ORDER DETERMINED BY THE CASTING OF
22 LOTS AS PROVIDED BY THIS ACT. UNDER THE TITLE OF SUCH OFFICES
23 WHERE MORE THAN ONE CANDIDATE IS TO BE VOTED FOR, SHALL BE
24 PRINTED "VOTE FOR NOT MORE THAN" (THE BLANK SPACE TO
25 INDICATE THE NUMBER OF CANDIDATES TO BE VOTED FOR THE PARTICULAR
26 OFFICE.) AT THE RIGHT OF THE NAME OF EACH CANDIDATE THERE SHALL
27 BE A SQUARE OF SUFFICIENT SIZE FOR THE CONVENIENT INSERTION OF A
28 CROSS (X) OR CHECK () MARK. THERE SHALL BE LEFT AT THE END OF
29 THE LIST OF CANDIDATES FOR EACH OFFICE (OR UNDER THE TITLE OF
30 THE OFFICE ITSELF IN CASE THERE BE NO CANDIDATES WHO HAVE FILED

1 NOMINATION PETITIONS THEREFOR) AS MANY BLANK SPACES AS THERE ARE
2 PERSONS TO BE VOTED FOR, FOR SUCH OFFICE, IN WHICH SPACE THE
3 ELECTOR MAY INSERT, BY WRITING OR STAMPING, THE NAME OF ANY
4 PERSON WHOSE NAME IS NOT PRINTED ON THE BALLOT AS A CANDIDATE
5 FOR SUCH OFFICE. OPPOSITE OR UNDER THE NAME OF EACH CANDIDATE,
6 EXCEPT CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
7 STATES AND CANDIDATES FOR DELEGATE OR ALTERNATE DELEGATE TO A
8 NATIONAL PARTY CONVENTION, WHO IS TO BE VOTED FOR BY THE
9 ELECTORS OF MORE THAN ONE COUNTY, SHALL BE PRINTED THE NAME OF
10 THE COUNTY IN WHICH SUCH CANDIDATE RESIDES; AND OPPOSITE OR
11 UNDER THE NAME OF EACH CANDIDATE EXCEPT CANDIDATES FOR DELEGATE
12 OR ALTERNATE DELEGATE TO A NATIONAL PARTY CONVENTION WHO IS TO
13 BE VOTED FOR BY THE ELECTORS OF AN ENTIRE COUNTY OR ANY
14 CONGRESSIONAL, SENATORIAL OR REPRESENTATIVE DISTRICT WITHIN THE
15 COUNTY, SHALL BE PRINTED THE NAME OF THE CITY, BOROUGH, TOWNSHIP
16 OR WARD, AS THE CASE MAY BE, IN WHICH SUCH CANDIDATE RESIDES.

17 * * *

18 SECTION 1003. FORM OF OFFICIAL ELECTION BALLOT.--

19 (A) THE OFFICIAL BALLOTS FOR GENERAL, MUNICIPAL AND SPECIAL
20 ELECTIONS SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

21 OFFICIAL BALLOT
22 DISTRICT, WARD,
23 CITY OF, COUNTY OF,
24 STATE OF PENNSYLVANIA
25 ELECTION HELD ON THE DAY OF, [19]
26 20.....

27 A CROSS (X) OR CHECK () MARK IN THE SQUARE OPPOSITE THE NAME OF
28 ANY CANDIDATE INDICATES A VOTE FOR THAT CANDIDATE.

29 [TO VOTE A STRAIGHT PARTY TICKET, MARK A CROSS (X) OR CHECK
30 () IN THE SQUARE, IN THE PARTY COLUMN, OPPOSITE THE NAME OF THE

1 PARTY OF YOUR CHOICE. TO VOTE FOR AN INDIVIDUAL CANDIDATE OF
2 ANOTHER PARTY AFTER MAKING A MARK IN THE PARTY SQUARE, MARK A
3 CROSS (X) OR CHECK () OPPOSITE HIS NAME. FOR AN OFFICE WHERE
4 MORE THAN ONE CANDIDATE IS TO BE VOTED FOR, THE VOTER, AFTER
5 MARKING IN THE PARTY SQUARE, MAY DIVIDE HIS VOTE BY MARKING A
6 CROSS (X) OR CHECK () TO THE RIGHT OF EACH CANDIDATE FOR WHOM
7 HE OR SHE DESIRES TO VOTE. FOR SUCH OFFICE VOTES SHALL NOT BE
8 COUNTED FOR CANDIDATES NOT INDIVIDUALLY MARKED.]

9 TO VOTE FOR A PERSON WHOSE NAME IS NOT ON THE BALLOT, WRITE[,
10 PRINT OR PASTE] OR STAMP HIS NAME IN THE BLANK SPACE PROVIDED
11 FOR THAT PURPOSE. A CROSS (X) OR CHECK () MARK IN THE SQUARE
12 OPPOSITE THE NAMES OF THE CANDIDATES OF ANY PARTY FOR PRESIDENT
13 AND VICE-PRESIDENT OF THE UNITED STATES INDICATES A VOTE FOR ALL
14 THE CANDIDATES OF THAT PARTY FOR PRESIDENTIAL ELECTOR. TO VOTE
15 FOR INDIVIDUAL CANDIDATES FOR PRESIDENTIAL ELECTOR, WRITE[,
16 PRINT OR PASTE] OR STAMP THEIR NAMES IN THE BLANK SPACES
17 PROVIDED FOR THAT PURPOSE UNDER THE TITLE "PRESIDENTIAL
18 ELECTORS." MARK BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
19 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
20 POINT PEN; USE THE SAME PENCIL OR PEN FOR ALL MARKINGS YOU PLACE
21 ON THE BALLOT.

22 BEFORE LEAVING THE VOTING COMPARTMENT, FOLD THIS BALLOT,
23 WITHOUT DISPLAYING THE MARKINGS THEREON, IN THE SAME WAY IT WAS
24 FOLDED WHEN RECEIVED, THEN LEAVE THE COMPARTMENT AND EXHIBIT THE
25 BALLOT TO ONE OF THE ELECTION OFFICERS WHO SHALL ASCERTAIN BY AN
26 INSPECTION OF THE NUMBER APPEARING UPON THE RIGHT HAND CORNER OF
27 THE BACK OF THE BALLOT WHETHER THE BALLOT SO EXHIBITED TO HIM IS
28 THE SAME BALLOT WHICH THE ELECTOR RECEIVED BEFORE ENTERING THE
29 VOTING COMPARTMENT. IF IT IS THE SAME, THE ELECTION OFFICER
30 SHALL DIRECT THE ELECTOR, WITHOUT UNFOLDING THE BALLOT, TO

1 REMOVE THE PERFORATED CORNER CONTAINING THE NUMBER, AND THE
2 ELECTOR SHALL IMMEDIATELY DEPOSIT THE BALLOT IN THE BALLOT BOX.
3 ANY BALLOT DEPOSITED IN A BALLOT BOX AT ANY PRIMARY OR ELECTION
4 WITHOUT HAVING THE SAID NUMBER TORN OFF SHALL BE VOID AND SHALL
5 NOT BE COUNTED.

6 [PARTY COLUMN PRESIDENTIAL ELECTORS
7 TO VOTE A STRAIGHT PARTY TICKET (VOTE FOR THE CANDIDATES OF
8 MARK A CROSS (X) OR CHECK () IN ONE PARTY FOR PRESIDENT AND
9 THIS COLUMN. VICE-PRESIDENT, OR INSERT THE

10 NAMES OF CANDIDATES.)

11 FOR
12 JOHN STILES
13 DEMOCRATIC AND
14 RICHARD DOE,
15 DEMOCRATIC

16 FOR
17 JOHN DOE
18 REPUBLICAN AND
19 RICHARD ROE,
20 REPUBLICAN

21 FOR
22 JOHN SMITH
23 SOCIALIST AND
24 WILLIAM JONES,
25 SOCIALIST

26 CITIZENS]

27 PRESIDENTIAL ELECTORS.

28 (VOTE FOR THE CANDIDATES OF ONE PARTY FOR PRESIDENT AND VICE

29 PRESIDENT, OR INSERT THE NAMES OF CANDIDATES)

30 FOR

1 JOHN STILES AND RICHARD DOE..... DEMOCRATIC
 2 FOR
 3 JOHN DOE AND RICHARD ROE..... REPUBLICAN
 4 FOR
 5 JOHN SMITH AND WILLIAM JONES..... SOCIALIST
 6 FOR
 7 _____ CITIZENS

8 UNITED STATES SENATOR.

9 (VOTE FOR ONE)

10 RICHARD ROE DEMOCRATIC
 11 JOHN DOE REPUBLICAN
 12 RICHARD STILES SOCIALIST

13 GOVERNOR.

14 (VOTE FOR ONE)

15 RICHARD ROE DEMOCRATIC
 16 JOHN DOE REPUBLICAN
 17 RICHARD STILES SOCIALIST

18 REPRESENTATIVES IN CONGRESS,

19 DISTRICT.

20 (VOTE FOR ONE)

21 RICHARD ROE DEMOCRATIC
 22 JOHN DOE REPUBLICAN
 23 RICHARD STILES SOCIALIST

24 SENATOR IN THE GENERAL ASSEMBLY,

25 DISTRICT.

26 (VOTE FOR ONE)

27 JOHN DOE DEMOCRATIC
 28 RICHARD ROE REPUBLICAN

29 * * *

30 (E) THERE SHALL BE LEFT AT THE END OF THE GROUP OF

1 CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES
2 UNDER THE TITLE "PRESIDENTIAL ELECTORS," AS MANY BLANK SPACES AS
3 THERE ARE PRESIDENTIAL ELECTORS TO BE ELECTED, IN WHICH SPACES
4 THE ELECTOR MAY INSERT, BY WRITING OR STAMPING, THE NAMES OF ANY
5 INDIVIDUAL CANDIDATES FOR PRESIDENTIAL ELECTORS FOR WHOM HE
6 DESIRES TO VOTE. THERE SHALL ALSO BE LEFT AT THE END OF EACH
7 GROUP OF CANDIDATES FOR EACH OTHER OFFICE (OR UNDER THE TITLE OF
8 THE OFFICE ITSELF IN CASE NO CANDIDATES HAVE BEEN NOMINATED
9 THEREFOR), AS MANY BLANK SPACES AS THERE ARE PERSONS TO BE VOTED
10 FOR FOR SUCH OFFICE, IN WHICH SPACE THE ELECTOR MAY INSERT THE
11 NAME OF ANY PERSON OR PERSONS WHOSE NAME IS NOT PRINTED ON THE
12 BALLOT AS A CANDIDATE FOR SUCH OFFICE.

13 * * *

14 SECTION 1004. FORM OF BALLOTS; PRINTING BALLOTS; STUBS; <--
15 NUMBERS.--FROM THE LISTS FURNISHED BY THE SECRETARY OF THE
16 COMMONWEALTH UNDER THE PROVISIONS OF SECTIONS 915 AND 984, AND
17 FROM PETITIONS AND PAPERS FILED IN THEIR OFFICE, THE COUNTY
18 ELECTION BOARD SHALL PRINT THE OFFICIAL PRIMARY AND ELECTION
19 BALLOTS IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT: PROVIDED,
20 HOWEVER, THAT IN NO EVENT, SHALL THE NAME OF ANY PERSON
21 CONSENTING TO BE A CANDIDATE FOR NOMINATION FOR ANY ONE OFFICE,
22 EXCEPT THE OFFICE OF JUDGE OF A COURT OF COMMON PLEAS, THE
23 PHILADELPHIA MUNICIPAL COURT OR [THE TRAFFIC COURT OF
24 PHILADELPHIA,] OR THE OFFICE OF SCHOOL DIRECTOR IN DISTRICTS
25 WHERE THAT OFFICE IS ELECTIVE OR THE OFFICE OF JUSTICE OF THE
26 PEACE BE PRINTED AS A CANDIDATE FOR SUCH OFFICE UPON THE
27 OFFICIAL PRIMARY BALLOT OF MORE THAN ONE PARTY. ALL BALLOTS FOR
28 USE IN THE SAME ELECTION DISTRICT AT ANY PRIMARY OR ELECTION
29 SHALL BE ALIKE. THEY SHALL BE AT LEAST SIX INCHES LONG AND FOUR
30 INCHES WIDE, AND SHALL HAVE A MARGIN EXTENDING BEYOND ANY

1 PRINTING THEREON. THEY SHALL BE PRINTED WITH THE SAME KIND OF
2 TYPE (WHICH SHALL NOT BE SMALLER THAN THE SIZE KNOWN AS
3 "BREVIER" OR "EIGHT POINT BODY") UPON WHITE PAPER OF UNIFORM
4 QUALITY, WITHOUT ANY IMPRESSION OR MARK TO DISTINGUISH ONE FROM
5 ANOTHER, AND WITH SUFFICIENT THICKNESS TO PREVENT THE PRINTED
6 MATTER FROM SHOWING THROUGH. EACH BALLOT SHALL BE ATTACHED TO A
7 STUB, AND ALL THE BALLOTS FOR THE SAME ELECTION DISTRICT SHALL
8 BE BOUND TOGETHER IN BOOKS OF FIFTY, IN SUCH MANNER THAT EACH
9 BALLOT MAY BE DETACHED FROM ITS STUB AND REMOVED SEPARATELY. THE
10 BALLOTS FOR EACH PARTY TO BE USED AT A PRIMARY SHALL BE BOUND
11 SEPARATELY. THE STUBS OF THE BALLOTS SHALL BE CONSECUTIVELY
12 NUMBERED, AND IN THE CASE OF PRIMARY BALLOTS, THE NUMBER SHALL
13 BE PRECEDED BY AN INITIAL OR ABBREVIATION DESIGNATING THE PARTY
14 NAME. THE NUMBER AND INITIAL OR ABBREVIATION WHICH APPEARS UPON
15 THE STUB SHALL ALSO BE PRINTED IN THE UPPER RIGHT HAND CORNER OF
16 THE BACK OF THE BALLOT, SEPARATED FROM THE REMAINDER OF THE
17 BALLOT BY A DIAGONAL PERFORATED LINE SO PREPARED THAT THE UPPER
18 RIGHT HAND CORNER OF THE BACK OF THE BALLOT CONTAINING THE
19 NUMBER MAY BE DETACHED FROM THE BALLOT BEFORE IT IS DEPOSITED IN
20 THE BALLOT BOX AND BESIDE THAT CORNER SHALL ALSO BE PRINTED,
21 "REMOVE NUMBERED STUB IMMEDIATELY BEFORE DEPOSITING YOUR BALLOT
22 IN BALLOT BOX."

23 SECTION 1007. NUMBER OF BALLOTS TO BE PRINTED; SPECIMEN
24 BALLOTS.--(A) THE COUNTY BOARD OF EACH COUNTY SHALL PROVIDE FOR
25 EACH ELECTION DISTRICT [IN WHICH A PRIMARY IS TO BE HELD, ONE
26 BOOK OF FIFTY OFFICIAL BALLOTS OF EACH PARTY FOR EVERY FORTY-
27 FIVE REGISTERED AND ENROLLED ELECTORS OF SUCH PARTY AND FRACTION
28 THEREOF, APPEARING UPON THE DISTRICT REGISTER, AND SHALL PROVIDE
29 FOR EACH ELECTION DISTRICT IN WHICH AN ELECTION IS TO BE HELD
30 ONE BOOK OF FIFTY OFFICIAL BALLOTS FOR EVERY FORTY-FIVE

1 REGISTERED ELECTORS AND FRACTION THEREOF APPEARING UPON THE
2 DISTRICT REGISTER. THEY] A SUPPLY OF OFFICIAL ELECTION BALLOTS
3 FOR:

4 (1) THE GENERAL PRIMARY ELECTION HELD IN EVEN-NUMBERED YEARS
5 IN WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
6 STATES ARE NOT NOMINATED IN AN AMOUNT OF AT LEAST TEN PER CENTUM
7 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
8 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL PRIMARY ELECTIONS
9 AT WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
10 STATES WERE NOT NOMINATED;

11 (2) THE GENERAL PRIMARY ELECTION HELD IN EVEN-NUMBERED YEARS
12 IN WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
13 STATES ARE NOMINATED IN AN AMOUNT OF AT LEAST FIFTEEN PER CENTUM
14 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
15 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL PRIMARY ELECTIONS
16 AT WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
17 STATES WERE NOMINATED;

18 (3) THE MUNICIPAL PRIMARY ELECTION HELD IN ODD-NUMBERED
19 YEARS IN AN AMOUNT OF AT LEAST TEN PER CENTUM GREATER THAN THE
20 HIGHEST NUMBER OF BALLOTS CAST IN ANY OF THE PREVIOUS THREE
21 MUNICIPAL PRIMARY ELECTIONS IN THE ELECTION DISTRICT;

22 (4) THE GENERAL ELECTION HELD IN EVEN-NUMBERED YEARS IN
23 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
24 STATES ARE NOT ELECTED IN AN AMOUNT OF AT LEAST TEN PER CENTUM
25 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
26 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL ELECTIONS AT WHICH
27 CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES WERE
28 NOT ELECTED;

29 (5) THE GENERAL ELECTION HELD IN EVEN-NUMBERED YEARS IN
30 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED

1 STATES ARE ELECTED IN AN AMOUNT OF AT LEAST FIFTEEN PER CENTUM
2 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
3 DISTRICTS IN ANY OF THE PREVIOUS THREE GENERAL ELECTIONS AT
4 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
5 STATES WERE ELECTED; AND

6 (6) THE MUNICIPAL ELECTION HELD IN ODD-NUMBERED YEARS IN AN
7 AMOUNT OF AT LEAST TEN PER CENTUM GREATER THAN THE HIGHEST
8 NUMBER OF BALLOTS CAST IN ANY OF THE PREVIOUS THREE MUNICIPAL
9 ELECTIONS IN THE ELECTION DISTRICT.

10 (B) THE COUNTY BOARD OF EACH COUNTY SHALL ALSO, IN ADDITION
11 TO THE NUMBER OF BALLOTS REQUIRED TO BE PRINTED FOR GENERAL
12 DISTRIBUTION, MAINTAIN A SUFFICIENT SUPPLY OF SUCH BALLOTS AT
13 THE OFFICE OF THE COUNTY BOARD FOR THE USE OF ABSENTEE ELECTORS
14 OR MAIL-IN ELECTORS AND FOR THE USE OF ANY DISTRICT, THE BALLOTS
15 FOR WHICH MAY BE LOST, DESTROYED OR STOLEN. THEY SHALL ALSO
16 CAUSE TO BE PRINTED ON TINTED PAPER, AND WITHOUT THE FACSIMILE
17 ENDORSEMENTS, PERMANENT BINDING OR STUBS, COPIES OF THE FORM OF
18 BALLOTS PROVIDED FOR EACH POLLING PLACE AT EACH PRIMARY OR
19 ELECTION THEREIN, WHICH SHALL BE CALLED SPECIMEN BALLOTS, AND
20 WHICH SHALL BE OF THE SAME SIZE AND FORM AS THE OFFICIAL
21 BALLOTS, AND AT EACH ELECTION THEY SHALL DELIVER TO THE ELECTION
22 OFFICERS, IN ADDITION TO THE OFFICIAL BALLOTS TO BE USED AT SUCH
23 ELECTION, A SUITABLE SUPPLY OF SPECIMEN BALLOTS FOR THE USE OF
24 THE ELECTORS. AT EACH PRIMARY, A SUITABLE SUPPLY OF SPECIMEN
25 BALLOTS OF EACH PARTY SHALL BE FURNISHED.

26 SECTION 1008. FORMS OF BALLOTS ON FILE AND OPEN TO PUBLIC <--
27 INSPECTION; BALLOTS AND DIAGRAMS TO BE FURNISHED TO CANDIDATES
28 AND PARTIES.--

29 (A) THE COUNTY BOARD OF ELECTIONS SHALL HAVE ON FILE IN ITS
30 OFFICE [, ON AND] AFTER THE THURSDAY [PRECEDING] BEFORE EACH

1 PRIMARY AND ELECTION, OPEN TO PUBLIC INSPECTION, FORMS OF THE
2 BALLOTS AND BALLOT LABELS [, WITH THE NAMES AND SUCH STATEMENTS
3 AND NOTATIONS AS MAY BE REQUIRED BY THE PROVISIONS OF THIS ACT,
4 PRINTED THEREON, WHICH SHALL BE USED IN EACH ELECTION DISTRICT
5 WITHIN THE COUNTY] . THE FORMS OF THE BALLOTS AND BALLOT LABELS
6 SHALL BE PUBLISHED ON THE COUNTY BOARD'S PUBLICLY ACCESSIBLE
7 INTERNET WEBSITE.

8 (B) ON THE THURSDAY [PRECEDING] BEFORE EACH PRIMARY, THE
9 COUNTY BOARD SHALL, UPON REQUEST MADE AT THEIR OFFICE, [THERE]
10 DELIVER TO EACH CANDIDATE WHOSE NAME IS PRINTED ON THE BALLOT OF
11 ANY PARTY, OR TO HIS AUTHORIZED REPRESENTATIVE, WITHOUT CHARGE,
12 THREE [SPECIMEN] SAMPLE BALLOTS OF SUCH PARTY FOR THE ENTIRE
13 DISTRICT [IN WHICH SUCH CANDIDATE IS TO BE VOTED FOR, AND THE
14 CANDIDATE MAY, AT HIS OWN EXPENSE, HAVE PRINTED ON DIFFERENT
15 COLORED PAPER AS MANY COPIES AS HE REQUIRES FOR CONDUCTING HIS
16 CAMPAIGN] .

17 (C) ON THE THURSDAY [PRECEDING] BEFORE EACH NOVEMBER
18 ELECTION, THE COUNTY BOARD SHALL, UPON REQUEST MADE AT THEIR
19 OFFICE, [THERE] DELIVER TO THE COUNTY CHAIRMAN OR OTHER
20 AUTHORIZED REPRESENTATIVE OF EACH POLITICAL PARTY AND POLITICAL
21 BODY IN THE COUNTY, WITHOUT CHARGE, TWO [SPECIMEN] SAMPLE
22 BALLOTS [OR DIAGRAMS] FOR EACH ELECTION DISTRICT WITHIN THE
23 COUNTY IN WHICH CANDIDATES OF SUCH PARTY OR POLITICAL BODY ARE
24 [TO BE VOTED FOR, AND SUCH POLITICAL PARTY OR POLITICAL BODY
25 MAY, AT ITS OWN EXPENSE, HAVE PRINTED ON DIFFERENT COLORED PAPER
26 AS MANY COPIES AS IT REQUIRES FOR CONDUCTING ITS CAMPAIGN.]
27 RUNNING FOR OFFICE.

28 SECTION 1107. REQUIREMENTS OF VOTING MACHINES.--NO VOTING
29 MACHINE SHALL, UPON ANY EXAMINATION OR REEXAMINATION, BE
30 APPROVED BY THE SECRETARY OF THE COMMONWEALTH, OR BY ANY

1 EXAMINER APPOINTED BY HIM, UNLESS IT SHALL, AT THE TIME, SATISFY
2 THE FOLLOWING REQUIREMENTS:

3 * * *

4 [(B) IT SHALL PERMIT EACH VOTER, AT OTHER THAN PRIMARY
5 ELECTIONS, TO VOTE A STRAIGHT POLITICAL PARTY TICKET IN ONE
6 OPERATION, AND, IN ONE OPERATION, TO VOTE FOR ALL THE CANDIDATES
7 OF ONE POLITICAL PARTY FOR PRESIDENTIAL ELECTORS, AND, IN ONE
8 OPERATION, TO VOTE FOR ALL THE CANDIDATES OF ONE POLITICAL PARTY
9 FOR EVERY OFFICE TO BE VOTED FOR, EXCEPT THOSE OFFICES AS TO
10 WHICH HE VOTES FOR INDIVIDUAL CANDIDATES.]

11 * * *

12 SECTION 1110. FORM OF BALLOT LABELS ON VOTING MACHINES.--

13 * * *

14 (H) THE NAMES OF ALL CANDIDATES OF A POLITICAL PARTY SHALL
15 APPEAR IN THE SAME ROW OR COLUMN, AND EXCEPT IN CASES OF NAMES
16 OF PRESIDENTIAL COMMITMENTS OF NOMINEES FOR DELEGATE OR
17 ALTERNATE DELEGATE TO POLITICAL PARTY NATIONAL CONVENTIONS NO
18 OTHER NAMES SHALL APPEAR IN THE SAME ROW OR COLUMN[, TO THE LEFT
19 OR TOP OF WHICH SHALL BE A STRAIGHT PARTY LEVER, BY MEANS OF
20 WHICH AN ELECTOR MAY, IN ONE OPERATION, VOTE FOR ALL THE
21 CANDIDATES OF THAT POLITICAL PARTY FOR EVERY OFFICE TO BE VOTED
22 FOR]. WHERE THE NAMES OF THE DELEGATE OR ALTERNATE DELEGATE AND
23 THE PRESIDENTIAL CANDIDATE HE IS SUPPORTING SHALL BOTH APPEAR,
24 THE PRINT SIZE OF THE NAME OF THE DELEGATE OR ALTERNATE DELEGATE
25 SHALL BE EQUAL TO THE SIZE OF THE NAME OF THE PARTICULAR
26 PRESIDENTIAL CANDIDATE TO WHOM HE IS COMMITTED, OR IN THE CASE
27 WHERE HE IS UNCOMMITTED, THE WORD "UNCOMMITTED" SHALL APPEAR IN
28 THE SAME SIZE PRINT. THE NAMES OF SUCH CANDIDATES SHALL BE
29 ARRANGED UNDER OR OPPOSITE THE TITLE OF THE OFFICE FOR WHICH
30 THEY ARE CANDIDATES, AND SHALL APPEAR IN THE ORDER OF THE VOTES

1 OBTAINED BY THE CANDIDATE FOR GOVERNOR OF THE PARTY NOMINATED AT
2 THE LAST GUBERNATORIAL ELECTION, BEGINNING WITH THE PARTY
3 OBTAINING THE HIGHEST NUMBER OF VOTES: PROVIDED, HOWEVER, THAT
4 IN THE CASE OF PARTIES OR BODIES NOT REPRESENTED ON THE BALLOT
5 AT THE LAST GUBERNATORIAL ELECTION, THE NAMES OF THE CANDIDATES
6 OF SUCH PARTIES SHALL BE ARRANGED ALPHABETICALLY, ACCORDING TO
7 THE PARTY OR BODY NAME. THE NAMES OF ALL CANDIDATES OF A
8 POLITICAL BODY SHALL APPEAR IN THE SAME ROW OR COLUMN, AND, IF
9 THE NUMBER OF PARTIES AND BODIES PERMITS, EACH POLITICAL BODY
10 SHALL BE ENTITLED EXCLUSIVELY TO A SEPARATE ROW OR COLUMN[, WITH
11 A STRAIGHT PARTY LEVER]. IF, HOWEVER, THE NUMBER OF POLITICAL
12 PARTIES AND POLITICAL BODIES RENDERS IT IMPOSSIBLE OR
13 IMPRACTICABLE TO SO ARRANGE THE POLITICAL BODIES, IN SUCH CASE
14 SAID BODIES SHALL NOT BE ENTITLED TO A SEPARATE ROW OR COLUMN
15 [AND A STRAIGHT PARTY LEVER], BUT SHALL BE LISTED BY POLITICAL
16 APPELLATIONS ON THE FIRST LEFT HAND OR TOP ROW, WITH THE
17 DESIGNATING LETTER AND NUMBER OF THE BALLOT LABEL WHERE THEIR
18 CANDIDATES MAY BE FOUND, TOGETHER WITH THE POLITICAL
19 APPELLATIONS OF OTHER POLITICAL BODIES, WHOSE CANDIDATES MAY BE
20 INTERSPERSED ON THE SAME ROW OR COLUMN. SUBJECT TO THE AFORESAID
21 LIMITATIONS, THE FORM AND ARRANGEMENT OF BALLOT LABELS, AS TO
22 THE PLACING THEREON OF POLITICAL BODIES, SHALL BE WITHIN THE
23 DISCRETION OF THE COUNTY BOARD.

24 * * *

25 SECTION 1107-A. REQUIREMENTS OF ELECTRONIC VOTING SYSTEMS.--
26 NO ELECTRONIC VOTING SYSTEM SHALL, UPON ANY EXAMINATION OR
27 REEXAMINATION, BE APPROVED BY THE SECRETARY OF THE COMMONWEALTH,
28 OR BY ANY EXAMINER APPOINTED BY HIM, UNLESS IT SHALL BE
29 ESTABLISHED THAT SUCH SYSTEM, AT THE TIME OF SUCH EXAMINATION OR
30 REEXAMINATION:

1 * * *

2 [(3) PERMITS EACH VOTER, AT OTHER THAN PRIMARY ELECTIONS, TO
3 VOTE A STRAIGHT POLITICAL PARTY TICKET BY ONE MARK OR ACT AND,
4 BY ONE MARK OR ACT, TO VOTE FOR ALL THE CANDIDATES OF ONE
5 POLITICAL PARTY FOR PRESIDENTIAL ELECTORS AND, BY ONE MARK OR
6 ACT, TO VOTE FOR ALL THE CANDIDATES OF ONE POLITICAL PARTY FOR
7 EVERY OFFICE TO BE VOTED FOR, AND EVERY SUCH MARK OR ACT SHALL
8 BE EQUIVALENT TO AND SHALL BE COUNTED AS A VOTE FOR EVERY
9 CANDIDATE OF THE POLITICAL PARTY SO MARKED INCLUDING ITS
10 CANDIDATES FOR PRESIDENTIAL ELECTORS, EXCEPT WITH RESPECT TO
11 THOSE OFFICES AS TO WHICH THE VOTER HAS REGISTERED A VOTE FOR
12 INDIVIDUAL CANDIDATES OF THE SAME OR ANOTHER POLITICAL PARTY OR
13 POLITICAL BODY, IN WHICH CASE THE AUTOMATIC TABULATING EQUIPMENT
14 SHALL CREDIT THE VOTE FOR THAT OFFICE ONLY FOR THE CANDIDATE
15 INDIVIDUALLY SO SELECTED, NOTWITHSTANDING THE FACT THAT THE
16 VOTER MAY NOT HAVE INDIVIDUALLY VOTED FOR THE FULL NUMBER OF
17 CANDIDATES FOR THAT OFFICE FOR WHICH HE WAS ENTITLED TO VOTE.]

18 * * *

19 SECTION 1109-A. FORMS.--(A) * * *

20 (2) THE PAGES PLACED ON THE VOTING DEVICE SHALL BE OF
21 SUFFICIENT NUMBER TO INCLUDE, FOLLOWING THE LISTING OF
22 PARTICULAR CANDIDATES, THE NAMES OF CANDIDATES FOR ANY
23 NONPARTISAN OFFICES AND ANY MEASURES FOR WHICH A VOTER MAY BE
24 QUALIFIED TO VOTE ON A GIVEN ELECTION DAY, PROVIDED FURTHER THAT
25 FOR MUNICIPAL, GENERAL OR SPECIAL ELECTIONS, THE FIRST BALLOT
26 PAGE SHALL LIST IN THE ORDER THAT SUCH POLITICAL PARTIES ARE
27 ENTITLED TO PRIORITY ON THE BALLOT, THE NAMES OF SUCH POLITICAL
28 PARTIES [WITH DESIGNATING ARROWS SO AS TO INDICATE THE VOTING
29 SQUARE OR POSITION ON THE BALLOT CARD WHERE THE VOTER MAY INSERT
30 BY ONE MARK OR PUNCH THE STRAIGHT PARTY TICKET OF HIS CHOICE].

1 * * *

2 [(D) IN PARTISAN ELECTIONS THE BALLOT CARDS SHALL INCLUDE A
3 VOTING SQUARE OR POSITION WHEREBY THE VOTER MAY BY ONE PUNCH OR
4 MARK RECORD A STRAIGHT PARTY TICKET VOTE FOR ALL THE CANDIDATES
5 OF ONE PARTY OR MAY VOTE A SPLIT TICKET FOR THE CANDIDATES OF
6 HIS CHOICE.]

7 * * *

8 SECTION 1112-A. ELECTION DAY PROCEDURES AND THE PROCESS OF
9 VOTING.--(A) IN AN ELECTION DISTRICT WHICH USES AN ELECTRONIC
10 VOTING SYSTEM IN WHICH VOTES ARE REGISTERED ELECTRONICALLY, THE
11 FOLLOWING PROCEDURES WILL BE APPLICABLE FOR THE CONDUCT OF THE
12 ELECTION AT THE ELECTION DISTRICT:

13 * * *

14 (2) AT [PRIMARY] ALL ELECTIONS, THE VOTER SHALL BE ABLE TO
15 VOTE FOR EACH CANDIDATE INDIVIDUALLY BY THE MEANS PROVIDED. [AT
16 ALL OTHER ELECTIONS, HE MAY VOTE FOR EACH CANDIDATE
17 INDIVIDUALLY, OR HE MAY VOTE A STRAIGHT POLITICAL PARTY TICKET
18 IN ONE OPERATION BY OPERATING THE STRAIGHT POLITICAL PARTY
19 MECHANISM OF THE POLITICAL PARTY OR POLITICAL BODY OF HIS
20 CHOICE. HE MAY ALSO, AFTER HAVING OPERATED THE STRAIGHT PARTY
21 MECHANISM AND BEFORE RECORDING HIS VOTE, CANCEL THE VOTE FOR ANY
22 CANDIDATE OF SUCH POLITICAL PARTY OR POLITICAL BODY AND MAY
23 THEREUPON VOTE FOR A CANDIDATE OF ANOTHER PARTY, OR POLITICAL
24 BODY FOR THE SAME OFFICE.] THE VOTER MAY ALSO VOTE INDIVIDUALLY
25 FOR OR AGAINST A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS.

26 * * *

27 (4) AT ANY GENERAL ELECTION AT WHICH PRESIDENTIAL ELECTORS
28 ARE TO BE CHOSEN, EACH ELECTOR SHALL BE PERMITTED TO VOTE BY ONE
29 OPERATION FOR ALL THE PRESIDENTIAL ELECTORS OF A POLITICAL PARTY
30 OR POLITICAL BODY. FOR EACH PARTY OR BODY NOMINATING

1 PRESIDENTIAL ELECTORS, A BALLOT LABEL SHALL BE PROVIDED
2 CONTAINING ONLY THE WORDS "PRESIDENTIAL ELECTORS," PRECEDED BY
3 THE NAMES OF THE PARTY OR BODY AND FOLLOWED BY THE NAMES OF THE
4 CANDIDATES THEREOF FOR THE OFFICE OF PRESIDENT AND VICE-
5 PRESIDENT, AND THE CORRESPONDING COUNTER OR REGISTERING DEVICE
6 SHALL REGISTER VOTES CAST FOR SAID ELECTORS WHEN THUS VOTED FOR
7 COLLECTIVELY. IF ANY ELECTOR DESIRES TO VOTE A TICKET FOR
8 PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS NOMINATED
9 BY DIFFERENT PARTIES OR BODIES, OR PARTIALLY OF NAMES OF PERSONS
10 SO IN NOMINATION AND PARTIALLY OF NAMES OF PERSONS NOT IN
11 NOMINATION BY ANY PARTY OR BODY, HE MAY WRITE OR DEPOSIT A PAPER
12 BALLOT PREPARED BY HIMSELF IN THE RECEPTACLE PROVIDED IN OR ON
13 THE VOTING DEVICE FOR THAT PURPOSE, OR HE MAY LIST THEIR NAMES
14 ON THE WRITE-IN BALLOT OR ENVELOPE PROVIDED FOR THAT PURPOSE.
15 THE VOTING DEVICE SHALL BE SO CONSTRUCTED THAT IT WILL NOT BE
16 POSSIBLE FOR ANY ONE VOTER TO VOTE A STRAIGHT PARTY TICKET FOR
17 PRESIDENTIAL ELECTORS AND AT THE SAME TIME TO DEPOSIT A BALLOT
18 FOR PRESIDENTIAL ELECTORS IN A RECEPTACLE AS [HEREINABOVE]
19 PROVIDED IN THIS SECTION. WHEN THE VOTES FOR PRESIDENTIAL
20 ELECTORS ARE COUNTED, THE VOTES APPEARING UPON THE COUNTER OR
21 REGISTERING DEVICE CORRESPONDING TO THE BALLOT LABEL CONTAINING
22 THE NAMES OF THE CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT OF
23 ANY PARTY OR BODY SHALL BE COUNTED AS VOTES FOR EACH OF THE
24 CANDIDATES FOR PRESIDENTIAL ELECTOR OF SUCH PARTY OR BODY, AND
25 THEREUPON ALL CANDIDATES FOR PRESIDENTIAL ELECTOR SHALL BE
26 CREDITED, IN ADDITION, WITH THE VOTES CAST FOR THEM UPON THE
27 BALLOTS DEPOSITED IN THE MACHINE, AS [HEREINABOVE] PROVIDED IN
28 THIS SECTION.

29 * * *

30 (B) IN AN ELECTION DISTRICT WHICH USES AN ELECTRONIC VOTING

1 SYSTEM WHICH UTILIZES PAPER BALLOTS OR BALLOT CARDS TO REGISTER
2 THE VOTES, THE FOLLOWING PROCEDURES WILL BE APPLICABLE FOR THE
3 CONDUCT OF THE ELECTION AT THE ELECTION DISTRICT:

4 * * *

5 (4) [IF THE VOTER DESIRES TO VOTE FOR EVERY CANDIDATE OF A <--
6 POLITICAL PARTY OR POLITICAL BODY, EXCEPT ITS CANDIDATES FOR
7 OFFICES AS TO WHICH HE VOTES FOR INDIVIDUAL CANDIDATES IN THE
8 MANNER HEREINAFTER PROVIDED, HE MAY MAKE A CROSS (X) OR CHECK
9 () OR PUNCH OR MARK SENSE MARK IN THE SQUARE OPPOSITE THE NAME
10 OF THE PARTY OR POLITICAL BODY SO MARKED, INCLUDING ITS
11 CANDIDATES FOR PRESIDENTIAL ELECTORS, EXCEPT FOR THOSE OFFICES
12 AS TO WHICH HE HAS INDICATED A CHOICE FOR INDIVIDUAL CANDIDATES
13 OF THE SAME OR ANOTHER PARTY OR POLITICAL BODY, BY MAKING A
14 CROSS (X) OR CHECK () OR PUNCH OR MARK SENSE MARK OPPOSITE
15 THEIR NAMES IN THE MANNER HEREINABOVE PROVIDED, AS TO WHICH
16 OFFICES HIS BALLOT SHALL BE COUNTED ONLY FOR THE CANDIDATES
17 WHICH HE HAS THUS INDIVIDUALLY MARKED, NOTWITHSTANDING THE FACT
18 THAT HE MADE A MARK IN THE PARTY COLUMN, AND EVEN THOUGH IN THE
19 CASE OF AN OFFICE FOR WHICH MORE THAN ONE CANDIDATE IS TO BE
20 VOTED FOR, HE HAS NOT INDIVIDUALLY MARKED FOR SUCH OFFICE THE
21 FULL NUMBER OF CANDIDATES FOR WHICH HE IS ENTITLED TO VOTE.] IF <--
22 HE DESIRES TO VOTE FOR THE ENTIRE GROUP OF PRESIDENTIAL ELECTORS
23 NOMINATED BY ANY PARTY OR POLITICAL BODY, HE MAY MAKE A CROSS
24 (X) OR CHECK () OR PUNCH OR MARK SENSE MARK IN THE APPROPRIATE
25 SPACE OPPOSITE THE NAMES OF THE CANDIDATES FOR PRESIDENT AND
26 VICE-PRESIDENT OF SUCH PARTY OR BODY. IF HE DESIRES TO VOTE A
27 TICKET FOR PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS
28 NOMINATED BY DIFFERENT PARTIES OR POLITICAL BODIES, OR PARTIALLY
29 OF NAMES OF PERSONS SO IN NOMINATION AND PARTIALLY OF NAMES OF
30 PERSONS NOT IN NOMINATION BY ANY PARTY OR POLITICAL BODY, OR

1 WHOLLY OF NAMES OF PERSONS NOT IN NOMINATION BY ANY PARTY OR
2 POLITICAL BODY, HE SHALL INSERT, BY WRITING OR STAMPING, THE
3 NAMES OF THE CANDIDATES FOR PRESIDENTIAL ELECTORS FOR WHOM HE
4 DESIRES TO VOTE IN THE BLANK SPACES PROVIDED THEREFOR ON THE
5 WRITE-IN BALLOT UNDER THE TITLE OF THE OFFICE "PRESIDENTIAL
6 ELECTORS". IN CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE
7 ELECTORS, HE MAY MAKE A CROSS (X) OR CHECK () OR PUNCH OR MARK
8 SENSE MARK IN THE APPROPRIATE SQUARE OPPOSITE THE ANSWER WHICH
9 HE DESIRES TO GIVE.

10 * * *

11 SECTION 1113-A. POST ELECTION PROCEDURES.--* * *

12 (D) IN RETURNING ANY VOTES CAST FOR ANY PERSON WHOSE NAME IS
13 NOT PRINTED ON THE OFFICIAL BALLOT, THE ELECTION OFFICERS SHALL
14 RECORD ANY SUCH NAMES EXACTLY AS THEY WERE WRITTEN[, STAMPED OR
15 APPLIED TO THE BALLOT BY STICKER] OR STAMPED.

16 * * *

17 SECTION 3.1. THE ACT IS AMENDED BY ADDING AN ARTICLE TO
18 READ:

19 ARTICLE XI-B

20 VOTING APPARATUS BONDS

21 SECTION 1101-B. DEFINITIONS.

22 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
23 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
24 CONTEXT CLEARLY INDICATES OTHERWISE:

25 "ACCOUNT." THE COUNTY VOTING APPARATUS REIMBURSEMENT ACCOUNT
26 ESTABLISHED UNDER SECTION 1106-B.

27 "AUTHORITY." THE PENNSYLVANIA ECONOMIC DEVELOPMENT FINANCING
28 AUTHORITY.

29 "BOND." ANY TYPE OF REVENUE OBLIGATION, INCLUDING A BOND OR
30 SERIES OF BONDS, NOTE, CERTIFICATE OR OTHER INSTRUMENT, ISSUED

1 BY THE AUTHORITY FOR THE BENEFIT OF THE DEPARTMENT UNDER THIS
2 ARTICLE.

3 "BOND ADMINISTRATIVE EXPENSES." EXPENSES INCURRED TO
4 ADMINISTER BONDS AS PROVIDED UNDER THE FINANCING LAW, OR AS
5 OTHERWISE NECESSARY TO ENSURE COMPLIANCE WITH APPLICABLE FEDERAL
6 OR STATE LAW.

7 "BOND OBLIGATIONS." THE PRINCIPAL OF A BOND AND ANY PREMIUM
8 AND INTEREST PAYABLE ON A BOND, TOGETHER WITH ANY AMOUNT OWED
9 UNDER A RELATED CREDIT AGREEMENT OR A RELATED RESOLUTION OF THE
10 AUTHORITY AUTHORIZING A BOND.

11 "CREDIT AGREEMENT." A LOAN AGREEMENT, A REVOLVING CREDIT
12 AGREEMENT, AN AGREEMENT ESTABLISHING A LINE OF CREDIT, A LETTER
13 OF CREDIT OR ANOTHER AGREEMENT THAT ENHANCES THE MARKETABILITY,
14 SECURITY OR CREDITWORTHINESS OF A BOND.

15 "DEPARTMENT." THE DEPARTMENT OF STATE OF THE COMMONWEALTH.

16 "ELECTION SECURITY EQUIPMENT." INFORMATION TECHNOLOGY SUCH
17 AS INTRUSION DETECTION SENSORS AND OTHER INFRASTRUCTURE DEPLOYED
18 TO ENHANCE THE SECURITY OF VOTING APPARATUS AND ELECTION SYSTEMS
19 BY DETECTING AND REPORTING HACKING ATTEMPTS, AND OTHER ELECTION
20 SECURITY BREACHES.

21 "ELECTRONIC VOTING SYSTEM." AS DEFINED IN SECTION 1101-A.

22 "FINANCING LAW." THE ACT OF AUGUST 23, 1967 (P.L.251,
23 NO.102), KNOWN AS THE ECONOMIC DEVELOPMENT FINANCING LAW.

24 "VOTING APPARATUS." A KIND OR TYPE OF ELECTRONIC VOTING
25 SYSTEM THAT RECEIVED THE APPROVAL OF THE SECRETARY OF THE
26 COMMONWEALTH UNDER SECTION 1105-A.

27 SECTION 1102-B. BOND ISSUANCE.

28 (A) DECLARATION OF POLICY.--THE GENERAL ASSEMBLY FINDS AND
29 DECLARES THAT FUNDING THE REPLACEMENT OF VOTING APPARATUSES,
30 INCLUDING INTEREST, THROUGH THE AUTHORITY, IS IN THE BEST

1 INTEREST OF THIS COMMONWEALTH.

2 (B) AUTHORITY.--NOTWITHSTANDING ANY OTHER LAW, THE FOLLOWING
3 SHALL APPLY:

4 (1) THE DEPARTMENT MAY BE A PROJECT APPLICANT UNDER THE
5 FINANCING LAW AND MAY APPLY TO THE AUTHORITY FOR THE FUNDING
6 OF THE REPLACEMENT OF VOTING APPARATUSES.

7 (2) THE AUTHORITY MAY ISSUE BONDS UNDER THE FINANCING
8 LAW, CONSISTENT WITH THIS ARTICLE, TO FINANCE PROJECTS TO
9 FUND THE REPLACEMENT OF COUNTY VOTING APPARATUSES OR TO
10 REIMBURSE COUNTIES FOR THEIR COST TO PURCHASE OR ENTER INTO
11 CAPITAL LEASES FOR VOTING APPARATUSES.

12 (3) PARTICIPATION OF AN INDUSTRIAL AND COMMERCIAL
13 DEVELOPMENT AUTHORITY SHALL NOT BE REQUIRED TO FINANCE THE
14 REPLACEMENT OF VOTING APPARATUSES.

15 (C) DEBT OR LIABILITY.--

16 (1) BONDS ISSUED UNDER THIS ARTICLE SHALL NOT BE A DEBT
17 OR LIABILITY OF THE COMMONWEALTH AND SHALL NOT CREATE OR
18 CONSTITUTE ANY INDEBTEDNESS, LIABILITY OR OBLIGATION OF THE
19 COMMONWEALTH.

20 (2) BOND OBLIGATIONS AND BOND ADMINISTRATIVE EXPENSES
21 SHALL BE PAYABLE SOLELY FROM REVENUES OR MONEY PLEDGED OR
22 AVAILABLE FOR REPAYMENT AS AUTHORIZED UNDER THIS ARTICLE.
23 THIS PARAGRAPH SHALL INCLUDE THE PROCEEDS OF ANY ISSUANCE OF
24 BONDS.

25 (3) EACH BOND SHALL CONTAIN ON ITS FACE A STATEMENT
26 THAT:

27 (I) THE AUTHORITY IS OBLIGATED TO PAY THE PRINCIPAL
28 OR INTEREST ON THE BONDS ONLY FROM THE REVENUES OR MONEY
29 PLEDGED OR AVAILABLE FOR REPAYMENT AS AUTHORIZED UNDER
30 THIS ARTICLE;

1 (II) NEITHER THE COMMONWEALTH NOR A COUNTY IS
2 OBLIGATED TO PAY THE PRINCIPAL OR INTEREST; AND

3 (III) THE FULL FAITH AND CREDIT OF THE COMMONWEALTH
4 OR ANY COUNTY IS NOT PLEDGED TO THE PAYMENT OF THE
5 PRINCIPAL OF OR THE INTEREST ON THE BONDS.

6 SECTION 1103-B. CRITERIA FOR BOND ISSUANCE.

7 (A) DETERMINATION.--IF THE DEPARTMENT DECERTIFIES ONE OR
8 MORE VOTING APPARATUSES THAT ARE IN USE IN ANY COUNTY OF THIS
9 COMMONWEALTH, THE DEPARTMENT SHALL APPLY TO THE AUTHORITY TO
10 ISSUE BONDS FOR REIMBURSEMENTS TO EACH COUNTY FOR THE COST OF
11 PROCURING NEW VOTING APPARATUSES.

12 (A.1) ISSUANCE.--BONDS MAY BE ISSUED IN ONE OR MORE SERIES,
13 AND EACH SERIES MAY FINANCE REIMBURSEMENT GRANTS TO ONE OR MORE
14 COUNTIES.

15 (B) TERMS.--

16 (1) THE DEPARTMENT, WITH THE APPROVAL OF THE OFFICE OF
17 THE BUDGET, SHALL SPECIFY IN ITS APPLICATION TO THE
18 AUTHORITY:

19 (I) THE MAXIMUM PRINCIPAL AMOUNT OF THE BONDS FOR
20 EACH BOND ISSUE; AND

21 (II) THE MAXIMUM TERM OF THE BONDS CONSISTENT WITH
22 APPLICABLE LAW.

23 (2) THE TOTAL PRINCIPAL AMOUNT FOR ALL BONDS ISSUED
24 UNDER THIS ARTICLE MAY NOT EXCEED \$90,000,000.

25 (3) THE TERM OF THE BONDS ISSUED UNDER THIS ARTICLE MAY
26 NOT EXCEED 10 YEARS FROM THE RESPECTIVE DATE OF ORIGINAL
27 ISSUANCE.

28 (C) EXPIRATION.--FOR THE PURPOSE OF THIS ARTICLE,
29 AUTHORIZATION TO ISSUE BONDS, NOT INCLUDING REFUNDING BONDS,
30 SHALL EXPIRE DECEMBER 31, 2020.

1 SECTION 1104-B. ISSUANCE OF BONDS, SECURITY AND SOURCES OF
2 PAYMENTS.

3 (A) ISSUANCE.--THE AUTHORITY SHALL CONSIDER ISSUANCE OF
4 BONDS UPON APPLICATION BY THE DEPARTMENT. BONDS ISSUED UNDER
5 THIS ARTICLE SHALL BE SUBJECT TO THE PROVISIONS OF THE FINANCING
6 LAW, UNLESS OTHERWISE SPECIFIED UNDER THIS ARTICLE.

7 (B) SERVICE AGREEMENT AUTHORIZED.--THE AUTHORITY AND THE
8 DEPARTMENT MAY ENTER INTO AN AGREEMENT OR SERVICE AGREEMENT TO
9 EFFECTUATE THIS ARTICLE, INCLUDING AN AGREEMENT TO SECURE BONDS
10 ISSUED FOR THE PURPOSES UNDER SECTION 1102-B(B), PURSUANT TO
11 WHICH THE DEPARTMENT SHALL AGREE TO PAY THE BOND OBLIGATIONS AND
12 BOND ADMINISTRATIVE EXPENSES TO THE AUTHORITY IN EACH FISCAL
13 YEAR THAT THE BONDS OR REFUNDING BONDS ARE OUTSTANDING IN
14 AMOUNTS SUFFICIENT TO TIMELY PAY IN FULL THE BOND OBLIGATIONS,
15 BOND ADMINISTRATIVE EXPENSES AND ANY OTHER FINANCING COSTS DUE
16 ON THE BONDS ISSUED FOR THE PURPOSES UNDER SECTION 1102-B(B).
17 THE DEPARTMENT'S PAYMENT OF THE BOND OBLIGATIONS, BOND
18 ADMINISTRATIVE EXPENSES AND OTHER FINANCING COSTS DUE ON THE
19 BONDS AS SERVICE CHARGES UNDER AN AGREEMENT OR SERVICE AGREEMENT
20 SHALL BE SUBJECT TO AND DEPENDENT UPON THE APPROPRIATION OF
21 FUNDS BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR PAYMENT OF
22 THE SERVICE CHARGES. THE SERVICE AGREEMENT MAY BE AMENDED OR
23 SUPPLEMENTED BY THE AUTHORITY AND THE DEPARTMENT IN CONNECTION
24 WITH THE ISSUANCE OF ANY SERIES OF BONDS OR REFUNDING BONDS
25 AUTHORIZED UNDER THIS SECTION.

26 (C) SECURITY.--BOND OBLIGATIONS AND BOND ADMINISTRATIVE
27 EXPENSES MAY BE SECURED, FOR THE BENEFIT OF THE HOLDERS OF THE
28 BONDS AND THE OBLIGEEES UNDER CREDIT AGREEMENTS OR THE AGREEMENTS
29 UNDER SUBSECTION (B), BY PLEDGE OF A SECURITY INTEREST IN AND
30 FIRST LIEN ON THE FOLLOWING:

1 (1) MONEY RELATING TO THE BONDS HELD ON DEPOSIT IN ANY
2 OTHER FUND OR ACCOUNT UNDER AN INSTRUMENT OR AGREEMENT
3 PERTAINING TO THE BONDS, INCLUDING BOND RESERVES AND INTEREST
4 INCOME ON THE MONEY.

5 (2) THE SECURITY PROVIDED UNDER THIS SUBSECTION SHALL
6 NOT APPLY TO MONEY IN ANY FUND RELATING TO ARBITRAGE REBATE
7 OBLIGATIONS.

8 SECTION 1105-B. SALE OF BONDS.

9 THE AUTHORITY SHALL OFFER THE BONDS FOR SALE BY MEANS OF A
10 PUBLIC, COMPETITIVE SALE OR BY MEANS OF A NEGOTIATED SALE BASED
11 ON THE AUTHORITY'S DETERMINATION OF WHICH METHOD WILL PRODUCE
12 THE MOST BENEFIT TO COUNTIES AND THE COMMONWEALTH.

13 SECTION 1106-B. DEPOSIT OF BOND PROCEEDS.

14 THE NET PROCEEDS OF BONDS, OTHER THAN REFUNDING BONDS,
15 EXCLUSIVE OF COSTS OF ISSUANCE, RESERVES AND ANY OTHER FINANCING
16 CHARGES, SHALL BE TRANSFERRED BY THE AUTHORITY TO THE STATE
17 TREASURER FOR DEPOSIT INTO A RESTRICTED ACCOUNT ESTABLISHED IN
18 THE STATE TREASURY AND HELD SOLELY FOR THE PURPOSES UNDER
19 SECTION 1102-B(B) TO BE KNOWN AS THE COUNTY VOTING APPARATUS
20 REIMBURSEMENT ACCOUNT. THE DEPARTMENT SHALL PAY OUT THE BOND
21 PROCEEDS TO THE COUNTIES FROM THE ACCOUNT IN ACCORDANCE WITH
22 THIS ARTICLE.

23 SECTION 1107-B. PAYMENT OF BOND-RELATED OBLIGATIONS.

24 FOR EACH FISCAL YEAR IN WHICH BOND OBLIGATIONS AND BOND
25 ADMINISTRATIVE EXPENSES WILL BE DUE, THE AUTHORITY SHALL NOTIFY
26 THE DEPARTMENT OF THE AMOUNT OF BOND OBLIGATIONS AND THE
27 ESTIMATED AMOUNT OF BOND ADMINISTRATIVE EXPENSES IN SUFFICIENT
28 TIME, AS DETERMINED BY THE DEPARTMENT, TO PERMIT THE DEPARTMENT
29 TO REQUEST AN APPROPRIATION SUFFICIENT TO PAY BOND OBLIGATIONS
30 AND BOND ADMINISTRATIVE EXPENSES THAT WILL BE DUE AND PAYABLE IN

1 THE FOLLOWING FISCAL YEAR. THE AUTHORITY'S CALCULATION OF THE
2 AMOUNT OF BOND OBLIGATIONS AND BOND ADMINISTRATIVE EXPENSES THAT
3 WILL BE DUE SHALL BE SUBJECT TO VERIFICATION BY THE DEPARTMENT.
4 SECTION 1108-B. COMMONWEALTH NOT TO IMPAIR BOND-RELATED
5 OBLIGATIONS.

6 THE COMMONWEALTH PLEDGES THAT IT SHALL NOT DO ANY OF THE
7 FOLLOWING:

8 (1) LIMIT OR ALTER THE RIGHTS AND RESPONSIBILITIES OF
9 THE AUTHORITY OR THE DEPARTMENT UNDER THIS ARTICLE, INCLUDING
10 THE RESPONSIBILITY TO:

11 (I) PAY BOND OBLIGATIONS AND BOND ADMINISTRATIVE
12 EXPENSES; AND

13 (II) COMPLY WITH ANY OTHER INSTRUMENT OR AGREEMENT
14 PERTAINING TO BONDS.

15 (2) ALTER OR LIMIT THE SERVICE AGREEMENT UNDER SECTION
16 1104-B(B).

17 (3) IMPAIR THE RIGHTS AND REMEDIES OF THE HOLDERS OF
18 BONDS, UNTIL EACH BOND ISSUED AT ANY TIME AND THE INTEREST ON
19 THE BOND, ARE FULLY MET AND DISCHARGED.

20 SECTION 1109-B. (RESERVED).

21 SECTION 1110-B. PERSONAL LIABILITY.

22 THE MEMBERS, DIRECTORS, OFFICERS AND EMPLOYEES OF THE
23 DEPARTMENT AND THE AUTHORITY SHALL NOT BE PERSONALLY LIABLE AS A
24 RESULT OF GOOD FAITH EXERCISE OF THE RIGHTS AND RESPONSIBILITIES
25 GRANTED UNDER THIS ARTICLE.

26 SECTION 1111-B. ANNUAL REPORT.

27 NO LATER THAN MARCH 1 OF THE YEAR FOLLOWING THE FIRST FULL
28 YEAR IN WHICH BONDS HAVE BEEN ISSUED UNDER THIS ARTICLE AND FOR
29 EACH YEAR THEREAFTER IN WHICH BOND OBLIGATIONS EXISTED IN THE
30 PRIOR YEAR, THE DEPARTMENT SHALL SUBMIT AN ANNUAL REPORT TO THE

1 THE CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF
2 THE SENATE, THE CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS
3 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE CHAIR AND
4 MINORITY CHAIR OF THE STATE GOVERNMENT COMMITTEE OF THE SENATE
5 AND THE CHAIR AND MINORITY CHAIR OF THE STATE GOVERNMENT
6 COMMITTEE OF THE HOUSE OF REPRESENTATIVES PROVIDING ALL DATA
7 AVAILABLE ON BONDS ISSUED OR EXISTING IN THE PRIOR YEAR. THE
8 REPORT SHALL INCLUDE EXISTING AND ANTICIPATED BOND PRINCIPAL,
9 INTEREST AND ADMINISTRATIVE COSTS, REVENUE, REPAYMENTS,
10 REFINANCING, OVERALL BENEFITS TO COUNTIES AND ANY OTHER RELEVANT
11 DATA, FACTS AND STATISTICS THAT THE DEPARTMENT BELIEVES
12 NECESSARY IN THE CONTENT OF THE REPORT.

13 SECTION 1112-B. REIMBURSEMENT OF COUNTY VOTING APPARATUS
14 EXPENSES.

15 (A) APPLICATION.--A COUNTY MAY APPLY TO THE DEPARTMENT TO
16 RECEIVE FUNDING TO REPLACE THE COUNTY'S VOTING APPARATUSES OR TO
17 REIMBURSE THE COUNTY'S COST TO PURCHASE OR LEASE BY CAPITAL
18 LEASE VOTING APPARATUSES. EACH COUNTY SHALL SUBMIT AN
19 APPLICATION FOR FUNDING ON A FORM CONTAINING INFORMATION AND
20 DOCUMENTATION PRESCRIBED BY THE DEPARTMENT NO LATER THAN JULY 1,
21 2020.

22 (B) DOCUMENTATION FOR PRIOR PURCHASE OR LEASE.--IF A COUNTY
23 SEEKS REIMBURSEMENT OF THE COUNTY'S COST TO PURCHASE OR LEASE BY
24 CAPITAL LEASE A VOTING APPARATUS THAT THE COUNTY PURCHASED OR
25 LEASED BEFORE THE DATE THAT THE COUNTY SUBMITS ITS APPLICATION
26 TO THE DEPARTMENT, THE COUNTY'S APPLICATION SHALL INCLUDE
27 DOCUMENTATION PRESCRIBED BY THE DEPARTMENT TO SUBSTANTIATE THE
28 COUNTY'S COST TO PURCHASE OR LEASE THE VOTING APPARATUS,
29 INCLUDING COPIES OF FULLY EXECUTED VOTING APPARATUS CONTRACTS,
30 INVOICES AND PROOF OF PAYMENT TO THE VENDOR OF THE VOTING

1 APPARATUS.

2 (C) DOCUMENTATION FOR SUBSEQUENT PURCHASE OR LEASE.--IF A
3 COUNTY SEEKS FUNDING TO PURCHASE OR LEASE BY CAPITAL LEASE A
4 VOTING APPARATUS THAT THE COUNTY WILL PURCHASE OR LEASE AFTER
5 THE DATE THAT THE COUNTY SUBMITS ITS APPLICATION TO THE
6 DEPARTMENT, THE COUNTY'S APPLICATION SHALL INCLUDE DOCUMENTATION
7 PRESCRIBED BY THE DEPARTMENT TO SUBSTANTIATE THE COUNTY'S
8 ESTIMATE TO PURCHASE OR LEASE THE VOTING APPARATUS, INCLUDING
9 COPIES OF FULLY EXECUTED VOTING APPARATUS CONTRACTS, BIDS OR
10 PRICE QUOTES SUBMITTED TO THE COUNTY BY VOTING APPARATUS VENDORS
11 AND OTHER PRICE ESTIMATES OR COST PROPOSALS.

12 (D) REVIEW.--THE DEPARTMENT SHALL REVIEW EACH COUNTY
13 APPLICATION ON A ROLLING BASIS AND SHALL EITHER APPROVE OR DENY
14 EACH COUNTY'S APPLICATION WITHIN 90 DAYS OF THE DATE THE
15 APPLICATION IS RECEIVED BY THE DEPARTMENT. A COUNTY MAY
16 SUPPLEMENT OR AMEND SUBMITTED APPLICATIONS DURING THE 90-DAY
17 REVIEW PERIOD IN CONSULTATION WITH THE DEPARTMENT.

18 (E) APPROVAL FOR PRIOR PURCHASE OR LEASE.--IF THE DEPARTMENT
19 APPROVES A COUNTY'S APPLICATION SUBMITTED UNDER SUBSECTION (B),
20 THE DEPARTMENT AND THE COUNTY SHALL ENTER INTO A WRITTEN GRANT
21 AGREEMENT THROUGH WHICH THE DEPARTMENT SHALL REIMBURSE THE
22 COUNTY AT THE AMOUNT DETERMINED UNDER SUBSECTION (G).

23 (F) APPROVAL FOR SUBSEQUENT PURCHASE OR LEASE.--IF THE
24 DEPARTMENT APPROVES A COUNTY'S APPLICATION UNDER SUBSECTION (C),
25 THE DEPARTMENT AND THE COUNTY SHALL ENTER INTO A WRITTEN GRANT
26 AGREEMENT THROUGH WHICH THE DEPARTMENT WILL PROVIDE FUNDING TO
27 REIMBURSE THE COUNTY'S COST TO PURCHASE OR LEASE A VOTING
28 APPARATUS AT THE AMOUNT DETERMINED UNDER SUBSECTION (G). THE
29 COUNTY SHALL HOLD THE GRANT MONEY IN AN ACCOUNT OF THE COUNTY
30 THAT IS SEPARATE FROM EACH OTHER COUNTY ACCOUNT. THE COUNTY

1 SHALL DELIVER QUARTERLY REPORTS TO THE DEPARTMENT OF THE VOTING
2 APPARATUS COSTS PAID FROM THE GRANT MONEY IN A FORM PRESCRIBED
3 BY THE DEPARTMENT. THE COUNTY SHALL RETURN ANY UNSPENT GRANT
4 MONEY TO THE DEPARTMENT WITHIN 30 DAYS OF THE EXPIRATION OF THE
5 GRANT AGREEMENT.

6 (G) PAYMENTS.--

7 (1) A COUNTY SHALL ONLY RECEIVE AMOUNTS UNDER THIS
8 SECTION TO THE EXTENT THAT THE DEPARTMENT HAS BOND PROCEEDS
9 AVAILABLE IN THE ACCOUNT FROM WHICH TO MAKE PAYMENTS.

10 (2) EXCEPT AS PROVIDED UNDER PARAGRAPH (3), A COUNTY
11 WHICH SUBMITTED AN APPLICATION APPROVED UNDER SUBSECTION (E)
12 OR (F) SHALL RECEIVE 60% OF THE TOTAL AMOUNT SUBMITTED UNDER
13 SUBSECTION (B) OR (C) WHICH MAY BE REIMBURSED OR PAID.

14 (3) IF THE TOTAL AMOUNT SUBMITTED BY ALL COUNTIES UNDER
15 PARAGRAPH (2) EXCEEDS THE TOTAL AMOUNT AVAILABLE FOR
16 REIMBURSEMENT OR PAYMENT, A COUNTY SHALL RECEIVE A PORTION OF
17 THE AMOUNT AVAILABLE EQUAL TO THE TOTAL AMOUNT SUBMITTED BY
18 THE COUNTY UNDER SUBSECTION (B) OR (C) WHICH MAY BE
19 REIMBURSED OR PAID, DIVIDED BY THE TOTAL AMOUNT SUBMITTED BY
20 ALL COUNTIES UNDER SUBSECTION (B) OR (C) WHICH MAY BE
21 REIMBURSED OR PAID.

22 (4) IF ANY BOND PROCEEDS REMAIN AFTER THE DEPARTMENT HAS
23 ISSUED ALL REIMBURSEMENTS IN ACCORDANCE WITH PARAGRAPHS (1),
24 (2) AND (3), THE DEPARTMENT MAY UTILIZE THE REMAINING BALANCE
25 FOR GRANTS FOR COUNTIES FOR THE PURCHASE AND DISTRIBUTION TO
26 THE COUNTIES OF ELECTION SECURITY EQUIPMENT. THE DEPARTMENT
27 SHALL PROVIDE NOTICE TO EACH COUNTY NO LATER THAN 30 DAYS
28 PRIOR TO RECEIVING APPLICATIONS FOR GRANTS UNDER THIS
29 PARAGRAPH.

30 (H) CERTIFICATION.--A COUNTY SHALL ONLY RECEIVE THE

1 REIMBURSEMENT OR FUNDING UNDER THIS ARTICLE AFTER MAKING A
2 CERTIFICATION TO THE DEPARTMENT, THE PRESIDENT PRO TEMPORE OF
3 THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE
4 MINORITY LEADER OF THE SENATE, THE MINORITY LEADER OF THE HOUSE
5 OF REPRESENTATIVES, THE CHAIR AND MINORITY CHAIR OF THE
6 APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIR AND MINORITY
7 CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
8 REPRESENTATIVES, THE CHAIR AND MINORITY CHAIR OF THE STATE
9 GOVERNMENT COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY
10 CHAIR OF THE STATE GOVERNMENT COMMITTEE OF THE HOUSE OF
11 REPRESENTATIVES THAT THE COUNTY HAS COMPLETED A PROGRAM UNDER 25
12 PA.C.S. § 1901(B) (1) (RELATING TO REMOVAL OF ELECTORS) AND
13 MAILED NOTICES REQUIRED UNDER 25 PA.C.S. § 1901(B) (3) WITHIN THE
14 PRIOR 12 MONTHS. THE CERTIFICATION SHALL INCLUDE INFORMATION ON
15 WHETHER THE COUNTY HAS UNDERTAKEN A CANVASS UNDER 25 PA.C.S. §
16 1901(B) (2) .

17 (I) DEPARTMENT APPLICATION.--THE DEPARTMENT SHALL APPLY TO
18 THE AUTHORITY FOR FUNDING UNDER SECTION 1102-B ONLY IF THE
19 DEPARTMENT HAS APPROVED COUNTY APPLICATIONS UNDER THIS ARTICLE
20 WHICH TOTAL AT LEAST \$50,000,000.

21 SECTION 3.2. SECTIONS 1210(A.4) (1) AND (5) (II), 1215(B) AND
22 (C), 1216(D) AND (F), 1222, 1223(A) AND 1227(D) OF THE ACT ARE
23 AMENDED TO READ:

24 SECTION 1210. MANNER OF APPLYING TO VOTE; PERSONS ENTITLED
25 TO VOTE; VOTER'S CERTIFICATES; ENTRIES TO BE MADE IN DISTRICT
26 REGISTER; NUMBERED LISTS OF VOTERS; CHALLENGES.--* * *

27 (A.4) (1) AT ALL ELECTIONS AN INDIVIDUAL WHO CLAIMS TO BE
28 PROPERLY REGISTERED AND ELIGIBLE TO VOTE AT THE ELECTION
29 DISTRICT BUT WHOSE NAME DOES NOT APPEAR ON THE DISTRICT REGISTER
30 AND WHOSE REGISTRATION CANNOT BE DETERMINED BY THE INSPECTORS OF

1 ELECTION OR THE COUNTY ELECTION BOARD SHALL BE PERMITTED TO CAST
2 A PROVISIONAL BALLOT. INDIVIDUALS WHO APPEAR TO VOTE SHALL BE
3 REQUIRED TO PRODUCE PROOF OF IDENTIFICATION PURSUANT TO
4 SUBSECTION (A) AND IF UNABLE TO DO SO SHALL BE PERMITTED TO CAST
5 A PROVISIONAL BALLOT. AN INDIVIDUAL PRESENTING A JUDICIAL ORDER
6 TO VOTE SHALL BE PERMITTED TO CAST A PROVISIONAL BALLOT. AN
7 ELECTOR WHO APPEARS TO VOTE ON ELECTION DAY HAVING REQUESTED AN
8 ABSENTEE BALLOT OR MAIL-IN BALLOT AND WHO IS NOT SHOWN ON THE
9 DISTRICT REGISTER AS HAVING VOTED AN ABSENTEE BALLOT OR MAIL-IN
10 BALLOT SHALL BE PERMITTED TO CAST A PROVISIONAL BALLOT.

11 * * *

12 (5) * * *

13 (II) A PROVISIONAL BALLOT SHALL NOT BE COUNTED IF:

14 (A) EITHER THE PROVISIONAL BALLOT ENVELOPE UNDER CLAUSE (3)
15 OR THE AFFIDAVIT UNDER CLAUSE (2) IS NOT SIGNED BY THE
16 INDIVIDUAL;

17 (B) THE SIGNATURE REQUIRED UNDER CLAUSE (3) AND THE
18 SIGNATURE REQUIRED UNDER CLAUSE (2) ARE EITHER NOT GENUINE OR
19 ARE NOT EXECUTED BY THE SAME INDIVIDUAL;

20 (C) A PROVISIONAL BALLOT ENVELOPE DOES NOT CONTAIN A SECRECY
21 ENVELOPE;

22 (D) IN THE CASE OF A PROVISIONAL BALLOT THAT WAS CAST UNDER
23 SUBSECTION (A.2) (1) (I), WITHIN SIX CALENDAR DAYS FOLLOWING THE
24 ELECTION THE ELECTOR FAILS TO APPEAR BEFORE THE COUNTY BOARD OF
25 ELECTIONS TO EXECUTE AN AFFIRMATION OR THE COUNTY BOARD OF
26 ELECTIONS DOES NOT RECEIVE AN ELECTRONIC, FACSIMILE OR PAPER
27 COPY OF AN AFFIRMATION AFFIRMING, UNDER PENALTY OF PERJURY, THAT
28 THE ELECTOR IS THE SAME INDIVIDUAL WHO PERSONALLY APPEARED
29 BEFORE THE DISTRICT ELECTION BOARD ON THE DAY OF THE ELECTION
30 AND CAST A PROVISIONAL BALLOT AND THAT THE ELECTOR IS INDIGENT

1 AND UNABLE TO OBTAIN PROOF OF IDENTIFICATION WITHOUT THE PAYMENT
2 OF A FEE; OR

3 (E) IN THE CASE OF A PROVISIONAL BALLOT THAT WAS CAST UNDER
4 SUBSECTION (A.2) (1) (II), WITHIN SIX CALENDAR DAYS FOLLOWING THE
5 ELECTION, THE ELECTOR FAILS TO APPEAR BEFORE THE COUNTY BOARD OF
6 ELECTIONS TO PRESENT PROOF OF IDENTIFICATION AND EXECUTE AN
7 AFFIRMATION OR THE COUNTY BOARD OF ELECTIONS DOES NOT RECEIVE AN
8 ELECTRONIC, FACSIMILE OR PAPER COPY OF THE PROOF OF
9 IDENTIFICATION AND AN AFFIRMATION AFFIRMING, UNDER PENALTY OF
10 PERJURY, THAT THE ELECTOR IS THE SAME INDIVIDUAL WHO PERSONALLY
11 APPEARED BEFORE THE DISTRICT ELECTION BOARD ON THE DAY OF THE
12 ELECTION AND CAST A PROVISIONAL BALLOT.

13 (F) THE ELECTOR'S ABSENTEE BALLOT OR MAIL-IN BALLOT IS
14 TIMELY RECEIVED BY A COUNTY BOARD OF ELECTIONS

15 * * *

16 SECTION 1215. METHOD OF MARKING BALLOTS AND DEPOSITING SAME
17 IN DISTRICTS IN WHICH BALLOTS ARE USED.--* * *

18 (B) AT PRIMARIES, THE ELECTOR SHALL PREPARE HIS BALLOT IN
19 THE FOLLOWING MANNER: HE SHALL VOTE FOR THE CANDIDATES OF HIS
20 CHOICE FOR NOMINATION OR ELECTION, ACCORDING TO THE NUMBER OF
21 PERSONS TO BE VOTED FOR BY HIM, FOR EACH OFFICE, BY MAKING A
22 CROSS (X) OR CHECK () MARK IN THE SQUARE OPPOSITE THE NAME OF
23 THE CANDIDATE, OR HE MAY INSERT BY WRITING[,] OR STAMPING [
24 STICKER,] IN THE BLANK SPACE PROVIDED THEREFOR, ANY NAME NOT
25 ALREADY PRINTED ON THE BALLOT, AND SUCH INSERTION SHALL COUNT AS
26 A VOTE WITHOUT THE MAKING OF A CROSS (X) OR CHECK () MARK. IN
27 DISTRICTS IN WHICH PAPER BALLOTS OR BALLOT CARDS ARE
28 ELECTRONICALLY TABULATED, STICKERS OR LABELS MAY NOT BE USED TO
29 MARK BALLOTS.

30 (C) AT ELECTIONS, THE ELECTOR SHALL PREPARE HIS BALLOT IN

1 THE FOLLOWING MANNER: HE MAY VOTE FOR THE CANDIDATES OF HIS
2 CHOICE FOR EACH OFFICE TO BE FILLED ACCORDING TO THE NUMBER OF
3 PERSONS TO BE VOTED FOR BY HIM FOR EACH OFFICE, BY MAKING A
4 CROSS (X) OR CHECK () MARK IN THE SQUARE OPPOSITE THE NAME OF
5 THE CANDIDATE, OR HE MAY INSERT BY WRITING[,] OR STAMPING [OR
6 STICKER,] IN THE BLANK SPACES PROVIDED THEREFOR, ANY NAME NOT
7 ALREADY PRINTED ON THE BALLOT, AND SUCH INSERTION SHALL COUNT AS
8 A VOTE WITHOUT THE MAKING OF A CROSS (X) OR CHECK () MARK. IN
9 DISTRICTS IN WHICH PAPER BALLOTS OR BALLOT CARDS ARE
10 ELECTRONICALLY TABULATED, STICKERS OR LABELS MAY NOT BE USED TO
11 MARK BALLOTS. IF HE DESIRES TO VOTE FOR EVERY CANDIDATE OF A
12 POLITICAL PARTY OR POLITICAL BODY, EXCEPT ITS CANDIDATES FOR
13 OFFICES AS TO WHICH HE VOTES FOR INDIVIDUAL CANDIDATES IN THE
14 MANNER HEREINAFTER PROVIDED, HE MAY MAKE A CROSS (X) OR CHECK
15 () MARK IN THE SQUARE OPPOSITE THE NAME OF THE PARTY OR
16 POLITICAL BODY OF HIS CHOICE IN THE PARTY COLUMN ON THE LEFT OF
17 THE BALLOT, AND EVERY SUCH CROSS (X) OR CHECK () MARK SHALL BE
18 EQUIVALENT TO AND BE COUNTED AS A VOTE FOR EVERY CANDIDATE OF A
19 PARTY OR POLITICAL BODY SO MARKED, INCLUDING ITS CANDIDATES FOR
20 PRESIDENTIAL ELECTORS, EXCEPT FOR THOSE OFFICES AS TO WHICH HE
21 HAS INDICATED A CHOICE FOR INDIVIDUAL CANDIDATES OF THE SAME OR
22 ANOTHER PARTY OR POLITICAL BODY, BY MAKING A CROSS (X) OR CHECK
23 () MARK OPPOSITE THEIR NAMES IN THE MANNER HEREINABOVE
24 PROVIDED, AS TO WHICH OFFICES HIS BALLOT SHALL BE COUNTED ONLY
25 FOR THE CANDIDATES WHICH HE HAS THUS INDIVIDUALLY MARKED,
26 NOTWITHSTANDING THE FACT THAT HE MADE A MARK IN THE PARTY
27 COLUMN, AND EVEN THOUGH IN THE CASE OF AN OFFICE FOR WHICH MORE
28 THAN ONE CANDIDATE IS TO BE VOTED FOR, HE HAS NOT INDIVIDUALLY
29 MARKED FOR SUCH OFFICE THE FULL NUMBER OF CANDIDATES FOR WHICH
30 HE IS ENTITLED TO VOTE. IF HE DESIRES TO VOTE FOR THE ENTIRE

1 GROUP OF PRESIDENTIAL ELECTORS NOMINATED BY ANY PARTY OR
2 POLITICAL BODY, HE MAY MAKE A CROSS (X) OR CHECK () MARK IN THE
3 APPROPRIATE SQUARE AT THE RIGHT OF THE NAMES OF THE CANDIDATES
4 FOR PRESIDENT AND VICE-PRESIDENT OF SUCH PARTY OR BODY. IF HE
5 DESIRES TO VOTE A TICKET FOR PRESIDENTIAL ELECTORS MADE UP OF
6 THE NAMES OF PERSONS NOMINATED BY DIFFERENT PARTIES OR POLITICAL
7 BODIES, OR PARTIALLY OF NAMES OF PERSONS SO IN NOMINATION AND
8 PARTIALLY OF NAMES OF PERSONS NOT IN NOMINATION BY ANY PARTY OR
9 POLITICAL BODY, OR WHOLLY OF NAMES OF PERSONS NOT IN NOMINATION
10 BY ANY PARTY OR POLITICAL BODY, HE SHALL INSERT, BY WRITING OR
11 STAMPING, THE NAMES OF THE CANDIDATES FOR PRESIDENTIAL ELECTORS
12 FOR WHOM HE DESIRES TO VOTE IN THE BLANK SPACES PROVIDED
13 THEREFOR UNDER THE TITLE OF THE OFFICE "PRESIDENTIAL ELECTORS."
14 IN CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS, HE
15 MAY MAKE A CROSS (X) OR CHECK () MARK IN THE APPROPRIATE SQUARE
16 OPPOSITE THE ANSWER WHICH HE DESIRES TO GIVE.

17 * * *

18 SECTION 1216. INSTRUCTIONS OF VOTERS AND MANNER OF VOTING IN
19 DISTRICTS IN WHICH VOTING MACHINES ARE USED.--

20 * * *

21 (D) AT [PRIMARIES, HE] ALL ELECTIONS, THE ELECTOR SHALL VOTE
22 FOR EACH CANDIDATE INDIVIDUALLY BY OPERATING THE KEY, HANDLE,
23 POINTER OR KNOB, UPON OR ADJACENT TO WHICH THE NAME OF SUCH
24 CANDIDATE IS PLACED. [AT ELECTIONS, HE MAY VOTE FOR EACH
25 CANDIDATE INDIVIDUALLY BY OPERATING THE KEY, HANDLE, POINTER OR
26 KNOB, UPON OR ADJACENT TO WHICH THE NAMES OF CANDIDATES OF HIS
27 CHOICE ARE PLACED, OR HE MAY VOTE A STRAIGHT POLITICAL PARTY
28 TICKET IN ONE OPERATION BY OPERATING THE STRAIGHT POLITICAL
29 PARTY LEVER OF THE POLITICAL PARTY OR POLITICAL BODY OF HIS
30 CHOICE, IF SUCH MACHINE HAS THEREON A SEPARATE LEVER FOR ALL THE

1 CANDIDATES OF THE POLITICAL BODY. HE MAY ALSO, AFTER HAVING
2 OPERATED THE STRAIGHT PARTY LEVER, AND BEFORE RECORDING HIS
3 VOTE, CANCEL THE VOTE FOR ANY CANDIDATE OF SUCH POLITICAL PARTY
4 OR POLITICAL BODY BY REPLACING THE INDIVIDUAL KEY, HANDLE,
5 POINTER OR KNOB OF SUCH CANDIDATE, AND MAY THEREUPON VOTE FOR A
6 CANDIDATE OF ANOTHER PARTY, OR POLITICAL BODY FOR THE SAME
7 OFFICE BY OPERATING THE KEY, HANDLE, POINTER OR KNOB, UPON OR
8 ADJACENT TO WHICH THE NAME OF SUCH CANDIDATE APPEARS.] IN THE
9 CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS, THE
10 ELECTOR SHALL OPERATE THE KEY, HANDLE, POINTER OR KNOB
11 CORRESPONDING TO THE ANSWER WHICH HE DESIRES TO GIVE.

12 * * *

13 (F) AT ANY GENERAL ELECTION AT WHICH PRESIDENTIAL ELECTORS
14 ARE TO BE CHOSEN, EACH ELECTOR SHALL BE PERMITTED TO VOTE BY ONE
15 OPERATION FOR ALL THE PRESIDENTIAL ELECTORS OF A POLITICAL PARTY
16 OR POLITICAL BODY. FOR EACH PARTY OR BODY NOMINATING
17 PRESIDENTIAL ELECTORS, A BALLOT LABEL SHALL BE PROVIDED
18 CONTAINING ONLY THE WORDS "PRESIDENTIAL ELECTORS," PRECEDED BY
19 THE NAMES OF THE PARTY OR BODY AND FOLLOWED BY THE NAMES OF THE
20 CANDIDATES THEREOF FOR THE OFFICE OF PRESIDENT AND VICE-
21 PRESIDENT, AND THE CORRESPONDING COUNTER OR REGISTERING DEVICE
22 SHALL REGISTER VOTES CAST FOR SAID ELECTORS WHEN THUS VOTED FOR
23 COLLECTIVELY. IF AN ELECTOR DESIRES TO VOTE A TICKET FOR
24 PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS NOMINATED
25 BY DIFFERENT PARTIES OR BODIES, OR PARTIALLY OF NAMES OF PERSONS
26 SO IN NOMINATION AND PARTIALLY OF NAMES OF PERSONS NOT IN
27 NOMINATION BY ANY PARTY OR BODY, OR WHOLLY OF NAMES OF PERSONS
28 NOT IN NOMINATION BY ANY PARTY OR BODY, HE MAY WRITE OR DEPOSIT
29 A PAPER BALLOT PREPARED BY HIMSELF IN THE RECEPTACLE PROVIDED IN
30 OR ON THE MACHINE FOR THE PURPOSE. THE MACHINE SHALL BE SO

1 CONSTRUCTED THAT IT WILL NOT BE POSSIBLE FOR ANY ONE VOTER TO
2 VOTE A STRAIGHT PARTY TICKET FOR PRESIDENTIAL ELECTORS AND AT
3 THE SAME TIME TO DEPOSIT A BALLOT FOR PRESIDENTIAL ELECTORS IN A
4 RECEPTACLE AS [HEREINABOVE] PROVIDED IN THIS SECTION. WHEN THE
5 VOTES FOR PRESIDENTIAL ELECTORS ARE COUNTED, THE VOTES APPEARING
6 UPON THE COUNTER OR REGISTERING DEVICE CORRESPONDING TO THE
7 BALLOT LABEL CONTAINING THE NAMES OF THE CANDIDATES FOR
8 PRESIDENT AND VICE-PRESIDENT OF ANY PARTY OR BODY SHALL BE
9 COUNTED AS VOTES FOR EACH OF THE CANDIDATES FOR PRESIDENTIAL
10 ELECTOR OF SUCH PARTY OR BODY, AND THEREUPON ALL CANDIDATES FOR
11 PRESIDENTIAL ELECTOR SHALL BE CREDITED, IN ADDITION, WITH THE
12 VOTES CAST FOR THEM UPON THE BALLOTS DEPOSITED IN THE MACHINE,
13 AS [HEREINABOVE] PROVIDED IN THIS SECTION.

14 * * *

15 SECTION 1222. COUNT AND RETURN OF VOTES IN DISTRICTS IN
16 WHICH BALLOTS ARE USED.--

17 (A) AS SOON AS ALL THE BALLOTS HAVE BEEN PROPERLY ACCOUNTED
18 FOR, AND THOSE OUTSIDE THE BALLOT BOX, AS WELL AS THE "VOTING
19 CHECK LIST," NUMBERED LISTS OF VOTERS AND DISTRICT REGISTER
20 SEALED, THE ELECTION OFFICERS SHALL FORTHWITH OPEN THE BALLOT
21 BOX, AND TAKE THEREFROM ALL BALLOTS THEREIN, AND AT PRIMARIES,
22 SEPARATE THE SAME ACCORDING TO THE PARTY TO WHICH THEY BELONG.
23 THE BALLOTS SHALL THEN BE COUNTED ONE BY ONE, AND A RECORD MADE
24 OF THE TOTAL NUMBER, AND AT PRIMARIES OF THE TOTAL NUMBER CAST
25 FOR EACH PARTY. THEN THE JUDGE, UNDER THE SCRUTINY OF THE
26 MINORITY INSPECTOR, OR THE MINORITY INSPECTOR, UNDER THE
27 SCRUTINY OF THE JUDGE, IN THE PRESENCE OF THE OTHER OFFICERS,
28 CLERKS, AND OF THE OVERSEERS, IF ANY, AND WITHIN THE HEARING AND
29 SIGHT OF THE WATCHERS OUTSIDE THE ENCLOSED SPACE, SHALL READ
30 ALOUD THE NAMES OF THE CANDIDATES MARKED OR INSERTED UPON EACH

1 BALLOT (AT PRIMARIES THE BALLOTS OF EACH PARTY BEING READ IN
2 SEQUENCE), TOGETHER WITH THE OFFICE FOR WHICH THE PERSON NAMED
3 IS A CANDIDATE, AND THE ANSWERS CONTAINED ON THE BALLOTS TO THE
4 QUESTIONS SUBMITTED, IF ANY, AND THE MAJORITY INSPECTOR AND
5 CLERKS SHALL CAREFULLY ENTER EACH VOTE AS READ, AND KEEP ACCOUNT
6 OF THE SAME IN INK IN TRIPLICATE TALLY PAPERS (TRIPPLICATE TALLY
7 PAPERS FOR EACH PARTY AT PRIMARIES) TO BE PROVIDED BY THE COUNTY
8 BOARD OF ELECTIONS FOR THAT PURPOSE, ALL THREE OF WHICH SHALL BE
9 MADE AT THE SAME TIME. [: PROVIDED, THAT AT ALL GENERAL,
10 MUNICIPAL AND SPECIAL ELECTIONS, IN ENTERING EACH VOTE RECEIVED
11 BY CANDIDATES AT SUCH ELECTION, IT SHALL NOT BE NECESSARY TO
12 ENTER SEPARATE TALLY MARKS FOR EACH VOTE RECEIVED BY SUCH
13 CANDIDATES UPON THE BALLOTS CONTAINING THE SAME VOTES FOR THE
14 SAME NAMES, COMMONLY KNOWN, AND IN THIS ACT DESIGNATED AS
15 "STRAIGHT PARTY TICKETS" FOR SUCH PURPOSE STRAIGHT PARTY TICKET
16 VOTES SHALL BE ENTERED CAREFULLY AS EACH STRAIGHT PARTY TICKET
17 VOTE IS READ ON THE TRIPLICATE TALLY SHEETS UNDER THE HEADING
18 "NUMBER OF VOTES RECEIVED UPON
19 THE STRAIGHT PARTY TICKETS." UPON
20 COMPLETING THE NUMBER OF VOTES RECEIVED BY EACH STRAIGHT PARTY
21 TICKET, THE NUMBER SO TALLIED FOR EACH PARTY SHALL BE ENTERED
22 NUMERICALLY ON THE EXTREME RIGHT HAND MARGIN OF EACH SUCH TALLY
23 PAPER.] ALL BALLOTS, AFTER BEING REMOVED FROM THE BOX, SHALL BE
24 KEPT WITHIN THE UNOBSTRUCTED VIEW OF ALL PERSONS IN THE VOTING
25 ROOM UNTIL REPLACED IN THE BOX. NO PERSON WHILE HANDLING THE
26 BALLOTS SHALL HAVE IN HIS HAND ANY PENCIL, PEN, STAMP OR OTHER
27 MEANS OF MARKING OR SPOILING ANY BALLOT. THE ELECTION OFFICERS
28 SHALL FORTHWITH PROCEED TO CANVASS AND COMPUTE THE VOTES CAST,
29 AND SHALL NOT ADJOURN OR POSTPONE THE CANVASS OR COMPUTATION
30 UNTIL IT SHALL HAVE BEEN FULLY COMPLETED.

1 (B) WHEN THE VOTE CAST FOR THE DIFFERENT PERSONS NAMED UPON
2 THE BALLOTS AND UPON THE QUESTIONS, IF ANY, APPEARING THEREON,
3 SHALL HAVE BEEN FULLY RECORDED IN THE TALLY PAPERS AND COUNTED,
4 THE ELECTION OFFICERS SHALL DULY CERTIFY TO THE NUMBER OF VOTES
5 CAST FOR EACH PERSON (UPON THE RESPECTIVE PARTY TICKETS AT
6 PRIMARIES), AND SHALL PREPARE IN INK TWO (2) GENERAL RETURNS,
7 SHOWING, IN ADDITION TO THE ENTRIES MADE THEREON AS AFORESAID,
8 THE TOTAL NUMBER OF BALLOTS RECEIVED FROM THE COUNTY BOARD (THE
9 TOTAL OF EACH PARTY AT PRIMARIES), THE NUMBER OF BALLOTS CAST
10 (THE NUMBER OF EACH PARTY AT PRIMARIES), THE NUMBER OF BALLOTS
11 (OF EACH PARTY AT PRIMARIES) DECLARED VOID, AND THE NUMBER OF
12 BALLOTS SPOILED AND CANCELLED, AND ANY BLANK BALLOTS CAST, AS
13 WELL AS THE VOTES CAST FOR EACH CANDIDATE. AT ELECTIONS, THE
14 NUMBER OF VOTES CAST FOR EACH CANDIDATE BY EACH POLITICAL PARTY
15 OR POLITICAL BODY OF WHICH SUCH CANDIDATE IS A NOMINEE SHALL BE
16 SEPARATELY STATED. [: PROVIDED, THAT THE NUMBER OF VOTES RECEIVED
17 BY EACH SET OF CANDIDATES UPON "STRAIGHT PARTY TICKETS" SHALL BE
18 ENTERED OPPOSITE THE NAMES OF THE RESPECTIVE CANDIDATES IN A
19 COLUMN IMMEDIATELY ADJOINING UPON THE LEFT WHICH COLUMN SHALL BE
20 OF CONVENIENT WIDTH AND SHALL BE HEADED "NUMBER OF VOTES
21 RECEIVED UPON STRAIGHT PARTY TICKETS."] IN AN IMMEDIATE COLUMN
22 TO THE LEFT THERETO, THE NUMBER OF VOTES RECEIVED BY EACH
23 CANDIDATE UPON ALL BALLOTS [OTHER THAN "STRAIGHT PARTY TICKETS"
24 INCLUDING ALL BALLOTS KNOWN AS "SPLIT TICKETS"] SHALL BE
25 ENTERED, SUCH COLUMN TO BE OF CONVENIENT WIDTH AND SHALL BE
26 HEADED "NUMBER OF VOTES [RECEIVED OTHER THAN UPON STRAIGHT PARTY
27 TICKETS." THE NUMBER OF VOTES RECEIVED BY EACH CANDIDATE AS
28 SHOWN IN THE COLUMN HEADED "NUMBER OF VOTES RECEIVED UPON
29 STRAIGHT PARTY TICKETS" SHALL THEN BE ADDED, TOGETHER WITH THE
30 NUMBER OF VOTES RECEIVED BY EACH CANDIDATE AS SHOWN IN THE

1 COLUMN HEADED "NUMBER OF VOTES RECEIVED OTHER THAN UPON STRAIGHT
2 PARTY TICKETS" AND THEREUPON, THE] RECEIVED." THE TOTAL NUMBER
3 OF VOTES RECEIVED BY EACH CANDIDATE SHALL BE ENTERED IN A COLUMN
4 ON THE EXTREME RIGHT-HAND SIDE OF THE RETURN SHEETS, WHICH
5 COLUMN SHALL BE OF CONVENIENT WIDTH AND SHALL BE HEADED "TOTAL
6 NUMBER OF VOTES."

7 NOTHING IN THIS SECTION CONTAINED SHALL BE CONSTRUED TO
8 AUTHORIZE OR PERMIT THE CANVASSING, COUNTING OR TALLYING BALLOTS
9 WITH ANY LESS DEGREE OF STRICTNESS THAN OTHERWISE REQUIRED BY
10 LAW. [, THE INTENTION OF THIS SECTION BEING TO DISPENSE WITH THE
11 INDIVIDUAL TALLY MARKS ONLY SO FAR AS THE SO-CALLED "STRAIGHT
12 PARTY TICKETS" ARE CONCERNED, AND ALL OTHER OPERATIONS OF
13 TALLYING, COUNTING, CANVASSING AND ANNOUNCING THE VOTES SHALL
14 PROCEED AS NEAR AS MAY BE IN ACCORDANCE WITH THE OTHER
15 PROVISIONS OF THIS ACT.]

16 (C) IN RETURNING ANY VOTES CAST FOR ANY PERSON WHOSE NAME IS
17 NOT PRINTED ON THE BALLOT, THE ELECTION OFFICERS SHALL RECORD
18 ANY SUCH NAMES EXACTLY AS THEY WERE WRITTEN[,] OR STAMPED [OR
19 APPLIED TO] UPON THE BALLOT [BY STICKER]. IN DISTRICTS IN WHICH
20 PAPER BALLOTS OR BALLOT CARDS ARE ELECTRONICALLY TABULATED,
21 STICKERS OR LABELS MAY NOT BE USED TO MARK BALLOTS. A VOTE CAST
22 BY MEANS OF A STICKER OR LABEL AFFIXED TO A BALLOT OR BALLOT
23 CARD SHALL BE VOID AND MAY NOT BE COUNTED.

24 SECTION 1223. WHAT BALLOTS SHALL BE COUNTED; MANNER OF
25 COUNTING; DEFECTIVE BALLOTS.-- (A) NO BALLOT WHICH IS SO MARKED
26 AS TO BE CAPABLE OF IDENTIFICATION SHALL BE COUNTED. ANY BALLOT
27 THAT IS MARKED IN BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN
28 OR BALL POINT PEN, OR BLACK LEAD PENCIL OR INDELIBLE PENCIL,
29 SHALL BE VALID AND COUNTED: PROVIDED, THAT ALL MARKINGS ON THE
30 BALLOT ARE MADE BY THE SAME PEN OR PENCIL. ANY BALLOT MARKED BY

1 ANY OTHER MARK THAN AN (X) OR CHECK () IN THE SPACES PROVIDED
2 FOR THAT PURPOSE SHALL BE VOID AND NOT COUNTED: PROVIDED,
3 HOWEVER, THAT NO VOTE RECORDED THEREON SHALL BE DECLARED VOID
4 BECAUSE A CROSS (X) OR CHECK () MARK THEREON IS IRREGULAR IN
5 FORM. [ANY ERASURE, MUTILATION OR DEFECTIVE MARKING OF THE
6 STRAIGHT PARTY COLUMN AT NOVEMBER ELECTIONS SHALL RENDER THE
7 ENTIRE BALLOT VOID, UNLESS THE VOTER HAS PROPERLY INDICATED HIS
8 CHOICE FOR CANDIDATES IN ANY OFFICE BLOCK, IN WHICH CASE THE
9 VOTE OR VOTES FOR SUCH CANDIDATES ONLY SHALL BE COUNTED.] ANY
10 ERASURE OR MUTILATION IN THE VOTE IN ANY OFFICE BLOCK SHALL
11 RENDER VOID THE VOTE FOR ANY CANDIDATES IN SAID BLOCK, BUT SHALL
12 NOT INVALIDATE THE VOTES CAST ON THE REMAINDER OF THE BALLOT, IF
13 OTHERWISE PROPERLY MARKED. ANY BALLOT INDICATING A VOTE FOR ANY
14 PERSON WHOSE NAME IS NOT PRINTED ON THE BALLOT, BY WRITING[,
15 STAMPING OR STICKER] OR STAMPING, SHALL BE COUNTED AS A VOTE FOR
16 SUCH PERSON, IF PLACED IN THE PROPER SPACE OR SPACES PROVIDED
17 FOR THAT PURPOSE, WHETHER OR NOT AN (X) OR CHECK () IS PLACED
18 AFTER THE NAME OF SUCH PERSON: PROVIDED, HOWEVER, THAT IF SUCH
19 WRITING[, STAMPING OR STICKER] OR STAMPING IS PLACED OVER THE
20 NAME OF A CANDIDATE PRINTED ON THE BALLOT, IT SHALL RENDER THE
21 ENTIRE VOTE IN SAID OFFICE BLOCK VOID. IN DISTRICTS IN WHICH
22 PAPER BALLOTS OR BALLOT CARDS ARE ELECTRONICALLY TABULATED,
23 STICKERS OR LABELS MAY NOT BE USED TO MARK BALLOTS. A VOTE CAST
24 BY MEANS OF A STICKER OR LABEL AFFIXED TO A BALLOT OR BALLOT
25 CARD SHALL BE VOID AND MAY NOT BE COUNTED. IF AN ELECTOR SHALL
26 MARK HIS BALLOT FOR MORE PERSONS FOR ANY OFFICE THAN THERE ARE
27 CANDIDATES TO BE VOTED FOR FOR SUCH OFFICE, OR IF, FOR ANY
28 REASON, IT MAY BE IMPOSSIBLE TO DETERMINE HIS CHOICE FOR ANY
29 OFFICE, HIS BALLOT SHALL NOT BE COUNTED FOR SUCH OFFICE, BUT THE
30 BALLOT SHALL BE COUNTED FOR ALL OFFICES FOR WHICH IT IS PROPERLY

1 MARKED. BALLOTS NOT MARKED, OR IMPROPERLY OR DEFECTIVELY MARKED,
2 SO THAT THE WHOLE BALLOT IS VOID, SHALL BE SET ASIDE AND SHALL
3 BE PRESERVED WITH THE OTHER BALLOTS.

4 * * *

5 SECTION 1227. CANVASS AND RETURN OF VOTES IN DISTRICTS IN
6 WHICH VOTING MACHINES ARE USED.--* * *

7 (D) THE ELECTION OFFICERS, ON THE FOREGOING RETURNS, SHALL
8 RECORD ANY VOTES WHICH HAVE BEEN CAST FOR A PERSON WHOSE NAME IS
9 NOT PRINTED ON THE BALLOT LABELS, BY MEANS OF AN IRREGULAR
10 BALLOT, AS DEFINED HEREIN. IN RETURNING ANY SUCH VOTES WHICH
11 HAVE BEEN WRITTEN[,] OR DEPOSITED [OR AFFIXED] UPON RECEPTACLES
12 OR DEVICES PROVIDED FOR THE PURPOSE, THE ELECTION OFFICERS SHALL
13 RECORD ANY SUCH NAMES EXACTLY AS THEY WERE WRITTEN[,] OR
14 DEPOSITED [OR AFFIXED].

15 SECTION 4. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

16 SECTION 1231. DEADLINE FOR RECEIPT OF VALID VOTER
17 REGISTRATION APPLICATION.--(A) EXCEPT AS PROVIDED UNDER
18 SUBSECTION (B), EACH COMMISSION, COMMISSIONER AND REGISTRAR OR
19 CLERK APPOINTED BY THE COMMISSION SHALL RECEIVE, DURING ORDINARY
20 BUSINESS HOURS AND DURING ADDITIONAL HOURS AS THE COMMISSION
21 PRESCRIBES, AT THE OFFICE OF THE COMMISSION AND AT ADDITIONAL
22 PLACES AS THE COMMISSION DESIGNATES, APPLICATIONS FROM
23 INDIVIDUALS WHO APPLY TO BE REGISTERED TO VOTE AS PROVIDED UNDER
24 25 PA.C.S. PART IV (RELATING TO VOTER REGISTRATION) WHO APPEAR
25 AND CLAIM THAT THEY ARE ENTITLED TO BE REGISTERED AS ELECTORS OF
26 A MUNICIPALITY.

27 (B) IN THE ADMINISTRATION OF VOTER REGISTRATION, EACH
28 COMMISSION SHALL ENSURE THAT AN APPLICANT WHO IS A QUALIFIED
29 ELECTOR IS REGISTERED TO VOTE IN AN ELECTION WHEN THE APPLICANT
30 HAS MET ANY OF THE FOLLOWING CONDITIONS:

1 (1) IN THE CASE OF VOTER REGISTRATION WITH A MOTOR VEHICLE
2 DRIVER'S LICENSE APPLICATION UNDER 25 PA.C.S. § 1323 (RELATING
3 TO APPLICATION WITH DRIVER'S LICENSE APPLICATION), IF THE VALID
4 VOTER REGISTRATION APPLICATION IS RECEIVED BY THE APPROPRIATE
5 COMMISSION NOT LATER THAN FIFTEEN DAYS BEFORE THE ELECTION.

6 (2) (RESERVED).

7 (3) IN THE CASE OF VOTER REGISTRATION AT A VOTER
8 REGISTRATION AGENCY UNDER 25 PA.C.S. § 1325 (RELATING TO
9 GOVERNMENT AGENCIES), IF THE VALID VOTER REGISTRATION
10 APPLICATION IS RECEIVED BY THE APPROPRIATE COMMISSION NOT LATER
11 THAN FIFTEEN DAYS BEFORE THE ELECTION.

12 (4) IN ANY OTHER CASE, IF THE VALID VOTER REGISTRATION
13 APPLICATION OF THE APPLICANT IS RECEIVED BY THE APPROPRIATE
14 COMMISSION NOT LATER THAN FIFTEEN DAYS BEFORE THE ELECTION.

15 (C) (1) IN THE CASE OF A SPECIAL ELECTION WITHIN A
16 CONGRESSIONAL, SENATORIAL OR REPRESENTATIVE DISTRICT HELD ON A
17 DAY OTHER THAN THE DAY OF A PRIMARY, GENERAL OR MUNICIPAL
18 ELECTION, THE REGISTRATION APPLICATION FORMS SHALL NOT BE
19 PROCESSED IN THE WARDS AND ELECTION DISTRICTS COMPRISING THE
20 DISTRICT FOR THE FIFTEEN DAYS PRIOR TO THE SPECIAL ELECTION FOR
21 SUCH ELECTION.

22 (2) NO APPLICATIONS SHALL BE RECEIVED AS FOLLOWS:

23 (I) ON SUNDAYS.

24 (II) ON HOLIDAYS.

25 (III) ON THE DAY OF THE ELECTION.

26 (IV) DURING THE FIFTEEN DAYS NEXT PRECEDING EACH GENERAL,
27 MUNICIPAL AND PRIMARY ELECTION EXCEPT AS PROVIDED UNDER
28 SUBSECTION (B).

29 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS

1 THE CONTEXT CLEARLY INDICATES OTHERWISE:

2 "COMMISSION" SHALL MEAN A REGISTRATION COMMISSION ESTABLISHED
3 UNDER 25 PA.C.S. § 1203 (RELATING TO COMMISSIONS).

4 "COMMISSIONER" SHALL MEAN A MEMBER OF A COMMISSION.

5 SECTION 1232. APPEALS.-- (A) AN INDIVIDUAL WHOSE APPLICATION
6 TO BE REGISTERED HAS BEEN DENIED UNDER SECTION 1231 OR 25 <--
7 PA.C.S. PT. IV (RELATING TO VOTER REGISTRATION) MAY FILE WITH
8 THE COMMISSION A PETITION TO BE REGISTERED, SETTING FORTH THE
9 GROUND OF THE PETITION UNDER OATH OR AFFIRMATION. THE PETITION
10 MUST BE FILED BY THE EIGHTH DAY PRIOR TO AN ELECTION.

11 (B) (1) THE COMMISSION SHALL FIX A TIME FOR A PUBLIC
12 HEARING AT ITS OFFICE NOT LATER THAN THE FIFTH DAY PRIOR TO THE
13 ELECTION.

14 (2) THE COMMISSION SHALL GIVE THE PERSON RESPONSIBLE FOR THE
15 REJECTION FORTY-EIGHT HOURS' NOTICE OF THE HEARING.

16 (3) AT THE HEARING, A CLERK, INSPECTOR OF REGISTRATION OR
17 QUALIFIED ELECTOR OF THE COUNTY MAY OFFER EVIDENCE AS TO WHY THE
18 PETITIONER SHOULD NOT BE REGISTERED.

19 (4) THE COMMISSION, IF SATISFIED THAT THE PETITIONER IS
20 ENTITLED TO BE REGISTERED, SHALL DIRECT REGISTRATION.

21 (C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
22 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
23 THE CONTEXT CLEARLY INDICATES OTHERWISE:

24 "COMMISSION" SHALL MEAN A REGISTRATION COMMISSION ESTABLISHED
25 UNDER 25 PA.C.S. § 1203 (RELATING TO COMMISSIONS).

26 SECTION 1233. APPEALS TO COURT OF COMMON PLEAS.-- (A) AN
27 APPLICANT WHOSE CLAIM FOR REGISTRATION UNDER SECTION 1231 AND 25
28 PA.C.S. PART IV (RELATING TO VOTER REGISTRATION) HAS BEEN DENIED
29 SHALL HAVE STANDING TO APPEAL AN ACTION OF A COMMISSION TO THE
30 APPROPRIATE COURT OF COMMON PLEAS.

1 (B) AN APPEAL UNDER SUBSECTION (A) MUST BE MADE BY THE THIRD
2 DAY PRECEDING AN ELECTION.

3 (C) THE APPEAL MUST REQUEST RELIEF AND SPECIFY THE GROUNDS
4 FOR RELIEF.

5 (D) UPON TIMELY RECEIPT OF AN APPEAL UNDER THIS SECTION, THE
6 COURT SHALL CONDUCT A HEARING.

7 (E) IF THE COURT FINDS THAT AN INJUSTICE HAS BEEN DONE, THE
8 COURT SHALL REVERSE OR MODIFY THE RULING OF THE COMMISSION AND
9 ISSUE APPROPRIATE INJUNCTIVE RELIEF.

10 (F) THE FOLLOWING SHALL APPLY:

11 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), THE COURT MAY AWARD
12 COSTS FOR THE APPEAL TO THE PREVAILING PARTY.

13 (2) COSTS MAY NOT BE ASSESSED AGAINST A COMMISSION OR A
14 COUNTY.

15 (G) AS USED IN THIS SECTION, "COMMISSION" SHALL MEAN A
16 REGISTRATION COMMISSION ESTABLISHED UNDER 25 PA.C.S. § 1203
17 (RELATING TO COMMISSIONS).

18 SECTION 5. SECTION ~~1302(C)~~ 1302(B), (C), (D), (E.1) AND (I) <--
19 OF THE ACT ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A- <--
20 ~~SUBSECTION~~ SUBSECTIONS TO READ: <--

21 SECTION 1302. APPLICATIONS FOR OFFICIAL ABSENTEE BALLOTS.--*

22 * *

23 (B) [THE APPLICATION] AN APPLICATION FOR A QUALIFIED ELECTOR <--
24 UNDER SUBSECTION (A) SHALL CONTAIN THE FOLLOWING INFORMATION:
25 HOME RESIDENCE AT THE TIME OF ENTRANCE INTO ACTUAL MILITARY
26 SERVICE OR FEDERAL EMPLOYMENT, LENGTH OF TIME A CITIZEN, LENGTH
27 OF RESIDENCE IN PENNSYLVANIA, DATE OF BIRTH, LENGTH OF TIME A
28 RESIDENT OF VOTING DISTRICT, VOTING DISTRICT IF KNOWN, PARTY
29 CHOICE IN CASE OF PRIMARY, NAME AND, FOR A MILITARY ELECTOR, HIS
30 STATESIDE MILITARY ADDRESS, FPO OR APO NUMBER AND SERIAL NUMBER.

1 ANY ELECTOR OTHER THAN A MILITARY ELECTOR SHALL IN ADDITION
2 SPECIFY THE NATURE OF HIS EMPLOYMENT, THE ADDRESS TO WHICH
3 BALLOT IS TO BE SENT, RELATIONSHIP WHERE NECESSARY, AND SUCH
4 OTHER INFORMATION AS MAY BE DETERMINED AND PRESCRIBED BY THE
5 SECRETARY OF THE COMMONWEALTH. WHEN SUCH APPLICATION IS RECEIVED
6 BY THE SECRETARY OF THE COMMONWEALTH IT SHALL BE FORWARDED TO
7 THE PROPER COUNTY BOARD OF ELECTION.

8 (B.1) AN APPLICATION FOR A QUALIFIED ELECTOR OTHER THAN
9 UNDER SUBSECTION (A) SHALL CONTAIN THE FOLLOWING INFORMATION:
10 DATE OF BIRTH, LENGTH OF TIME A RESIDENT OF VOTING DISTRICT,
11 VOTING DISTRICT IF KNOWN, PARTY CHOICE IN CASE OF PRIMARY AND
12 NAME. THE ELECTOR SHALL IN ADDITION SPECIFY THE NATURE OF HIS OR
13 HER EMPLOYMENT, THE ADDRESS TO WHICH BALLOT IS TO BE SENT,
14 RELATIONSHIP WHERE NECESSARY, AND OTHER INFORMATION AS MAY BE
15 DETERMINED AND PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH.
16 WHEN THE APPLICATION IS RECEIVED BY THE SECRETARY OF THE
17 COMMONWEALTH IT SHALL BE FORWARDED TO THE PROPER COUNTY BOARD OF
18 ELECTION.

19 (C) [THE APPLICATION OF ANY QUALIFIED ELECTOR, AS DEFINED IN
20 SECTION 1301(A), (B), (C), (D), (E), (F), (G) AND (H), FOR AN
21 OFFICIAL ABSENTEE BALLOT IN ANY PRIMARY OR ELECTION MAY NOT BE
22 MADE OVER THE SIGNATURE OF ANY PERSON, OTHER THAN THE QUALIFIED
23 ELECTOR OR AN ADULT MEMBER OF HIS IMMEDIATE FAMILY, AS REQUIRED
24 IN THE PRECEDING SUBSECTION.] A QUALIFIED ABSENTEE MILITARY OR
25 OVERSEAS ELECTOR, AS DEFINED BY THE UNIFORMED AND OVERSEAS
26 CITIZENS ABSENTEE VOTING ACT (PUBLIC LAW 99-410, 100 STAT. 924),
27 MAY SUBMIT HIS APPLICATION FOR AN OFFICIAL ABSENTEE BALLOT BY
28 [FACSIMILE METHOD IF THE ORIGINAL APPLICATION IS RECEIVED PRIOR
29 TO THE ELECTION BY THE COUNTY ELECTION OFFICE. THE ABSENTEE
30 BALLOT OF THE QUALIFIED MILITARY OR OVERSEAS ELECTOR SHALL NOT

1 BE COUNTED UNLESS THE ELECTOR'S ORIGINAL APPLICATION IS RECEIVED
2 PRIOR TO THE ELECTION BY THE COUNTY ELECTION OFFICE. THE
3 FACSIMILE] ELECTRONIC TRANSMISSION METHOD. THE ELECTRONIC
4 TRANSMISSION METHOD SHALL NOT BE ACCEPTABLE FOR THE OFFICIAL
5 ABSENTEE BALLOT. AS USED IN THIS SUBSECTION, "ELECTRONIC
6 TRANSMISSION METHOD" MEANS ANY TECHNOLOGY THAT CAN TRANSMIT A
7 DOCUMENT OR AN IMAGE OF A DOCUMENT VIA ELECTRONIC OR
8 ELECTROMECHANICAL MEANS, INCLUDING, BUT NOT LIMITED TO,
9 FACSIMILE METHOD. AN ELECTOR ENTITLED TO SUBMIT AN APPLICATION
10 FOR AN OFFICIAL ABSENTEE BALLOT UNDER A METHOD AUTHORIZED UNDER
11 25 PA.C.S. CH. 35 (RELATING TO UNIFORM MILITARY AND OVERSEAS
12 VOTERS) MAY SUBMIT AN APPLICATION USING A METHOD AUTHORIZED
13 UNDER 25 PA.C.S. CH. 35, IN ADDITION TO THE METHODS AUTHORIZED
14 IN THIS ARTICLE.

15 (D) THE APPLICATION OF ANY QUALIFIED ELECTOR, AS DEFINED IN
16 PRECEDING SECTION 1301, SUBSECTIONS [(B)] (A) TO (H), INCLUSIVE,
17 FOR AN OFFICIAL ABSENTEE BALLOT IN ANY PRIMARY OR ELECTION SHALL
18 BE SIGNED BY THE APPLICANT[.], EXCEPT THAT FOR ELECTORS UNDER
19 SECTION 1301(A), AN ADULT MEMBER OF THE APPLICANT'S IMMEDIATE
20 FAMILY MAY SIGN THE APPLICATION ON THE ELECTOR'S BEHALF.

21 * * *

22 (E.1) ANY QUALIFIED REGISTERED ELECTOR[, INCLUDING ANY
23 QUALIFIED BEDRIDDEN OR HOSPITALIZED VETERAN,] WHO IS UNABLE
24 BECAUSE OF ILLNESS OR PHYSICAL DISABILITY TO ATTEND HIS POLLING
25 PLACE ON THE DAY OF ANY PRIMARY OR ELECTION OR OPERATE A VOTING
26 MACHINE AND STATE DISTINCTLY AND AUDIBLY THAT HE IS UNABLE TO DO
27 SO AS REQUIRED BY SECTION 1218 OF THIS ACT MAY, WITH THE
28 CERTIFICATION BY HIS ATTENDING PHYSICIAN THAT HE IS PERMANENTLY
29 DISABLED, AND PHYSICALLY UNABLE TO ATTEND THE POLLS OR OPERATE A
30 VOTING MACHINE AND MAKE THE DISTINCT AND AUDIBLE STATEMENT

1 REQUIRED BY SECTION 1218 APPENDED TO THE APPLICATION
2 HEREINBEFORE REQUIRED, BE PLACED ON A PERMANENTLY DISABLED
3 ABSENTEE BALLOT LIST FILE. AN ABSENTEE BALLOT APPLICATION SHALL
4 BE MAILED TO EVERY SUCH PERSON [FOR EACH PRIMARY OR ELECTION]
5 OTHERWISE ELIGIBLE TO RECEIVE ONE, BY THE FIRST MONDAY IN
6 FEBRUARY EACH YEAR, SO LONG AS HE DOES NOT LOSE HIS VOTING
7 RIGHTS BY FAILURE TO VOTE AS OTHERWISE REQUIRED BY THIS ACT.
8 SUCH PERSON SHALL NOT BE REQUIRED TO FILE A PHYSICIAN'S
9 CERTIFICATE OF DISABILITY WITH EACH APPLICATION AS REQUIRED IN
10 SUBSECTION (E) OF THIS SECTION [BUT SUCH PERSON MUST SUBMIT A
11 WRITTEN STATEMENT ASSERTING CONTINUING DISABILITY EVERY FOUR
12 YEARS IN ORDER TO MAINTAIN HIS ELIGIBILITY TO VOTE UNDER THE
13 PROVISIONS OF THIS SUBSECTION]. SHOULD ANY SUCH PERSON LOSE HIS
14 DISABILITY HE SHALL INFORM THE COUNTY BOARD OF ELECTIONS OF THE
15 COUNTY OF HIS RESIDENCE. AN ABSENTEE BALLOT APPLICATION MAILED
16 TO A VOTER UNDER THIS SECTION, WHICH IS COMPLETED AND TIMELY
17 RETURNED BY THE VOTER, SHALL SERVE AS AN APPLICATION FOR ANY AND
18 ALL PRIMARY, GENERAL OR SPECIAL ELECTIONS TO BE HELD IN THE
19 REMAINDER OF THAT CALENDAR YEAR AND FOR ALL SPECIAL ELECTIONS TO
20 BE HELD BEFORE THE THIRD MONDAY IN FEBRUARY OF THE SUCCEEDING
21 YEAR.

22 * * *

23 (I) (1) APPLICATION FOR OFFICIAL ABSENTEE BALLOTS SHALL BE
24 ON PHYSICAL AND ELECTRONIC FORMS PRESCRIBED BY THE SECRETARY OF
25 THE COMMONWEALTH. THE APPLICATION SHALL STATE THAT [A VOTER] AN
26 ELECTOR WHO RECEIVES AND VOTES AN ABSENTEE BALLOT PURSUANT TO
27 SECTION 1301 [AND WHO, ON ELECTION DAY, IS CAPABLE OF VOTING AT
28 THE APPROPRIATE POLLING PLACE MUST VOID THE ABSENTEE BALLOT AND
29 VOTE IN THE NORMAL MANNER AT THE APPROPRIATE VOTING PLACE] SHALL
30 NOT BE ELIGIBLE TO VOTE AT A POLLING PLACE ON ELECTION DAY. SUCH

1 PHYSICAL APPLICATION FORMS SHALL BE MADE FREELY AVAILABLE TO THE
2 PUBLIC AT COUNTY BOARD OF ELECTIONS, MUNICIPAL BUILDINGS AND AT
3 SUCH OTHER LOCATIONS DESIGNATED BY THE SECRETARY. SUCH
4 ELECTRONIC APPLICATION FORMS SHALL BE MADE FREELY AVAILABLE TO
5 THE PUBLIC THROUGH PUBLICLY ACCESSIBLE MEANS. NO WRITTEN
6 APPLICATION OR PERSONAL REQUEST SHALL BE NECESSARY TO RECEIVE OR
7 ACCESS THE APPLICATION FORMS. COPIES AND RECORDS OF ALL
8 COMPLETED PHYSICAL AND ELECTRONIC APPLICATIONS FOR OFFICIAL
9 ABSENTEE BALLOTS SHALL BE RETAINED BY THE COUNTY BOARD OF
10 ELECTIONS.

11 (2) NOTHING IN THIS ACT SHALL PROHIBIT A PRIVATE
12 ORGANIZATION OR INDIVIDUAL FROM PRINTING BLANK VOTER
13 APPLICATIONS FOR ABSENTEE BALLOTS OR SHALL PROHIBIT THE USE OF
14 SUCH APPLICATIONS BY ANOTHER INDIVIDUAL, PROVIDED THE FORM,
15 CONTENT AND PAPER QUALITY HAVE BEEN APPROVED BY THE SECRETARY OF
16 THE COMMONWEALTH.

17 * * *

18 (K) THE SECRETARY OF THE COMMONWEALTH MAY DEVELOP AN
19 ELECTRONIC SYSTEM THROUGH WHICH ALL QUALIFIED ELECTORS MAY APPLY
20 FOR AN ABSENTEE BALLOT AND REQUEST PERMANENT ABSENTEE VOTER
21 STATUS UNDER SUBSECTION (E.1), PROVIDED THE SYSTEM IS ABLE TO
22 CAPTURE A DIGITIZED OR ELECTRONIC SIGNATURE OF THE APPLICANT. A
23 COUNTY BOARD OF ELECTIONS SHALL TREAT ANY APPLICATION OR REQUEST
24 RECEIVED THROUGH THE ELECTRONIC SYSTEM AS IF THE APPLICATION OR
25 REQUEST HAD BEEN SUBMITTED ON A PAPER FORM OR ANY OTHER FORMAT
26 USED BY THE COUNTY.

27 SECTION 5.1. SECTIONS 1302.1, 1302.2, 1302.3 HEADING, (A)
28 AND (C), 1303(D) AND (E) AND 1305(B) OF THE ACT ARE AMENDED TO
29 READ:

30 SECTION 1302.1. DATE OF APPLICATION FOR ABSENTEE BALLOT.--

1 (A) EXCEPT AS PROVIDED IN [SUBSECTIONS (A.1) AND (A.2)]
2 SUBSECTION (A.3), APPLICATIONS FOR ABSENTEE BALLOTS SHALL BE
3 RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NOT
4 EARLIER THAN FIFTY (50) DAYS BEFORE THE PRIMARY OR ELECTION
5 [AND], EXCEPT THAT IF A COUNTY BOARD OF ELECTIONS DETERMINES
6 THAT IT WOULD BE APPROPRIATE TO ITS OPERATIONAL NEEDS, ANY
7 APPLICATIONS FOR ABSENTEE BALLOTS RECEIVED MORE THAN FIFTY (50)
8 DAYS BEFORE THE PRIMARY OR ELECTION MAY BE PROCESSED BEFORE THAT
9 TIME. APPLICATIONS FOR ABSENTEE BALLOTS SHALL BE PROCESSED IF
10 RECEIVED NOT LATER THAN FIVE O'CLOCK P.M. OF THE FIRST TUESDAY
11 PRIOR TO THE DAY OF ANY PRIMARY OR ELECTION.

12 [(A.1) EXCEPT AS PROVIDED IN SUBSECTION (A.2), IN THE EVENT
13 ANY ELECTOR OTHERWISE QUALIFIED WHO IS SO PHYSICALLY DISABLED OR
14 ILL ON OR BEFORE THE FIRST TUESDAY PRIOR TO ANY PRIMARY OR
15 ELECTION THAT HE IS UNABLE TO FILE HIS APPLICATION OR WHO
16 BECOMES PHYSICALLY DISABLED OR ILL AFTER THE FIRST TUESDAY PRIOR
17 TO ANY PRIMARY OR ELECTION AND IS UNABLE TO APPEAR AT HIS
18 POLLING PLACE OR ANY ELECTOR OTHERWISE QUALIFIED WHO BECAUSE OF
19 THE CONDUCT OF HIS BUSINESS, DUTIES OR OCCUPATION WILL
20 NECESSARILY BE ABSENT FROM THE MUNICIPALITY OF HIS RESIDENCE ON
21 THE DAY OF THE PRIMARY OR ELECTION, WHICH FACT WAS NOT AND COULD
22 NOT REASONABLY BE KNOWN TO SAID ELECTOR ON OR BEFORE THE FIRST
23 TUESDAY PRIOR TO ANY PRIMARY OR ELECTION, THE ELECTOR SHALL BE
24 ENTITLED TO AN ABSENTEE BALLOT AT ANY TIME PRIOR TO FIVE O'CLOCK
25 P.M. ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION UPON
26 EXECUTION OF AN EMERGENCY APPLICATION IN SUCH FORM PRESCRIBED BY
27 THE SECRETARY OF THE COMMONWEALTH.

28 (A.2) IN THE EVENT ANY ELECTOR OTHERWISE QUALIFIED WHO
29 BECOMES SO PHYSICALLY DISABLED OR ILL BETWEEN FIVE O'CLOCK P.M.
30 ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION AND EIGHT

1 O'CLOCK P.M. ON THE DAY OF ANY PRIMARY OR ELECTION THAT HE IS
2 UNABLE TO APPEAR AT HIS POLLING PLACE OR ANY ELECTOR OTHERWISE
3 QUALIFIED WHO BECAUSE OF THE CONDUCT OF HIS BUSINESS, DUTIES OR
4 OCCUPATION WILL NECESSARILY BE ABSENT FROM THE MUNICIPALITY OF
5 HIS RESIDENCE ON THE DAY OF THE PRIMARY OR ELECTION, WHICH FACT
6 WAS NOT AND COULD NOT REASONABLY BE KNOWN TO SAID ELECTOR PRIOR
7 TO FIVE O'CLOCK P.M. ON THE FIRST FRIDAY PRECEDING ANY PRIMARY
8 OR ELECTION, THE ELECTOR SHALL BE ENTITLED TO AN ABSENTEE BALLOT
9 IF THE ELECTOR COMPLETES AND FILES WITH THE COURT OF COMMON
10 PLEAS IN THE COUNTY IN WHICH THE ELECTOR IS QUALIFIED TO VOTE AN
11 EMERGENCY APPLICATION OR A LETTER OR OTHER SIGNED DOCUMENT,
12 WHICH INCLUDES THE SAME INFORMATION AS IS PROVIDED ON THE
13 EMERGENCY APPLICATION. UPON A DETERMINATION THAT THE ELECTOR IS
14 A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301, THE JUDGE SHALL
15 ISSUE AN ABSENTEE BALLOT TO THE ELECTOR.]

16 (A.3) (1) THE FOLLOWING CATEGORIES OF ELECTORS MAY APPLY
17 FOR AN ABSENTEE BALLOT UNDER THIS SUBSECTION, IF OTHERWISE
18 QUALIFIED:

19 (I) AN ELECTOR WHOSE PHYSICAL DISABILITY OR ILLNESS
20 PREVENTED THE ELECTOR FROM APPLYING FOR AN ABSENTEE BALLOT
21 BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY
22 OF THE PRIMARY OR ELECTION.

23 (II) AN ELECTOR WHO, BECAUSE OF THE ELECTOR'S BUSINESS,
24 DUTIES OR OCCUPATION, WAS UNABLE TO APPLY FOR AN ABSENTEE BALLOT
25 BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY
26 OF THE PRIMARY OR ELECTION.

27 (III) AN ELECTOR WHO BECOMES SO PHYSICALLY DISABLED OR ILL
28 AFTER FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY OF
29 THE PRIMARY OR ELECTION THAT THE ELECTOR IS UNABLE TO APPEAR AT
30 THE POLLING PLACE ON THE DAY OF THE PRIMARY OR ELECTION.

1 (IV) AN ELECTOR WHO, BECAUSE OF THE CONDUCT OF THE ELECTOR'S
2 BUSINESS, DUTIES OR OCCUPATION, WILL NECESSARILY BE ABSENT FROM
3 THE ELECTOR'S MUNICIPALITY OF RESIDENCE ON THE DAY OF THE
4 PRIMARY OR ELECTION, WHICH FACT WAS NOT AND COULD NOT REASONABLY
5 BE KNOWN TO THE ELECTOR ON OR BEFORE FIVE O'CLOCK P.M. ON THE
6 FIRST TUESDAY PRIOR TO THE DAY OF THE PRIMARY OR ELECTION.

7 (2) AN ELECTOR DESCRIBED IN PARAGRAPH (1) MAY SUBMIT AN
8 APPLICATION FOR AN ABSENTEE BALLOT AT ANY TIME UP UNTIL THE TIME
9 OF THE CLOSING OF THE POLLS ON THE DAY OF THE PRIMARY OR
10 ELECTION. THE APPLICATION SHALL INCLUDE A DECLARATION DESCRIBING
11 THE CIRCUMSTANCES THAT PREVENTED THE ELECTOR FROM APPLYING FOR
12 AN ABSENTEE BALLOT BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY
13 PRIOR TO THE DAY OF THE PRIMARY OR ELECTION OR THAT PREVENT THE
14 ELECTOR FROM APPEARING AT THE POLLING PLACE ON THE DAY OF THE
15 PRIMARY OR ELECTION, AND THE ELECTOR'S QUALIFICATIONS UNDER
16 PARAGRAPH (1). THE DECLARATION SHALL BE MADE SUBJECT TO THE
17 PROVISIONS OF 18 PA.C.S. § 4904 (RELATING TO UNSWORN
18 FALSIFICATION TO AUTHORITIES).

19 (3) IF THE COUNTY BOARD OF ELECTIONS DETERMINES THAT THE
20 ELECTOR MEETS THE REQUIREMENTS OF THIS SECTION, THE BOARD SHALL
21 ISSUE AN ABSENTEE BALLOT TO THE ELECTOR.

22 (4) IF THE ELECTOR IS UNABLE TO APPEAR [IN COURT] AT THE
23 OFFICE OF THE COUNTY BOARD OF ELECTIONS TO RECEIVE THE BALLOT,
24 THE [JUDGE] BOARD SHALL GIVE THE ELECTOR'S ABSENTEE BALLOT TO AN
25 AUTHORIZED REPRESENTATIVE OF THE ELECTOR WHO IS DESIGNATED IN
26 WRITING BY THE ELECTOR. THE AUTHORIZED REPRESENTATIVE SHALL
27 DELIVER THE ABSENTEE BALLOT TO THE ELECTOR AND RETURN THE
28 COMPLETED ABSENTEE BALLOT, SEALED IN THE OFFICIAL ABSENTEE
29 BALLOT ENVELOPES, TO THE OFFICE OF THE COUNTY BOARD OF
30 ELECTIONS, [WHO] WHICH SHALL [DISTRIBUTE] RETAIN THE BALLOT,

1 UNOPENED, [TO THE ABSENTEE VOTER'S ELECTION DISTRICT] UNTIL THE
2 CANVASSING OF ALL ABSENTEE BALLOTS.

3 (5) MULTIPLE PEOPLE QUALIFIED UNDER THIS SUBSECTION MAY
4 DESIGNATE THE SAME PERSON, AND A SINGLE PERSON MAY SERVE AS THE
5 AUTHORIZED REPRESENTATIVE FOR MULTIPLE QUALIFIED ELECTORS.

6 (6) IF THE ELECTOR IS UNABLE TO APPEAR [IN COURT] AT THE
7 OFFICE OF THE COUNTY BOARD OF ELECTIONS OR UNABLE TO OBTAIN
8 ASSISTANCE FROM AN AUTHORIZED REPRESENTATIVE, THE COUNTY BOARD
9 MAY PROVIDE AN AUTHORIZED REPRESENTATIVE OR ASK THE JUDGE
10 [SHALL] OF THE COURT OF COMMON PLEAS IN THE COUNTY IN WHICH THE
11 ELECTOR IS QUALIFIED TO VOTE TO DIRECT A DEPUTY SHERIFF OF THE
12 COUNTY TO DELIVER THE ABSENTEE BALLOT TO THE ELECTOR IF THE
13 ELECTOR IS AT A PHYSICAL LOCATION WITHIN THE COUNTY AND RETURN
14 THE COMPLETED ABSENTEE BALLOT, SEALED IN THE OFFICIAL ABSENTEE
15 BALLOT ENVELOPES, TO THE COUNTY BOARD OF ELECTIONS[, WHO SHALL
16 DISTRIBUTE THE BALLOTS, UNOPENED, TO THE ABSENTEE VOTER'S
17 RESPECTIVE ELECTION DISTRICT]. IF THERE IS NO AUTHORIZED
18 REPRESENTATIVE AND A DEPUTY SHERIFF IS UNAVAILABLE TO DELIVER AN
19 ABSENTEE BALLOT UNDER THIS SECTION, THE JUDGE MAY DIRECT A
20 CONSTABLE TO MAKE SUCH DELIVERY IN ACCORDANCE WITH THE
21 PROVISIONS OF THIS SECTION.

22 (7) IN THE CASE OF AN ELECTOR WHO REQUIRES ASSISTANCE IN
23 MARKING THE ELECTOR'S BALLOT, THE ELECTOR SHALL DESIGNATE IN
24 WRITING THE PERSON WHO WILL ASSIST IN MARKING THE BALLOT. SUCH
25 PERSON SHALL BE OTHERWISE ELIGIBLE TO PROVIDE ASSISTANCE TO
26 ELECTORS ELIGIBLE FOR ASSISTANCE, AND SUCH PERSON SHALL DECLARE
27 IN WRITING THAT ASSISTANCE WAS RENDERED. ANY PERSON OTHER THAN
28 THE DESIGNEE WHO SHALL RENDER ASSISTANCE IN MARKING A BALLOT OR
29 ANY PERSON RENDERING ASSISTANCE WHO SHALL FAIL TO EXECUTE A
30 DECLARATION SHALL BE GUILTY OF A VIOLATION OF THIS ACT.

1 (8) NO ABSENTEE BALLOT UNDER THIS SUBSECTION SHALL BE
2 COUNTED WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF
3 ELECTIONS LATER THAN [EIGHT O'CLOCK P.M. ON THE DAY OF THE
4 PRIMARY OR ELECTION] THE DEADLINE FOR ITS RECEIPT AS PROVIDED IN
5 SECTION 1308(G).

6 (B) IN THE CASE OF AN ELECTOR WHOSE APPLICATION FOR AN
7 ABSENTEE BALLOT IS RECEIVED BY THE OFFICE OF THE COUNTY BOARD OF
8 ELECTIONS EARLIER THAN FIFTY (50) DAYS BEFORE THE PRIMARY OR
9 ELECTION, THE APPLICATION SHALL BE HELD AND PROCESSED UPON
10 COMMENCEMENT OF THE FIFTY-DAY PERIOD OR AT SUCH EARLIER TIME AS
11 THE COUNTY BOARD OF ELECTIONS DETERMINES MAY BE APPROPRIATE.

12 [(C) IN THE CASE OF AN ELECTOR WHO IS PHYSICALLY DISABLED OR
13 ILL ON OR BEFORE THE FIRST TUESDAY PRIOR TO A PRIMARY OR
14 ELECTION OR BECOMES PHYSICALLY DISABLED OR ILL AFTER THE FIRST
15 TUESDAY PRIOR TO A PRIMARY OR ELECTION, SUCH EMERGENCY
16 APPLICATION, LETTER OR OTHER SIGNED DOCUMENT SHALL CONTAIN A
17 SUPPORTING AFFIDAVIT FROM HIS ATTENDING PHYSICIAN STATING THAT
18 DUE TO PHYSICAL DISABILITY OR ILLNESS SAID ELECTOR WAS UNABLE TO
19 APPLY FOR AN ABSENTEE BALLOT ON OR BEFORE THE FIRST TUESDAY
20 PRIOR TO THE PRIMARY OR ELECTION OR BECAME PHYSICALLY DISABLED
21 OR ILL AFTER THAT PERIOD.

22 (D) IN THE CASE OF AN ELECTOR WHO IS NECESSARILY ABSENT
23 BECAUSE OF THE CONDUCT OF HIS BUSINESS, DUTIES OR OCCUPATION
24 UNDER THE UNFORESEEN CIRCUMSTANCES SPECIFIED IN SUBSECTIONS
25 (A.1) AND (A.2), SUCH EMERGENCY APPLICATION, LETTER OR OTHER
26 SIGNED DOCUMENT SHALL CONTAIN A SUPPORTING AFFIDAVIT FROM SUCH
27 ELECTOR STATING THAT BECAUSE OF THE CONDUCT OF HIS BUSINESS,
28 DUTIES OR OCCUPATION SAID ELECTOR WILL NECESSARILY BE ABSENT
29 FROM THE MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY
30 OR ELECTION WHICH FACT WAS NOT AND COULD NOT REASONABLY BE KNOWN

1 TO SAID ELECTOR ON OR BEFORE THE FIRST TUESDAY PRIOR TO THE
2 PRIMARY OR ELECTION.]

3 SECTION 1302.2. APPROVAL OF APPLICATION FOR ABSENTEE
4 BALLOT.--

5 (A) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY
6 APPLICATION FILED BY A QUALIFIED ELECTOR NOT REQUIRED TO BE
7 REGISTERED UNDER PRECEDING SECTION 1301, SHALL ASCERTAIN FROM
8 THE INFORMATION ON SUCH APPLICATION, DISTRICT REGISTER OR FROM
9 ANY OTHER SOURCE THAT SUCH APPLICANT POSSESSES ALL THE
10 QUALIFICATIONS OF A QUALIFIED ELECTOR OTHER THAN BEING
11 REGISTERED OR ENROLLED. IF THE BOARD IS SATISFIED THAT THE
12 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,
13 THE APPLICATION SHALL BE MARKED APPROVED SUCH APPROVAL DECISION
14 SHALL BE FINAL AND BINDING EXCEPT THAT CHALLENGES MAY BE MADE
15 ONLY ON THE GROUND THAT THE APPLICANT DID NOT POSSESS
16 QUALIFICATIONS OF AN ABSENTEE ELECTOR. SUCH CHALLENGES MUST BE
17 MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR TO [5:00 O'CLOCK
18 P.M. ON THE FIRST FRIDAY PRIOR TO THE ELECTION.] THE APPLICABLE
19 DEADLINE FOR THE ABSENTEE BALLOTS TO BE RECEIVED, AS PROVIDED IN
20 SECTION 1308(G). WHEN SO APPROVED, THE COUNTY BOARD OF ELECTIONS
21 SHALL CAUSE THE APPLICANT'S NAME AND RESIDENCE (AND AT A
22 PRIMARY, THE PARTY ENROLLMENT) TO BE INSERTED IN THE MILITARY,
23 VETERANS AND EMERGENCY CIVILIANS ABSENTEE VOTERS FILE AS
24 PROVIDED IN SECTION 1302.3, SUBSECTION (B): PROVIDING, HOWEVER,
25 THAT NO APPLICATION OF ANY QUALIFIED ELECTOR IN MILITARY SERVICE
26 SHALL BE REJECTED FOR FAILURE TO INCLUDE ON [HIS] THE ELECTOR'S
27 APPLICATION ANY INFORMATION IF SUCH INFORMATION MAY BE
28 ASCERTAINED WITHIN A REASONABLE TIME BY THE COUNTY BOARD OF
29 ELECTIONS.

30 (B) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY

1 APPLICATION FILED BY A QUALIFIED ELECTOR WHO IS ENTITLED, UNDER
2 THE PROVISIONS OF THE PERMANENT REGISTRATION LAW AS NOW OR
3 HEREINAFTER ENACTED BY THE GENERAL ASSEMBLY, TO ABSENTEE
4 REGISTRATION PRIOR TO OR CONCURRENTLY WITH THE TIME OF VOTING AS
5 PROVIDED UNDER PRECEDING SECTION 1301, SHALL ASCERTAIN FROM THE
6 INFORMATION ON SUCH APPLICATION OR FROM ANY OTHER SOURCE THAT
7 SUCH APPLICANT POSSESSES ALL THE QUALIFICATIONS OF A QUALIFIED
8 ELECTOR. IF THE BOARD IS SATISFIED THAT THE APPLICANT IS
9 ENTITLED, UNDER THE PROVISIONS OF THE PERMANENT REGISTRATION LAW
10 AS NOW OR HEREINAFTER ENACTED BY THE GENERAL ASSEMBLY, TO
11 ABSENTEE REGISTRATION PRIOR TO OR CONCURRENTLY WITH THE TIME OF
12 VOTING AND THAT THE APPLICANT IS QUALIFIED TO RECEIVE AN
13 OFFICIAL ABSENTEE BALLOT, THE APPLICATION SHALL BE MARKED
14 "APPROVED." SUCH APPROVAL DECISION SHALL BE FINAL AND BINDING
15 EXCEPT THAT CHALLENGES MAY BE MADE ONLY ON THE GROUND THAT THE
16 APPLICANT DID NOT POSSESS THE QUALIFICATIONS OF AN ABSENTEE
17 ELECTOR PRIOR TO OR CONCURRENTLY WITH THE TIME OF VOTING. SUCH
18 CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR
19 TO [5:00 O'CLOCK P.M. ON THE FIRST FRIDAY PRIOR TO THE
20 ELECTION.] THE APPLICABLE DEADLINE FOR THE ABSENTEE BALLOTS TO
21 BE RECEIVED, AS PROVIDED IN SECTION 1308(G). WHEN SO APPROVED,
22 THE COUNTY BOARD OF ELECTIONS SHALL CAUSE THE APPLICANT'S NAME
23 AND RESIDENCE (AND AT A PRIMARY, THE PARTY ENROLLMENT) TO BE
24 INSERTED IN THE MILITARY, VETERANS AND EMERGENCY CIVILIAN
25 ABSENTEE VOTERS FILE AS PROVIDED IN SECTION 1302.3 SUBSECTION
26 (B).

27 (C) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY
28 APPLICATION OF A QUALIFIED ELECTOR REQUIRED TO BE REGISTERED
29 UNDER THE PROVISIONS OF PRECEDING SECTION 1301, SHALL DETERMINE
30 THE QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF

1 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH
2 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S
3 PERMANENT REGISTRATION CARD. IF THE BOARD IS SATISFIED THAT THE
4 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,
5 THE APPLICATION SHALL BE MARKED "APPROVED." SUCH APPROVAL
6 DECISION SHALL BE FINAL AND BINDING, EXCEPT THAT CHALLENGES MAY
7 BE MADE ONLY ON THE GROUND THAT THE APPLICANT DID NOT POSSESS
8 THE QUALIFICATIONS OF AN ABSENTEE ELECTOR. SUCH CHALLENGES MUST
9 BE MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR TO [5:00 O'CLOCK
10 P.M. ON THE FIRST FRIDAY PRIOR TO THE ELECTION.] THE APPLICABLE
11 DEADLINE FOR THE ABSENTEE BALLOTS TO BE RECEIVED, AS PROVIDED IN
12 SECTION 1308(G). WHEN SO APPROVED, THE REGISTRATION COMMISSION
13 SHALL CAUSE AN ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD TO
14 BE INSERTED IN THE DISTRICT REGISTER ON TOP OF AND ALONG WITH
15 THE PERMANENT REGISTRATION CARD. THE ABSENTEE VOTER'S TEMPORARY
16 REGISTRATION CARD SHALL BE IN THE COLOR AND FORM PRESCRIBED IN
17 SUBSECTION (E) OF THIS SECTION:

18 PROVIDED, HOWEVER, THAT THE DUTIES OF THE COUNTY BOARDS OF
19 ELECTIONS AND THE REGISTRATION COMMISSIONS WITH RESPECT TO THE
20 INSERTION OF THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD OF
21 ANY ELECTOR FROM THE DISTRICT REGISTER AS SET FORTH IN SECTION
22 1302.2 SHALL INCLUDE ONLY SUCH APPLICATIONS AND EMERGENCY
23 APPLICATIONS AS ARE RECEIVED ON OR BEFORE THE FIRST TUESDAY
24 PRIOR TO THE PRIMARY OR ELECTION. IN ALL CASES WHERE
25 APPLICATIONS ARE RECEIVED AFTER THE FIRST TUESDAY PRIOR TO THE
26 PRIMARY OR ELECTION AND BEFORE [FIVE O'CLOCK P. M. ON THE FIRST
27 FRIDAY PRIOR TO] EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR
28 ELECTION, THE COUNTY BOARD OF ELECTIONS SHALL DETERMINE THE
29 QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF
30 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH

1 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S
2 DUPLICATE REGISTRATION CARD ON FILE IN THE GENERAL REGISTER
3 (ALSO REFERRED TO AS THE MASTER FILE) IN THE OFFICE OF THE
4 REGISTRATION COMMISSION AND SHALL CAUSE THE NAME AND RESIDENCE
5 (AND AT PRIMARIES, THE PARTY ENROLLMENT) TO BE INSERTED IN THE
6 MILITARY, VETERANS AND EMERGENCY CIVILIAN ABSENTEE VOTERS FILE
7 AS PROVIDED IN SECTION 1302.3, SUBSECTION (B). [IN ADDITION, THE
8 LOCAL DISTRICT BOARDS OF ELECTIONS SHALL, UPON CANVASSING THE
9 OFFICIAL ABSENTEE BALLOTS UNDER SECTION 1308, EXAMINE THE VOTING
10 CHECK LIST OF THE ELECTION DISTRICT OF SAID ELECTOR'S RESIDENCE
11 AND SATISFY ITSELF THAT SUCH ELECTOR DID NOT CAST ANY BALLOT
12 OTHER THAN THE ONE PROPERLY ISSUED TO HIM UNDER HIS ABSENTEE
13 BALLOT APPLICATION. IN ALL CASES WHERE THE EXAMINATION OF THE
14 LOCAL DISTRICT BOARD OF ELECTIONS DISCLOSES THAT AN ELECTOR DID
15 VOTE A BALLOT OTHER THAN THE ONE PROPERLY ISSUED TO HIM UNDER
16 THE ABSENTEE BALLOT APPLICATION, THE LOCAL DISTRICT BOARD OF
17 ELECTIONS SHALL THEREUPON CANCEL SAID ABSENTEE BALLOT AND SAID
18 ELECTOR SHALL BE SUBJECT TO THE PENALTIES AS HEREINAFTER SET
19 FORTH.]

20 (D) IN THE EVENT THAT ANY APPLICATION FOR AN OFFICIAL
21 ABSENTEE BALLOT IS NOT APPROVED BY THE COUNTY BOARD OF
22 ELECTIONS, THE ELECTOR SHALL BE NOTIFIED IMMEDIATELY TO THAT
23 EFFECT WITH A STATEMENT BY THE COUNTY BOARD OF THE REASONS FOR
24 THE DISAPPROVAL. FOR THOSE APPLICANTS WHOSE PROOF OF
25 IDENTIFICATION WAS NOT PROVIDED WITH THE APPLICATION OR COULD
26 NOT BE VERIFIED BY THE BOARD, THE BOARD SHALL SEND NOTICE TO THE
27 ELECTOR WITH THE ABSENTEE BALLOT REQUIRING THE ELECTOR TO
28 PROVIDE PROOF OF IDENTIFICATION WITH THE ABSENTEE BALLOT OR THE
29 BALLOT WILL NOT BE COUNTED.

30 (E) THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD SHALL

1 BE IN DUPLICATE AND THE SAME SIZE AS THE PERMANENT REGISTRATION
2 CARD, IN A DIFFERENT AND CONTRASTING COLOR TO THE PERMANENT
3 REGISTRATION CARD AND SHALL CONTAIN THE ABSENTEE VOTER'S NAME
4 AND ADDRESS AND SHALL CONSPICUOUSLY CONTAIN THE WORDS "ABSENTEE
5 VOTER." [SUCH CARD SHALL ALSO CONTAIN THE AFFIDAVIT REQUIRED BY
6 SUBSECTION (B) OF SECTION 1306.]

7 (F) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A
8 QUALIFIED ABSENTEE ELECTOR SHALL NOT BE REQUIRED TO PROVIDE
9 PROOF OF IDENTIFICATION IF THE ELECTOR IS ENTITLED TO VOTE BY
10 ABSENTEE BALLOT UNDER THE UNIFORMED AND OVERSEAS CITIZENS
11 ABSENTEE VOTING ACT (PUBLIC LAW 99-410, 100 STAT. 924) OR BY AN
12 ALTERNATIVE BALLOT UNDER THE VOTING ACCESSIBILITY FOR THE
13 ELDERLY AND HANDICAPPED ACT (PUBLIC LAW 98-435, 98 STAT. 1678).

14 SECTION 1302.3. ABSENTEE AND MAIL-IN ELECTORS FILES AND
15 LISTS.-- (A) THE COUNTY BOARD OF ELECTIONS SHALL MAINTAIN AT ITS
16 OFFICE A FILE CONTAINING THE DUPLICATE ABSENTEE VOTER'S
17 TEMPORARY REGISTRATION CARDS OF EVERY REGISTERED ELECTOR TO WHOM
18 AN ABSENTEE BALLOT HAS BEEN SENT. SUCH DUPLICATE ABSENTEE
19 VOTER'S TEMPORARY REGISTRATION CARDS SHALL BE FILED BY ELECTION
20 DISTRICTS AND WITHIN EACH ELECTION DISTRICT IN EXACT
21 ALPHABETICAL ORDER AND INDEXED. THE REGISTRATION CARDS AND THE
22 REGISTRATION CARDS UNDER SECTION 1302.3-D SO FILED SHALL
23 CONSTITUTE THE REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE FOR
24 THE PRIMARY OR ELECTION OF (DATE OF PRIMARY OR ELECTION) AND
25 SHALL BE KEPT ON FILE FOR A PERIOD COMMENCING THE TUESDAY PRIOR
26 TO THE DAY OF THE PRIMARY OR ELECTION UNTIL THE DAY FOLLOWING
27 THE PRIMARY OR ELECTION OR THE DAY THE COUNTY BOARD OF ELECTIONS
28 CERTIFIES THE RETURNS OF THE PRIMARY OR ELECTION, WHICHEVER DATE
29 IS LATER. SUCH FILE SHALL BE OPEN TO PUBLIC INSPECTION AT ALL
30 TIMES SUBJECT TO REASONABLE SAFEGUARDS, RULES AND REGULATIONS.

1 * * *

2 (C) NOT LESS THAN FIVE DAYS PRECEDING THE ELECTION, THE
3 CHIEF CLERK SHALL PREPARE A LIST FOR EACH ELECTION DISTRICT
4 SHOWING THE NAMES AND POST OFFICE ADDRESSES OF ALL VOTING
5 RESIDENTS THEREOF TO WHOM OFFICIAL ABSENTEE OR MAIL-IN BALLOTS
6 SHALL HAVE BEEN ISSUED. EACH SUCH LIST SHALL BE PREPARED IN
7 DUPLICATE, SHALL BE HEADED "PERSONS IN (GIVE IDENTITY OF
8 ELECTION DISTRICT) TO WHOM ABSENTEE OR MAIL-IN BALLOTS HAVE BEEN
9 ISSUED FOR THE ELECTION OF (DATE OF ELECTION)," AND SHALL BE
10 SIGNED BY HIM NOT LESS THAN FOUR DAYS PRECEDING THE ELECTION. HE
11 SHALL POST THE ORIGINAL OF EACH SUCH LIST IN A CONSPICUOUS PLACE
12 IN THE OFFICE OF THE COUNTY ELECTION BOARD AND SEE THAT IT IS
13 KEPT SO POSTED UNTIL THE CLOSE OF THE POLLS ON ELECTION DAY. HE
14 SHALL CAUSE THE DUPLICATE OF EACH SUCH LIST TO BE DELIVERED TO
15 THE JUDGE OF ELECTION IN THE ELECTION DISTRICT IN THE SAME
16 MANNER AND AT THE SAME TIME AS ARE PROVIDED IN THIS ACT FOR THE
17 DELIVERY OF OTHER ELECTION SUPPLIES, AND IT SHALL BE THE DUTY OF
18 SUCH JUDGE OF ELECTION TO POST SUCH DUPLICATE LIST IN A
19 CONSPICUOUS PLACE WITHIN THE POLLING PLACE OF HIS DISTRICT AND
20 SEE THAT IT IS KEPT SO POSTED THROUGHOUT THE TIME THAT THE POLLS
21 ARE OPEN. UPON WRITTEN REQUEST, HE SHALL FURNISH A COPY OF SUCH
22 LIST TO ANY CANDIDATE OR PARTY COUNTY CHAIRMAN.

23 SECTION 1303. OFFICIAL ABSENTEE VOTERS BALLOTS.--* * *

24 (D) IN CASES WHERE THERE IS NOT TIME TO PRINT ON SAID
25 BALLOTS THE NAMES OF THE VARIOUS CANDIDATES, THE COUNTY BOARD OF
26 ELECTIONS SHALL PRINT SPECIAL WRITE-IN ABSENTEE BALLOTS WHICH
27 SHALL BE IN SUBSTANTIALLY THE FORM OF OTHER OFFICIAL ABSENTEE
28 BALLOTS EXCEPT THAT SUCH SPECIAL WRITE-IN ABSENTEE BALLOTS SHALL
29 CONTAIN BLANK SPACES ONLY UNDER THE TITLES OF SUCH OFFICES IN
30 WHICH ELECTORS MAY INSERT, BY WRITING OR STAMPING, THE NAMES OF

1 THE CANDIDATES FOR WHOM THEY DESIRE TO VOTE, AND IN SUCH CASES
2 THE COUNTY BOARD OF ELECTIONS SHALL FURNISH TO ELECTORS LISTS
3 CONTAINING THE NAMES OF ALL THE CANDIDATES NAMED IN NOMINATION
4 PETITIONS OR WHO HAVE BEEN REGULARLY NOMINATED UNDER THE
5 PROVISIONS OF THIS ACT, FOR THE USE OF SUCH ELECTORS IN
6 PREPARING THEIR BALLOTS. SPECIAL WRITE-IN ABSENTEE BALLOTS ALSO
7 SHALL INCLUDE ALL CONSTITUTIONAL AMENDMENTS AND OTHER QUESTIONS
8 TO BE VOTED ON BY THE ELECTORS.

9 (E) THE OFFICIAL ABSENTEE VOTER BALLOT SHALL STATE THAT A
10 VOTER WHO RECEIVES AN ABSENTEE BALLOT PURSUANT TO SECTION 1301
11 AND WHOSE BALLOT IS NOT TIMELY RECEIVED AND WHO, ON ELECTION
12 DAY, IS CAPABLE OF VOTING AT THE APPROPRIATE POLLING PLACE [MUST
13 VOID THE ABSENTEE BALLOT AND VOTE IN THE NORMAL MANNER AT THE
14 APPROPRIATE VOTING PLACE] MAY ONLY VOTE ON ELECTION DAY BY
15 PROVISIONAL BALLOT.

16 SECTION 1305. DELIVERING OR MAILING BALLOTS.--

17 * * *

18 (B) (1) THE COUNTY BOARD OF ELECTIONS UPON RECEIPT AND
19 APPROVAL OF AN APPLICATION FILED BY ANY ELECTOR QUALIFIED IN
20 ACCORDANCE WITH THE PROVISIONS OF SECTION 1301, SUBSECTIONS (I)
21 TO (L), INCLUSIVE, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL
22 ABSENTEE BALLOTS [ON] AS SOON AS A BALLOT IS CERTIFIED AND THE
23 BALLOTS ARE AVAILABLE. WHILE ANY PROCEEDING IS PENDING IN A
24 FEDERAL OR STATE COURT WHICH WOULD AFFECT THE CONTENTS OF ANY
25 BALLOT, THE COUNTY BOARD OF ELECTIONS MAY AWAIT A RESOLUTION OF
26 THAT PROCEEDING BUT IN ANY EVENT, SHALL COMMENCE TO DELIVER OR
27 MAIL OFFICIAL ABSENTEE BALLOTS NOT LATER THAN THE SECOND TUESDAY
28 PRIOR TO THE PRIMARY OR ELECTION. FOR THOSE APPLICANTS WHOSE
29 PROOF OF IDENTIFICATION WAS NOT PROVIDED WITH THE APPLICATION OR
30 COULD NOT BE VERIFIED BY THE BOARD, THE BOARD SHALL SEND THE

1 NOTICE REQUIRED UNDER SECTION 1302.2(D) WITH THE ABSENTEE
2 BALLOT. AS ADDITIONAL APPLICATIONS ARE RECEIVED AND APPROVED
3 AFTER THE TIME THAT THE COUNTY BOARD OF ELECTIONS BEGINS
4 DELIVERING OR MAILING OFFICIAL ABSENTEE AND MAIL-IN BALLOTS, THE
5 BOARD SHALL DELIVER OR MAIL OFFICIAL ABSENTEE BALLOTS TO SUCH
6 ADDITIONAL ELECTORS WITHIN FORTY-EIGHT HOURS.

7 (2) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT AND
8 NOTWITHSTANDING THE INCLUSION OF A MAILING ADDRESS ON AN
9 ABSENTEE OR MAIL-IN BALLOT APPLICATION, A VOTER WHO PRESENTS THE
10 VOTER'S OWN APPLICATION FOR AN ABSENTEE OR MAIL-IN BALLOT WITHIN
11 THE OFFICE OF THE COUNTY BOARD OF ELECTIONS DURING REGULAR
12 BUSINESS HOURS MAY REQUEST TO RECEIVE THE VOTER'S ABSENTEE OR
13 MAIL-IN BALLOT WHILE THE VOTER IS AT THE OFFICE. THIS REQUEST
14 MAY BE MADE ORALLY OR IN WRITING. UPON PRESENTATION OF THE
15 APPLICATION AND THE MAKING OF THE REQUEST AND UPON APPROVAL
16 UNDER SECTIONS 1302.2 AND 1302.2-D, THE COUNTY BOARD OF
17 ELECTIONS SHALL PROMPTLY PRESENT THE VOTER WITH THE VOTER'S
18 ABSENTEE OR MAIL-IN BALLOT. IF A VOTER PRESENTS THE VOTER'S
19 APPLICATION WITHIN THE COUNTY BOARD OF ELECTIONS' OFFICE IN
20 ACCORDANCE WITH THIS SECTION, A COUNTY BOARD OF ELECTIONS MAY
21 NOT DENY THE VOTER'S REQUEST TO HAVE THE BALLOT PRESENTED TO THE
22 VOTER WHILE THE VOTER IS AT THE OFFICE UNLESS THERE IS A BONA
23 FIDE OBJECTION TO THE ABSENTEE OR MAIL-IN BALLOT APPLICATION.

24 * * *

25 SECTION 6. SECTION 1306(A) (1) AND (B) OF THE ACT ARE AMENDED
26 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

27 SECTION 1306. VOTING BY ABSENTEE ELECTORS.--(A) EXCEPT AS
28 PROVIDED IN PARAGRAPHS [(1),] (2) AND (3), AT ANY TIME AFTER
29 RECEIVING AN OFFICIAL ABSENTEE BALLOT, BUT ON OR BEFORE [FIVE
30 O'CLOCK P.M. ON THE FRIDAY PRIOR TO] EIGHT O'CLOCK P.M. THE DAY

1 OF THE PRIMARY OR ELECTION, THE ELECTOR SHALL, IN SECRET,
2 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
3 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
4 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL
5 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR
6 ENDORSED "OFFICIAL ABSENTEE BALLOT." THIS ENVELOPE SHALL THEN BE
7 PLACED IN THE SECOND ONE, ON WHICH IS PRINTED THE FORM OF
8 DECLARATION OF THE ELECTOR, AND THE ADDRESS OF THE ELECTOR'S
9 COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION DISTRICT OF THE
10 ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE AND SIGN THE
11 DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE SHALL THEN
12 BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY MAIL,
13 POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN PERSON
14 TO SAID COUNTY BOARD OF ELECTION.

15 [(1) ANY ELECTOR WHO SUBMITS AN EMERGENCY APPLICATION AND
16 RECEIVES AN ABSENTEE BALLOT IN ACCORDANCE WITH SECTION
17 1302.1(A.2) OR (C) SHALL MARK THE BALLOT ON OR BEFORE EIGHT
18 O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION. THIS
19 ENVELOPE SHALL THEN BE PLACED IN THE SECOND ONE, ON WHICH IS
20 PRINTED THE FORM OF DECLARATION OF THE ELECTOR, AND THE ADDRESS
21 OF THE ELECTOR'S COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION
22 DISTRICT OF THE ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE
23 AND SIGN THE DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE
24 SHALL THEN BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY
25 MAIL, POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN
26 PERSON TO SAID COUNTY BOARD OF ELECTION.]

27 * * *

28 (B) [IN THE EVENT THAT ANY SUCH ELECTOR, EXCEPTING AN
29 ELECTOR IN MILITARY SERVICE OR ANY ELECTOR UNABLE TO GO TO HIS
30 POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL DISABILITY,

1 ENTITLED TO VOTE AN OFFICIAL ABSENTEE BALLOT SHALL BE IN THE
2 MUNICIPALITY OF HIS RESIDENCE ON THE DAY FOR HOLDING THE PRIMARY
3 OR ELECTION FOR WHICH THE BALLOT WAS ISSUED, OR IN THE EVENT ANY
4 SUCH ELECTOR SHALL HAVE RECOVERED FROM HIS ILLNESS OR PHYSICAL
5 DISABILITY SUFFICIENTLY TO PERMIT HIM TO PRESENT HIMSELF AT THE
6 PROPER POLLING PLACE FOR THE PURPOSE OF CASTING HIS BALLOT, SUCH
7 ABSENTEE BALLOT CAST BY SUCH ELECTOR SHALL, BE DECLARED VOID.

8 ANY SUCH ELECTOR REFERRED TO IN THIS SUBSECTION, WHO IS
9 WITHIN THE MUNICIPALITY OF HIS RESIDENCE, MUST PRESENT HIMSELF
10 AT HIS POLLING PLACE AND SHALL BE PERMITTED TO VOTE UPON
11 PRESENTING HIMSELF AT HIS REGULAR POLLING PLACE IN THE SAME
12 MANNER AS HE COULD HAVE VOTED HAD HE NOT RECEIVED AN ABSENTEE
13 BALLOT: PROVIDED, THAT SUCH ELECTOR HAS FIRST PRESENTED HIMSELF
14 TO THE JUDGE OF ELECTIONS IN HIS LOCAL ELECTION DISTRICT AND
15 SHALL HAVE SIGNED THE AFFIDAVIT ON THE ABSENTEE VOTER'S
16 TEMPORARY REGISTRATION CARD, WHICH AFFIDAVIT SHALL BE IN
17 SUBSTANTIALLY THE FOLLOWING FORM:

18 I HEREBY SWEAR THAT I AM A QUALIFIED REGISTERED ELECTOR WHO
19 HAS OBTAINED AN ABSENTEE BALLOT, HOWEVER, I AM PRESENT IN THE
20 MUNICIPALITY OF MY RESIDENCE AND PHYSICALLY ABLE TO PRESENT
21 MYSELF AT MY POLLING PLACE AND THEREFORE REQUEST THAT MY
22 ABSENTEE BALLOT BE VOIDED.

23

24 (DATE)

26

27 (LOCAL JUDGE OF ELECTIONS)

26

(SIGNATURE OF ELECTOR)

28 AN ELECTOR WHO HAS RECEIVED AN ABSENTEE BALLOT UNDER THE
29 EMERGENCY APPLICATION PROVISIONS OF SECTION 1302.1, AND FOR
30 WHOM, THEREFORE, NO TEMPORARY ABSENTEE VOTER'S REGISTRATION CARD

1 IS IN THE DISTRICT REGISTER, SHALL SIGN THE AFOREMENTIONED
2 AFFIDAVIT IN ANY CASE, WHICH THE LOCAL JUDGE OF ELECTIONS SHALL
3 THEN CAUSE TO BE INSERTED IN THE DISTRICT REGISTER WITH THE
4 ELECTOR'S PERMANENT REGISTRATION CARD.]

5 (1) ANY ELECTOR WHO RECEIVES AND VOTES AN ABSENTEE BALLOT
6 PURSUANT TO SECTION 1301 SHALL NOT BE ELIGIBLE TO VOTE AT A
7 POLLING PLACE ON ELECTION DAY. THE DISTRICT REGISTER AT EACH
8 POLLING PLACE SHALL CLEARLY IDENTIFY ELECTORS WHO HAVE RECEIVED
9 AND VOTED ABSENTEE BALLOTS AS INELIGIBLE TO VOTE AT THE POLLING
10 PLACE, AND DISTRICT ELECTION OFFICERS SHALL NOT PERMIT ELECTORS
11 WHO VOTED AN ABSENTEE BALLOT TO VOTE AT THE POLLING PLACE.

12 (2) AN ELECTOR WHO REQUESTS AN ABSENTEE BALLOT AND WHO IS
13 NOT SHOWN ON THE DISTRICT REGISTER AS HAVING VOTED THE BALLOT
14 MAY VOTE BY PROVISIONAL BALLOT UNDER SECTION 1210(A.4) (1).

15 (C) EXCEPT AS PROVIDED UNDER 25 PA.C.S. § 3511 (RELATING TO
16 RECEIPT OF VOTED BALLOT), A COMPLETED ABSENTEE BALLOT MUST BE
17 RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NO LATER
18 THAN EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION.

19 SECTION 7. SECTIONS 1308 HEADING, (A), (B), (B.1), (D), (E),
20 (F), (G) (1), (2), (3), (4) AND (5) AND (H) AND 1309 OF THE ACT
21 ARE AMENDED TO READ:

22 SECTION 1308. CANVASSING OF OFFICIAL ABSENTEE BALLOTS AND
23 MAIL-IN BALLOTS.--(A) THE COUNTY BOARDS OF ELECTION, UPON
24 RECEIPT OF OFFICIAL ABSENTEE BALLOTS IN [SUCH] SEALED OFFICIAL
25 ABSENTEE BALLOT ENVELOPES AS PROVIDED UNDER THIS ARTICLE AND
26 MAIL-IN BALLOTS AS IN SEALED OFFICIAL MAIL-IN BALLOT ENVELOPES
27 AS PROVIDED UNDER ARTICLE XIII-D, SHALL SAFELY KEEP THE [SAME]
28 BALLOTS IN SEALED OR LOCKED CONTAINERS UNTIL THEY [DISTRIBUTE
29 SAME TO THE APPROPRIATE LOCAL ELECTION DISTRICTS IN A MANNER
30 PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH.

1 EXCEPT AS PROVIDED IN SECTION 1302.1(A.2), THE COUNTY BOARD
2 OF ELECTIONS SHALL THEN DISTRIBUTE THE ABSENTEE BALLOTS,
3 UNOPENED, TO THE ABSENTEE VOTER'S RESPECTIVE ELECTION DISTRICT
4 CONCURRENTLY WITH THE DISTRIBUTION OF THE OTHER ELECTION
5 SUPPLIES. ABSENTEE BALLOTS SHALL BE CANVASSED IMMEDIATELY AND
6 CONTINUOUSLY WITHOUT INTERRUPTION UNTIL COMPLETED AFTER THE
7 CLOSE OF THE POLLS ON THE DAY OF THE ELECTION IN EACH ELECTION
8 DISTRICT. THE RESULTS OF THE CANVASS OF THE ABSENTEE BALLOTS
9 SHALL THEN BE INCLUDED IN AND RETURNED TO THE COUNTY BOARD WITH
10 THE RETURNS OF THAT DISTRICT. EXCEPT AS PROVIDED IN SECTION
11 1302.1(A.2) AND SUBSECTION (G), NO ABSENTEE BALLOT SHALL BE
12 COUNTED WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF
13 ELECTION LATER THAN FIVE O'CLOCK P.M. ON THE FRIDAY IMMEDIATELY
14 PRECEDING THE PRIMARY OR NOVEMBER ELECTION.] ARE TO BE CANVASSED
15 BY THE COUNTY BOARD OF ELECTIONS. AN ABSENTEE BALLOT, WHETHER
16 ISSUED TO A CIVILIAN, MILITARY OR OTHER VOTER DURING THE REGULAR
17 OR EMERGENCY APPLICATION PERIOD, SHALL BE CANVASSED IN
18 ACCORDANCE WITH SUBSECTION (G). A MAIL-IN BALLOT SHALL BE
19 CANVASSED IN ACCORDANCE WITH SUBSECTION (G).

20 (B) WATCHERS SHALL BE PERMITTED TO BE PRESENT WHEN THE
21 ENVELOPES CONTAINING OFFICIAL ABSENTEE BALLOTS AND MAIL-IN
22 BALLOTS ARE OPENED AND WHEN SUCH BALLOTS ARE COUNTED AND
23 RECORDED.

24 [(B.1) IN ALL ELECTION DISTRICTS IN WHICH ELECTRONIC VOTING
25 SYSTEMS ARE USED, ABSENTEE BALLOTS SHALL BE OPENED AT THE
26 ELECTION DISTRICT, CHECKED FOR WRITE-IN VOTES IN ACCORDANCE WITH
27 SECTION 1113-A AND THEN EITHER HAND-COUNTED OR COUNTED BY MEANS
28 OF THE AUTOMATIC TABULATION EQUIPMENT, WHATEVER THE CASE MAY
29 BE.]

30 (D) WHENEVER IT SHALL APPEAR BY DUE PROOF THAT ANY ABSENTEE

1 ELECTOR OR MAIL-IN ELECTOR WHO HAS RETURNED HIS BALLOT IN
2 ACCORDANCE WITH THE PROVISIONS OF THIS ACT HAS DIED PRIOR TO THE
3 OPENING OF THE POLLS ON THE DAY OF THE PRIMARY OR ELECTION, THE
4 BALLOT OF SUCH DECEASED ELECTOR SHALL BE REJECTED BY THE
5 CANVASSERS BUT THE COUNTING OF THE BALLOT OF AN ABSENTEE ELECTOR
6 OR A MAIL-IN ELECTOR THUS DECEASED SHALL NOT OF ITSELF
7 INVALIDATE ANY NOMINATION OR ELECTION.

8 [(E) AT SUCH TIME THE LOCAL ELECTION BOARD SHALL THEN
9 FURTHER EXAMINE THE DECLARATION ON EACH ENVELOPE NOT SO SET
10 ASIDE AND SHALL COMPARE THE INFORMATION THEREON WITH THAT
11 CONTAINED IN THE "REGISTERED ABSENTEE VOTERS FILE," THE ABSENTEE
12 VOTERS' LIST AND THE "MILITARY VETERANS AND EMERGENCY CIVILIANS
13 ABSENTEE VOTERS FILE." IF THE LOCAL ELECTION BOARD IS SATISFIED
14 THAT THE DECLARATION IS SUFFICIENT AND THE INFORMATION CONTAINED
15 IN THE "REGISTERED ABSENTEE VOTERS FILE," THE ABSENTEE VOTERS'
16 LIST AND THE "MILITARY VETERANS AND EMERGENCY CIVILIANS ABSENTEE
17 VOTERS FILE" VERIFIES HIS RIGHT TO VOTE, THE LOCAL ELECTION
18 BOARD SHALL ANNOUNCE THE NAME OF THE ELECTOR AND SHALL GIVE ANY
19 WATCHER PRESENT AN OPPORTUNITY TO CHALLENGE ANY ABSENTEE ELECTOR
20 UPON THE GROUND OR GROUNDS (1) THAT THE ABSENTEE ELECTOR IS NOT
21 A QUALIFIED ELECTOR; OR (2) THAT THE ABSENTEE ELECTOR WAS WITHIN
22 THE MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY OR
23 ELECTION DURING THE PERIOD THE POLLS WERE OPEN, EXCEPT WHERE HE
24 WAS IN MILITARY SERVICE OR EXCEPT IN THE CASE WHERE HIS BALLOT
25 WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR
26 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL
27 DISABILITY; OR (3) THAT THE ABSENTEE ELECTOR WAS ABLE TO APPEAR
28 PERSONALLY AT THE POLLING PLACE ON THE DAY OF THE PRIMARY OR
29 ELECTION DURING THE PERIOD THE POLLS WERE OPEN IN THE CASE HIS
30 BALLOT WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR

1 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL
2 DISABILITY. UPON CHALLENGE OF ANY ABSENTEE ELECTOR, AS SET FORTH
3 HEREIN THE LOCAL ELECTION BOARD SHALL MARK "CHALLENGED" ON THE
4 ENVELOPE TOGETHER WITH THE REASON OR REASONS THEREFOR, AND THE
5 SAME SHALL BE SET ASIDE FOR RETURN TO THE COUNTY BOARD UNOPENED
6 PENDING DECISION BY THE COUNTY BOARD AND SHALL NOT BE COUNTED.
7 ALL ABSENTEE BALLOTS NOT CHALLENGED FOR ANY OF THE REASONS
8 PROVIDED HEREIN SHALL BE COUNTED AND INCLUDED WITH THE GENERAL
9 RETURN OF PAPER BALLOTS OR VOTING MACHINES, AS THE CASE MAY BE
10 AS FOLLOWS. THEREUPON, THE LOCAL ELECTION BOARD SHALL OPEN THE
11 ENVELOPE OF EVERY UNCHALLENGED ABSENTEE ELECTOR IN SUCH MANNER
12 AS NOT TO DESTROY THE DECLARATION EXECUTED THEREON. ALL OF SUCH
13 ENVELOPES ON WHICH ARE PRINTED, STAMPED OR ENDORSED THE WORDS
14 "OFFICIAL ABSENTEE BALLOT" SHALL BE PLACED IN ONE OR MORE
15 DEPOSITORIES AT ONE TIME AND SAID DEPOSITORY OR DEPOSITORIES
16 WELL SHAKEN AND THE ENVELOPES MIXED BEFORE ANY ENVELOPE IS TAKEN
17 THEREFROM. IF ANY OF THESE ENVELOPES SHALL CONTAIN ANY
18 EXTRANEOUS MARKS OR IDENTIFYING SYMBOLS OTHER THAN THE WORDS
19 "OFFICIAL ABSENTEE BALLOT," THE ENVELOPES AND THE BALLOTS
20 CONTAINED THEREIN SHALL BE SET ASIDE AND DECLARED VOID. THE
21 LOCAL ELECTION BOARD SHALL THEN BREAK THE SEALS OF SUCH
22 ENVELOPES, REMOVE THE BALLOTS AND RECORD THE VOTES IN THE SAME
23 MANNER AS DISTRICT ELECTION OFFICERS ARE REQUIRED TO RECORD
24 VOTES. WITH RESPECT TO THE CHALLENGED BALLOTS, THEY SHALL BE
25 RETURNED TO THE COUNTY BOARD WITH THE RETURNS OF THE LOCAL
26 ELECTION DISTRICT WHERE THEY SHALL BE PLACED UNOPENED IN A
27 SECURE, SAFE AND SEALED CONTAINER IN THE CUSTODY OF THE COUNTY
28 BOARD UNTIL IT SHALL FIX A TIME AND PLACE FOR A FORMAL HEARING
29 OF ALL SUCH CHALLENGES AND NOTICE SHALL BE GIVEN WHERE POSSIBLE
30 TO ALL ABSENTEE ELECTORS THUS CHALLENGED AND TO EVERY ATTORNEY,

1 WATCHER OR CANDIDATE WHO MADE SUCH CHALLENGE. THE TIME FOR THE
2 HEARING SHALL NOT BE LATER THAN SEVEN (7) DAYS AFTER THE DATE OF
3 SAID CHALLENGE. ON THE DAY FIXED FOR SAID HEARING, THE COUNTY
4 BOARD SHALL PROCEED WITHOUT DELAY TO HEAR SAID CHALLENGES AND,
5 IN HEARING THE TESTIMONY, THE COUNTY BOARD SHALL NOT BE BOUND BY
6 TECHNICAL RULES OF EVIDENCE. THE TESTIMONY PRESENTED SHALL BE
7 STENOGRAPHICALLY RECORDED AND MADE PART OF THE RECORD OF THE
8 HEARING. THE DECISION OF THE COUNTY BOARD IN UPHOLDING OR
9 DISMISSING ANY CHALLENGE MAY BE REVIEWED BY THE COURT OF COMMON
10 PLEAS OF THE COUNTY UPON A PETITION FILED BY ANY PERSON
11 AGGRIEVED BY THE DECISION OF THE COUNTY BOARD. SUCH APPEAL SHALL
12 BE TAKEN, WITHIN TWO (2) DAYS AFTER SUCH DECISION SHALL HAVE
13 BEEN MADE, WHETHER REDUCED TO WRITING OR NOT, TO THE COURT OF
14 COMMON PLEAS SETTING FORTH THE OBJECTIONS TO THE COUNTY BOARD'S
15 DECISION AND PRAYING FOR AN ORDER REVERSING SAME. PENDING THE
16 FINAL DETERMINATION OF ALL APPEALS, THE COUNTY BOARD SHALL
17 SUSPEND ANY ACTION IN CANVASSING AND COMPUTING ALL CHALLENGED
18 BALLOTS IRRESPECTIVE OF WHETHER OR NOT APPEAL WAS TAKEN FROM THE
19 COUNTY BOARD'S DECISION. UPON COMPLETION OF THE COMPUTATION OF
20 THE RETURNS OF THE COUNTY, THE VOTES CAST UPON THE CHALLENGED
21 OFFICIAL ABSENTEE BALLOTS SHALL BE ADDED TO THE OTHER VOTES CAST
22 WITHIN THE COUNTY.]

23 (F) ANY PERSON CHALLENGING AN APPLICATION FOR AN ABSENTEE
24 BALLOT [OR], AN ABSENTEE BALLOT, AN APPLICATION FOR A MAIL-IN
25 BALLOT OR A MAIL-IN BALLOT FOR ANY OF THE REASONS PROVIDED IN
26 THIS ACT SHALL DEPOSIT THE SUM OF TEN DOLLARS (\$10.00) IN CASH
27 WITH THE [LOCAL ELECTION] COUNTY BOARD, [IN CASES OF CHALLENGES
28 MADE TO THE LOCAL ELECTION BOARD AND WITH THE COUNTY BOARD IN
29 CASES OF CHALLENGES MADE TO THE COUNTY BOARD FOR WHICH HE SHALL
30 BE ISSUED A RECEIPT FOR EACH CHALLENGE MADE,] WHICH SUM SHALL

1 ONLY BE REFUNDED IF THE CHALLENGE IS SUSTAINED OR IF THE
2 CHALLENGE IS WITHDRAWN WITHIN FIVE (5) DAYS AFTER THE PRIMARY OR
3 ELECTION. IF THE CHALLENGE IS DISMISSED BY ANY LAWFUL ORDER THEN
4 THE DEPOSIT SHALL BE FORFEITED. [ALL DEPOSIT MONEY RECEIVED BY
5 THE LOCAL ELECTION BOARD SHALL BE TURNED OVER TO THE COUNTY
6 BOARD SIMULTANEOUSLY WITH THE RETURN OF THE CHALLENGED BALLOTS.]
7 THE COUNTY BOARD SHALL DEPOSIT ALL DEPOSIT MONEY IN THE GENERAL
8 FUND OF THE COUNTY.

9 NOTICE OF THE REQUIREMENTS OF SUBSECTION (B) OF SECTION 1306
10 SHALL BE PRINTED ON THE ENVELOPE FOR THE ABSENTEE BALLOT OR
11 MAIL-IN BALLOT.

12 (G) (1) (I) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE
13 ELECTOR AS DEFINED IN SECTION 1301(A), (B), (C), (D), (E), (F),
14 (G) AND (H) [WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD
15 OF ELECTIONS AFTER FIVE O'CLOCK P.M. ON THE FRIDAY IMMEDIATELY
16 PRECEDING THE ELECTION AND NO LATER THAN FIVE O'CLOCK P.M. ON
17 THE SEVENTH DAY FOLLOWING AN ELECTION] SHALL BE CANVASSED IN
18 ACCORDANCE WITH THIS SUBSECTION IF [THE ABSENTEE BALLOT IS
19 POSTMARKED NO LATER THAN THE DAY IMMEDIATELY PRECEDING THE
20 ELECTION.] THE BALLOT IS CAST, SUBMITTED AND RECEIVED IN
21 ACCORDANCE WITH THE PROVISIONS OF 25 PA.C.S. CH. 35 (RELATING TO
22 UNIFORM MILITARY AND OVERSEAS VOTERS).

23 (II) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE ELECTOR AS
24 DEFINED IN SECTION 1301(I), (J), (K), (L), (M) AND (N), AN
25 ABSENTEE BALLOT UNDER SECTION 1302(A.3) OR A MAIL-IN BALLOT CAST
26 BY A MAIL-IN ELECTOR SHALL BE CANVASSED IN ACCORDANCE WITH THIS
27 SUBSECTION IF THE ABSENTEE BALLOT OR MAIL-IN BALLOT IS RECEIVED
28 IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NO LATER THAN
29 EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION.

30 (2) THE COUNTY BOARD OF ELECTIONS SHALL MEET [ON THE EIGHTH

1 DAY FOLLOWING THE ELECTION TO CANVASS] NO EARLIER THAN THE CLOSE
2 OF POLLS ON THE DAY OF THE ELECTION AND NO LATER THAN THE THIRD
3 DAY FOLLOWING THE ELECTION TO BEGIN CANVASSING THE ABSENTEE
4 BALLOTS AND MAIL-IN BALLOTS RECEIVED UNDER THIS SUBSECTION AND
5 SUBSECTION (H) (2). THE CANVASS SHALL CONTINUE THROUGH THE EIGHTH
6 DAY FOLLOWING THE ELECTION. ONE AUTHORIZED REPRESENTATIVE OF
7 EACH CANDIDATE IN AN ELECTION AND ONE REPRESENTATIVE FROM EACH
8 POLITICAL PARTY SHALL BE PERMITTED TO REMAIN IN THE ROOM IN
9 WHICH THE ABSENTEE BALLOTS AND MAIL-IN BALLOTS ARE CANVASSED.
10 REPRESENTATIVES SHALL BE PERMITTED TO CHALLENGE ANY ABSENTEE
11 ELECTOR OR MAIL-IN ELECTOR IN ACCORDANCE WITH THE PROVISIONS OF
12 PARAGRAPH (3).

13 (3) WHEN THE COUNTY BOARD MEETS TO CANVASS ABSENTEE BALLOTS
14 AND MAIL-IN BALLOTS UNDER PARAGRAPH (2), THE BOARD SHALL EXAMINE
15 THE DECLARATION ON THE ENVELOPE OF EACH BALLOT NOT SET ASIDE
16 UNDER SUBSECTION (D) AND SHALL COMPARE THE INFORMATION THEREON
17 WITH THAT CONTAINED IN THE "REGISTERED ABSENTEE AND MAIL-IN
18 VOTERS FILE," THE ABSENTEE VOTERS' LIST AND/OR THE "MILITARY
19 VETERANS AND EMERGENCY CIVILIANS ABSENTEE VOTERS FILE,"
20 WHICHEVER IS APPLICABLE. IF THE COUNTY BOARD HAS VERIFIED THE
21 PROOF OF IDENTIFICATION AS REQUIRED UNDER THIS ACT AND IS
22 SATISFIED THAT THE DECLARATION IS SUFFICIENT AND THE INFORMATION
23 CONTAINED IN THE "REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE,"
24 THE ABSENTEE VOTERS' LIST AND/OR THE "MILITARY VETERANS AND
25 EMERGENCY CIVILIANS ABSENTEE VOTERS FILE" VERIFIES HIS RIGHT TO
26 VOTE, THE COUNTY BOARD SHALL ANNOUNCE THE NAME OF THE ELECTOR
27 AND SHALL GIVE ANY CANDIDATE REPRESENTATIVE OR PARTY
28 REPRESENTATIVE PRESENT AN OPPORTUNITY TO CHALLENGE ANY ABSENTEE
29 ELECTOR OR MAIL-IN ELECTOR UPON THE GROUND OR GROUNDS: (I) THAT
30 THE ABSENTEE ELECTOR OR MAIL-IN ELECTOR IS NOT A QUALIFIED

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1 ELECTOR; OR [(II) THAT THE ABSENTEE ELECTOR WAS WITHIN THE
 2 MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY OR
 3 ELECTION DURING THE PERIOD THE POLLS WERE OPEN, EXCEPT WHERE HE
 4 WAS IN THE MILITARY SERVICE OR EXCEPT IN THE CASE WHERE HIS
 5 BALLOT WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR
 6 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL
 7 DISABILITY; OR] (III) THAT THE ABSENTEE ELECTOR WAS ABLE TO
 8 APPEAR PERSONALLY AT THE POLLING PLACE ON THE DAY OF THE PRIMARY
 9 OR ELECTION DURING THE PERIOD THE POLLS WERE OPEN IN THE CASE
 10 HIS BALLOT WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO
 11 APPEAR PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR
 12 PHYSICAL DISABILITY. UPON CHALLENGE OF ANY ABSENTEE ELECTOR, AS
 13 SET FORTH HEREIN, THE BOARD SHALL MARK "CHALLENGED" ON THE
 14 ENVELOPE TOGETHER WITH THE REASONS THEREFOR, AND THE SAME SHALL
 15 BE SET ASIDE UNOPENED PENDING FINAL DETERMINATION OF THE
 16 CHALLENGE ACCORDING TO THE PROCEDURE DESCRIBED IN PARAGRAPH (5).

17 (4) ALL ABSENTEE BALLOTS AND MAIL-IN BALLOTS NOT CHALLENGED
 18 FOR ANY OF THE REASONS PROVIDED IN PARAGRAPH (3) SHALL BE
 19 COUNTED AND INCLUDED WITH THE RETURNS OF THE APPLICABLE ELECTION
 20 DISTRICT AS FOLLOWS[.]:

21 (I) THE COUNTY BOARD SHALL OPEN THE ENVELOPE OF EVERY
 22 UNCHALLENGED ABSENTEE ELECTOR AND MAIL-IN ELECTOR IN SUCH MANNER
 23 AS NOT TO DESTROY THE DECLARATION EXECUTED THEREON.

24 (II) IF ANY OF THE ENVELOPES ON WHICH ARE PRINTED, STAMPED
 25 OR ENDORSED THE WORDS "OFFICIAL ABSENTEE BALLOT" OR "OFFICIAL
 26 MAIL-IN BALLOT" CONTAIN ANY EXTRANEIOUS MARKS OR IDENTIFYING
 27 SYMBOLS, THE ENVELOPES AND THE BALLOTS CONTAINED THEREIN SHALL
 28 BE SET ASIDE AND DECLARED VOID.

29 (III) THE COUNTY BOARD SHALL THEN BREAK THE SEALS OF SUCH
 30 ENVELOPES, REMOVE THE BALLOTS AND RECORD THE VOTES.

1 (5) WITH RESPECT TO THE CHALLENGED BALLOTS, THEY SHALL BE
2 PLACED UNOPENED IN A SECURE, SAFE AND SEALED CONTAINER IN THE
3 CUSTODY OF THE COUNTY BOARD UNTIL IT SHALL FIX A TIME AND PLACE
4 FOR A FORMAL HEARING OF ALL SUCH CHALLENGES, AND NOTICE SHALL BE
5 GIVEN WHERE POSSIBLE TO ALL ABSENTEE ELECTORS AND MAIL-IN
6 ELECTORS THUS CHALLENGED AND TO EVERY INDIVIDUAL WHO MADE A
7 CHALLENGE. THE TIME FOR THE HEARING SHALL NOT BE LATER THAN FIVE
8 (5) DAYS AFTER THE DATE OF THE CHALLENGE. ON THE DAY FIXED FOR
9 SAID HEARING, THE COUNTY BOARD SHALL PROCEED WITHOUT DELAY TO
10 HEAR SAID CHALLENGES, AND, IN HEARING THE TESTIMONY, THE COUNTY
11 BOARD SHALL NOT BE BOUND BY THE PENNSYLVANIA RULES OF EVIDENCE.
12 THE TESTIMONY PRESENTED SHALL BE STENOGRAPHICALLY RECORDED AND
13 MADE PART OF THE RECORD OF THE HEARING.

14 * * *

15 (H) FOR THOSE ABSENTEE BALLOTS OR MAIL-IN BALLOTS FOR WHICH
16 PROOF OF IDENTIFICATION HAS NOT BEEN RECEIVED OR COULD NOT BE
17 VERIFIED:

18 [(1) IF THE PROOF OF IDENTIFICATION IS RECEIVED AND VERIFIED <--
19 BY THE COUNTY BOARD OF ELECTIONS PRIOR TO THE DISTRIBUTION OF
20 THE ABSENTEE BALLOTS OR MAIL-IN BALLOTS TO THE LOCAL ELECTION <--
21 DISTRICTS, THEN THE COUNTY SHALL DISTRIBUTE THE ABSENTEE BALLOTS
22 AND MAIL-IN BALLOTS FOR WHICH PROOF OF IDENTIFICATION IS <--
23 RECEIVED AND VERIFIED, ALONG WITH THE OTHER ABSENTEE BALLOTS AND <--
24 MAIL-IN BALLOTS, TO THE ABSENTEE VOTER'S RESPECTIVE ELECTION
25 DISTRICT OR THE MAIL-IN VOTER'S RESPECTIVE ELECTION DISTRICT. IF <--
26 THE COUNTY BOARD OF ELECTIONS DOES NOT RECEIVE OR IS NOT ABLE TO
27 VERIFY THE PROOF OF IDENTIFICATION FOR AN ELECTOR PRIOR TO THE
28 ABSENTEE BALLOTS' OR MAIL-IN BALLOTS! BEING SENT TO THE <--
29 APPROPRIATE LOCAL ELECTION DISTRICTS, THE COUNTY BOARD SHALL
30 KEEP THE ABSENTEE BALLOT OR MAIL-IN BALLOT AND FOLLOW THE <--

1 PROCEDURES SET FORTH IN PARAGRAPH (2) OR (3), WHICHEVER IS
2 APPLICABLE.] <--

3 (2) IF THE PROOF OF IDENTIFICATION IS RECEIVED AND VERIFIED
4 [AFTER THE ABSENTEE BALLOTS ~~AND MAIL-IN BALLOTS~~ HAVE BEEN <--
5 DISTRIBUTED TO THE APPROPRIATE LOCAL ELECTION DISTRICTS, BUT] <--
6 PRIOR TO THE SIXTH CALENDAR DAY FOLLOWING THE ELECTION, THEN THE
7 COUNTY BOARD OF ELECTIONS SHALL CANVASS THE ABSENTEE BALLOTS AND
8 MAIL-IN BALLOTS UNDER THIS SUBSECTION IN ACCORDANCE WITH
9 SUBSECTION (G) (2) [, UNLESS THE ELECTOR APPEARED TO VOTE AT THE <--
10 PROPER POLLING PLACE FOR THE PURPOSE OF CASTING A BALLOT, THEN
11 THE ABSENTEE BALLOT ~~OR MAIL-IN BALLOT~~ CAST BY THAT ELECTOR SHALL <--
12 BE DECLARED VOID] . <--

13 (3) IF AN ELECTOR FAILS TO PROVIDE PROOF OF IDENTIFICATION
14 THAT CAN BE VERIFIED BY THE COUNTY BOARD OF ELECTIONS BY THE
15 SIXTH CALENDAR DAY FOLLOWING THE ELECTION, THEN THE ABSENTEE
16 BALLOT OR MAIL-IN BALLOT SHALL NOT BE COUNTED.

17 * * *

18 SECTION 1309. PUBLIC RECORDS.--(A) ALL OFFICIAL ABSENTEE
19 BALLOTS, FILES, APPLICATIONS FOR SUCH BALLOTS AND ENVELOPES ON
20 WHICH THE EXECUTED DECLARATIONS APPEAR, AND ALL INFORMATION AND
21 LISTS ARE HEREBY DESIGNATED AND DECLARED TO BE PUBLIC RECORDS
22 AND SHALL BE SAFELY KEPT FOR A PERIOD OF TWO YEARS, EXCEPT THAT
23 NO PROOF OF IDENTIFICATION SHALL BE MADE PUBLIC, NOR SHALL
24 INFORMATION CONCERNING A MILITARY ELECTOR BE MADE PUBLIC WHICH
25 IS EXPRESSLY FORBIDDEN BY THE DEPARTMENT OF DEFENSE BECAUSE OF
26 MILITARY SECURITY.

27 (B) FOR EACH ELECTION, THE COUNTY BOARD SHALL MAINTAIN A
28 RECORD OF THE FOLLOWING INFORMATION, IF APPLICABLE, FOR EACH
29 ELECTOR WHO MAKES APPLICATION FOR AN ABSENTEE BALLOT:

30 (1) THE ELECTOR'S NAME AND VOTER REGISTRATION ADDRESS.

1 (2) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS RECEIVED
2 BY THE COUNTY BOARD.

3 (3) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS APPROVED
4 OR REJECTED BY THE COUNTY BOARD.

5 (4) THE DATE ON WHICH THE COUNTY BOARD MAILS OR DELIVERS THE
6 ABSENTEE BALLOT TO THE ELECTOR.

7 (5) THE DATE ON WHICH THE ELECTOR'S COMPLETED ABSENTEE
8 BALLOT IS RECEIVED BY THE COUNTY BOARD.

9 ~~(6) THE DATE OF THE POSTMARK ON THE MAILING ENVELOPE OF THE~~ <--
10 ~~ELECTOR'S COMPLETED ABSENTEE BALLOT.~~

11 (C) THE COUNTY BOARD SHALL COMPILE THE RECORDS LISTED UNDER
12 SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY AVAILABLE UPON
13 REQUEST WITHIN FORTY-EIGHT HOURS.

14 SECTION 8. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

15 ARTICLE XIII-D
16 VOTING BY QUALIFIED MAIL-IN ELECTORS
17 SECTION 1301-D. QUALIFIED MAIL-IN ELECTORS.

18 (A) GENERAL RULE.--THE FOLLOWING INDIVIDUALS SHALL BE
19 ENTITLED TO VOTE BY AN OFFICIAL MAIL-IN BALLOT IN ANY PRIMARY OR
20 ELECTION HELD IN THIS COMMONWEALTH IN THE MANNER PROVIDED UNDER
21 THIS ARTICLE:

22 (1) ANY QUALIFIED ELECTOR WHO IS NOT ELIGIBLE TO BE A
23 QUALIFIED ABSENTEE ELECTOR UNDER ARTICLE XIII.

24 (2) (RESERVED).

25 (B) CONSTRUCTION.--THE TERM "QUALIFIED MAIL-IN ELECTOR"
26 SHALL NOT BE CONSTRUED TO INCLUDE A PERSON NOT OTHERWISE
27 QUALIFIED AS A QUALIFIED ELECTOR IN ACCORDANCE WITH THE
28 DEFINITION IN SECTION 102(T).

29 SECTION 1302-D. APPLICATIONS FOR OFFICIAL MAIL-IN BALLOTS.

30 (A) GENERAL RULE.--A QUALIFIED ELECTOR UNDER SECTION 1301-D

1 MAY APPLY AT ANY TIME BEFORE ANY PRIMARY OR ELECTION FOR AN
2 OFFICIAL MAIL-IN BALLOT IN PERSON OR ON ANY OFFICIAL COUNTY
3 BOARD OF ELECTION FORM ADDRESSED TO THE SECRETARY OF THE
4 COMMONWEALTH OR THE COUNTY BOARD OF ELECTION OF THE COUNTY IN
5 WHICH THE QUALIFIED ELECTOR'S VOTING RESIDENCE IS LOCATED.

6 (B) CONTENT.--THE FOLLOWING SHALL APPLY:

7 (1) THE QUALIFIED ELECTOR'S APPLICATION SHALL CONTAIN
8 THE FOLLOWING INFORMATION:

9 (I) ~~LENGTH OF TIME A CITIZEN.~~ <--

10 ~~(II) LENGTH OF RESIDENCE IN THIS COMMONWEALTH.~~

11 ~~(III) DATE OF BIRTH.~~

12 ~~(IV) (II) LENGTH OF TIME A RESIDENT OF VOTING~~ <--
13 DISTRICT.

14 ~~(V) (III) VOTING DISTRICT, IF KNOWN.~~ <--

15 ~~(VI) (IV) PARTY CHOICE IN CASE OF PRIMARY.~~ <--

16 ~~(VII) (V) NAME.~~ <--

17 (2) A QUALIFIED ELECTOR SHALL, IN ADDITION, SPECIFY THE
18 ADDRESS TO WHICH THE BALLOT IS TO BE SENT, THE RELATIONSHIP
19 WHERE NECESSARY AND OTHER INFORMATION AS MAY BE DETERMINED BY
20 THE SECRETARY OF THE COMMONWEALTH.

21 (3) WHEN AN APPLICATION IS RECEIVED BY THE SECRETARY OF
22 THE COMMONWEALTH IT SHALL BE FORWARDED TO THE PROPER COUNTY
23 BOARD OF ELECTION.

24 (C) SIGNATURE REQUIRED.--EXCEPT AS PROVIDED IN SUBSECTION

25 (D), THE APPLICATION OF A QUALIFIED ELECTOR UNDER SECTION 1301-D
26 FOR AN OFFICIAL MAIL-IN BALLOT IN ANY PRIMARY OR ELECTION SHALL
27 BE SIGNED BY THE APPLICANT.

28 (D) SIGNATURE NOT REQUIRED.--IF ANY ELECTOR ENTITLED TO A
29 MAIL-IN BALLOT UNDER THIS SECTION IS UNABLE TO SIGN THE
30 APPLICATION BECAUSE OF ILLNESS OR PHYSICAL DISABILITY, THE

1 ELECTOR SHALL BE EXCUSED FROM SIGNING UPON MAKING A STATEMENT
2 WHICH SHALL BE WITNESSED BY ONE ADULT PERSON IN SUBSTANTIALLY
3 THE FOLLOWING FORM:

4 I HEREBY STATE THAT I AM UNABLE TO SIGN MY APPLICATION
5 FOR A MAIL-IN BALLOT WITHOUT ASSISTANCE BECAUSE I AM
6 UNABLE TO WRITE BY REASON OF MY ILLNESS OR PHYSICAL
7 DISABILITY. I HAVE MADE OR HAVE RECEIVED ASSISTANCE IN
8 MAKING MY MARK IN LIEU OF MY SIGNATURE.

9 (MARK)

10 (DATE)

11 (COMPLETE ADDRESS OF WITNESS)

12 (SIGNATURE OF WITNESS)

13 (E) NUMBERING.--THE COUNTY BOARD OF ELECTIONS SHALL NUMBER,
14 IN CHRONOLOGICAL ORDER, THE APPLICATIONS FOR AN OFFICIAL MAIL-IN
15 BALLOT, WHICH NUMBER SHALL LIKEWISE APPEAR ON THE OFFICIAL MAIL-
16 IN BALLOT FOR THE QUALIFIED ELECTOR. THE NUMBERS SHALL APPEAR
17 LEGIBLY AND IN A CONSPICUOUS PLACE BUT BEFORE THE BALLOTS ARE
18 DISTRIBUTED, THE NUMBER ON THE BALLOT SHALL BE TORN OFF BY THE
19 COUNTY BOARD OF ELECTION. THE NUMBER INFORMATION SHALL BE
20 APPROPRIATELY INSERTED AND BECOME A PART OF THE REGISTERED
21 ABSENTEE AND MAIL-IN VOTERS FILE PROVIDED UNDER SECTION 1302.3.

22 (F) FORM.--APPLICATION FOR AN OFFICIAL MAIL-IN BALLOT SHALL
23 BE ON PHYSICAL AND ELECTRONIC FORMS PRESCRIBED BY THE SECRETARY
24 OF THE COMMONWEALTH. THE APPLICATION SHALL STATE THAT A VOTER
25 WHO RECEIVES AND VOTES A MAIL-IN BALLOT UNDER SECTION 1301-D
26 SHALL NOT BE ELIGIBLE TO VOTE AT A POLLING PLACE ON ELECTION
27 DAY. THE PHYSICAL APPLICATION FORMS SHALL BE MADE FREELY
28 AVAILABLE TO THE PUBLIC AT COUNTY BOARD OF ELECTIONS, MUNICIPAL
29 BUILDINGS AND AT OTHER LOCATIONS DESIGNATED BY THE SECRETARY OF
30 THE COMMONWEALTH. THE ELECTRONIC APPLICATION FORMS SHALL BE MADE

1 FREELY AVAILABLE TO THE PUBLIC THROUGH PUBLICLY ACCESSIBLE
2 MEANS. NO WRITTEN APPLICATION OR PERSONAL REQUEST SHALL BE
3 NECESSARY TO RECEIVE OR ACCESS THE APPLICATION FORMS. COPIES AND
4 RECORDS OF ALL COMPLETED PHYSICAL AND ELECTRONIC APPLICATIONS
5 FOR OFFICIAL MAIL-IN BALLOTS SHALL BE RETAINED BY THE COUNTY
6 BOARD OF ELECTIONS.

7 (G) PERMANENT MAIL-IN VOTING LIST.--

8 (1) ANY QUALIFIED REGISTERED ELECTOR MAY REQUEST TO BE
9 PLACED ON A PERMANENT MAIL-IN BALLOT LIST FILE. A MAIL-IN
10 BALLOT APPLICATION SHALL BE MAILED TO EVERY PERSON OTHERWISE
11 ELIGIBLE TO RECEIVE A MAIL-IN BALLOT APPLICATION BY THE FIRST
12 MONDAY IN FEBRUARY EACH YEAR, SO LONG AS THE PERSON DOES NOT
13 LOSE THE PERSON'S VOTING RIGHTS BY FAILURE TO VOTE AS
14 OTHERWISE REQUIRED BY THIS ACT. A MAIL-IN BALLOT APPLICATION
15 MAILED TO A VOTER UNDER THIS SECTION, WHICH IS COMPLETED AND
16 TIMELY RETURNED BY THE VOTER, SHALL SERVE AS AN APPLICATION
17 FOR ANY AND ALL PRIMARY, GENERAL OR SPECIAL ELECTIONS TO BE
18 HELD IN THE REMAINDER OF THAT CALENDAR YEAR AND FOR ALL
19 SPECIAL ELECTIONS TO BE HELD BEFORE THE THIRD MONDAY IN
20 FEBRUARY OF THE SUCCEEDING YEAR.

21 (2) THE SECRETARY OF THE COMMONWEALTH MAY DEVELOP AN
22 ELECTRONIC SYSTEM THROUGH WHICH ALL QUALIFIED ELECTORS MAY
23 APPLY FOR A MAIL-IN BALLOT AND REQUEST PERMANENT MAIL-IN
24 VOTER STATUS UNDER THIS SECTION, PROVIDED THE SYSTEM IS ABLE
25 TO CAPTURE A DIGITIZED OR ELECTRONIC SIGNATURE OF THE
26 APPLICANT. A COUNTY BOARD OF ELECTIONS SHALL TREAT AN
27 APPLICATION OR REQUEST RECEIVED THROUGH THE ELECTRONIC SYSTEM
28 AS IF THE APPLICATION OR REQUEST HAD BEEN SUBMITTED ON A
29 PAPER FORM OR ANY OTHER FORMAT USED BY THE COUNTY.

30 SECTION 1302.1-D. DATE OF APPLICATION FOR MAIL-IN BALLOT.

1 (A) GENERAL RULE.--APPLICATIONS FOR MAIL-IN BALLOTS SHALL BE
2 RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NOT
3 EARLIER THAN 50 DAYS BEFORE THE PRIMARY OR ELECTION, EXCEPT THAT
4 IF A COUNTY BOARD OF ELECTIONS DETERMINES THAT IT WOULD BE
5 APPROPRIATE TO THE COUNTY BOARD OF ELECTIONS' OPERATIONAL NEEDS,
6 ANY APPLICATIONS FOR MAIL-IN BALLOTS RECEIVED MORE THAN 50 DAYS
7 BEFORE THE PRIMARY OR ELECTION MAY BE PROCESSED BEFORE THAT
8 TIME. APPLICATIONS FOR MAIL-IN BALLOTS SHALL BE PROCESSED IF
9 RECEIVED NOT LATER THAN FIVE O'CLOCK P.M. OF THE FIRST TUESDAY
10 PRIOR TO THE DAY OF ANY PRIMARY OR ELECTION.

11 (B) EARLY APPLICATIONS.--IN THE CASE OF AN ELECTOR WHOSE
12 APPLICATION FOR A MAIL-IN BALLOT IS RECEIVED BY THE OFFICE OF
13 THE COUNTY BOARD OF ELECTIONS EARLIER THAN 50 DAYS BEFORE THE
14 PRIMARY OR ELECTION, THE APPLICATION SHALL BE HELD AND PROCESSED
15 UPON COMMENCEMENT OF THE 50-DAY PERIOD OR AT SUCH EARLIER TIME
16 AS THE COUNTY BOARD OF ELECTIONS DETERMINES MAY BE APPROPRIATE.
17 SECTION 1302.2-D. APPROVAL OF APPLICATION FOR MAIL-IN BALLOT.

18 (A) APPROVAL PROCESS.--THE COUNTY BOARD OF ELECTIONS, UPON
19 RECEIPT OF ANY APPLICATION OF A QUALIFIED ELECTOR UNDER SECTION
20 1301-D, SHALL DETERMINE THE QUALIFICATIONS OF THE APPLICANT BY
21 VERIFYING THE PROOF OF IDENTIFICATION AND COMPARING THE
22 INFORMATION PROVIDED ON THE APPLICATION WITH THE INFORMATION
23 CONTAINED ON THE APPLICANT'S PERMANENT REGISTRATION CARD. THE
24 FOLLOWING SHALL APPLY:

25 (1) IF THE BOARD IS SATISFIED THAT THE APPLICANT IS
26 QUALIFIED TO RECEIVE AN OFFICIAL MAIL-IN BALLOT, THE
27 APPLICATION SHALL BE MARKED "APPROVED."

28 (2) THE APPROVAL DECISION SHALL BE FINAL AND BINDING,
29 EXCEPT THAT CHALLENGES MAY BE MADE ONLY ON THE GROUNDS THAT
30 THE APPLICANT DID NOT POSSESS THE QUALIFICATIONS OF A MAIL-IN

1 ELECTOR.

2 (3) CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF
3 ELECTIONS PRIOR TO THE APPLICABLE DEADLINE FOR THE MAIL-IN
4 BALLOTS TO BE RECEIVED, AS PROVIDED IN SECTION 1308(G).

5 (4) WHEN APPROVED, THE REGISTRATION COMMISSION SHALL
6 CAUSE A MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD TO BE
7 INSERTED IN THE DISTRICT REGISTER ON TOP OF AND ALONG WITH
8 THE PERMANENT REGISTRATION CARD.

9 (5) THE MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD
10 SHALL BE IN THE COLOR AND FORM PRESCRIBED UNDER SUBSECTION
11 (D).

12 (B) DUTIES OF COUNTY BOARDS OF ELECTIONS AND REGISTRATION
13 COMMISSIONS.--THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND
14 THE REGISTRATION COMMISSIONS WITH RESPECT TO THE INSERTION OF
15 THE MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD OF ANY ELECTOR
16 FROM THE DISTRICT REGISTER AS PROVIDED UNDER THIS SECTION SHALL
17 INCLUDE ONLY THE APPLICATIONS AS ARE RECEIVED ON OR BEFORE THE
18 FIRST TUESDAY PRIOR TO THE PRIMARY OR ELECTION.

19 (C) NOTICE.--IN THE EVENT THAT AN APPLICATION FOR AN
20 OFFICIAL MAIL-IN BALLOT IS NOT APPROVED BY THE COUNTY BOARD OF
21 ELECTIONS, THE ELECTOR SHALL BE NOTIFIED IMMEDIATELY WITH A
22 STATEMENT BY THE COUNTY BOARD OF THE REASONS FOR THE
23 DISAPPROVAL. FOR APPLICANTS WHOSE PROOF OF IDENTIFICATION WAS
24 NOT PROVIDED WITH THE APPLICATION OR COULD NOT BE VERIFIED BY
25 THE BOARD, THE BOARD SHALL SEND NOTICE TO THE ELECTOR WITH THE
26 MAIL-IN BALLOT REQUIRING THE ELECTOR TO PROVIDE PROOF OF
27 IDENTIFICATION WITH THE MAIL-IN BALLOT OR THE BALLOT WILL NOT BE
28 COUNTED.

29 (D) TEMPORARY REGISTRATION CARD.--THE MAIL-IN VOTER'S
30 TEMPORARY REGISTRATION CARD SHALL BE IN DUPLICATE AND THE SAME

1 SIZE AS THE PERMANENT REGISTRATION CARD, IN A DIFFERENT AND
2 CONTRASTING COLOR TO THE PERMANENT REGISTRATION CARD AND SHALL
3 CONTAIN THE MAIL-IN VOTER'S NAME AND ADDRESS AND SHALL
4 CONSPICUOUSLY CONTAIN THE WORDS "MAIL-IN VOTER."

5 SECTION 1302.3-D. MAIL-IN ELECTORS FILES AND LISTS.

6 THE COUNTY BOARD OF ELECTIONS SHALL MAINTAIN AT ITS OFFICE A
7 FILE CONTAINING THE DUPLICATE MAIL-IN VOTER'S TEMPORARY
8 REGISTRATION CARDS OF EVERY REGISTERED ELECTOR TO WHOM A MAIL-IN
9 BALLOT HAS BEEN SENT. THE DUPLICATE MAIL-IN VOTER'S TEMPORARY
10 REGISTRATION CARDS SHALL BE FILED BY ELECTION DISTRICTS AND
11 WITHIN EACH ELECTION DISTRICT IN EXACT ALPHABETICAL ORDER AND
12 INDEXED. THE REGISTRATION CARDS FILED SHALL BE INCLUDED IN THE
13 REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE FOR THE PRIMARY OR
14 ELECTION OF (DATE OF PRIMARY OR ELECTION) UNDER 1302.3(A).

15 SECTION 1303-D. OFFICIAL MAIL-IN ELECTOR BALLOTS.

16 (A) GENERAL RULE.--IN ELECTION DISTRICTS IN WHICH BALLOTS
17 ARE USED, THE BALLOTS FOR USE BY MAIL-IN VOTERS UNDER THIS ACT
18 SHALL BE THE OFFICIAL BALLOTS PRINTED IN ACCORDANCE WITH
19 SECTIONS 1002 AND 1003.

20 (A.1) DUTIES OF COUNTY BOARDS OF ELECTIONS.--THE COUNTY
21 BOARD OF ELECTIONS, WHEN DETACHING THE OFFICIAL BALLOTS FOR
22 MAIL-IN VOTERS, SHALL BE REQUIRED TO INDICATE ON THE STUB OF
23 EACH DETACHED BALLOT THE NAME OF THE APPLICANT TO WHICH THAT
24 PRECISE BALLOT IS BEING SENT. THE COUNTY BOARD OF ELECTIONS
25 SHALL ALSO REMOVE THE NUMBERED STUB FROM EACH BALLOT AND SHALL
26 PRINT, STAMP OR ENDORSE IN RED COLOR ON THE OFFICIAL BALLOTS THE
27 WORDS, "OFFICIAL MAIL-IN BALLOT." THE BALLOTS SHALL BE
28 DISTRIBUTED BY A BOARD AS PROVIDED UNDER THIS SECTION.

29 (B) PREPARATION OF BALLOTS.--IN ELECTION DISTRICTS IN WHICH
30 VOTING MACHINES ARE USED AND IN ELECTION DISTRICTS IN WHICH

1 PAPER BALLOTS ARE USED, THE COUNTY BOARD OF ELECTIONS IN THAT
2 ELECTION DISTRICT WILL NOT PRINT OFFICIAL MAIL-IN BALLOTS IN
3 ACCORDANCE WITH SECTIONS 1002 AND 1003. THE BALLOTS FOR USE BY
4 MAIL-IN VOTERS UNDER THIS SECTION SHALL BE PREPARED SUFFICIENTLY
5 IN ADVANCE BY THE COUNTY BOARD OF ELECTIONS AND SHALL BE
6 DISTRIBUTED BY THE BOARDS AS PROVIDED UNDER THIS ACT. THE
7 BALLOTS SHALL BE MARKED "OFFICIAL MAIL-IN BALLOT" BUT SHALL NOT
8 BE NUMBERED AND SHALL OTHERWISE BE IN SUBSTANTIALLY THE FORM FOR
9 BALLOTS REQUIRED BY ARTICLE X, WHICH FORM SHALL BE PRESCRIBED BY
10 THE SECRETARY OF THE COMMONWEALTH.

11 (C) USE OF BALLOT CARDS.--IN ELECTION DISTRICTS IN WHICH
12 ELECTRONIC VOTING SYSTEMS ARE UTILIZED, THE MAIL-IN BALLOT MAY
13 BE IN THE FORM OF A BALLOT CARD WHICH SHALL BE CLEARLY STAMPED
14 ON THE BALLOT CARD'S FACE "MAIL-IN BALLOT."

15 (D) SPECIAL WRITE-IN MAIL-IN BALLOTS.--IN CASES WHERE THERE
16 IS NOT TIME TO PRINT ON THE BALLOTS THE NAMES OF THE VARIOUS
17 CANDIDATES, THE COUNTY BOARD OF ELECTIONS SHALL PRINT SPECIAL
18 WRITE-IN MAIL-IN BALLOTS WHICH SHALL BE IN SUBSTANTIALLY THE
19 FORM OF OTHER OFFICIAL MAIL-IN BALLOTS, EXCEPT THAT THE SPECIAL
20 WRITE-IN MAIL-IN BALLOTS SHALL CONTAIN BLANK SPACES ONLY UNDER
21 THE TITLES OF THE OFFICES IN WHICH ELECTORS MAY INSERT BY
22 WRITING OR STAMPING THE NAMES OF THE CANDIDATES FOR WHOM THEY
23 DESIRE TO VOTE, AND IN THOSE CASES, THE COUNTY BOARD OF
24 ELECTIONS SHALL FURNISH TO ELECTORS LISTS CONTAINING THE NAMES
25 OF ALL THE CANDIDATES NAMED IN NOMINATION PETITIONS OR WHO HAVE
26 BEEN REGULARLY NOMINATED UNDER THE PROVISIONS OF THIS ACT, FOR
27 THE USE OF THE ELECTORS IN PREPARING THEIR BALLOTS. SPECIAL
28 WRITE-IN MAIL-IN BALLOTS SHALL INCLUDE ALL CONSTITUTIONAL
29 AMENDMENTS AND OTHER QUESTIONS TO BE VOTED ON BY THE ELECTORS.

30 (E) NOTICE.--THE OFFICIAL MAIL-IN VOTER BALLOT SHALL STATE

1 THAT A VOTER WHO RECEIVES A MAIL-IN BALLOT UNDER SECTION 1301-D
2 AND WHOSE MAIL-IN BALLOT IS NOT TIMELY RECEIVED MAY ONLY VOTE ON
3 ELECTION DAY BY PROVISIONAL BALLOT.

4 SECTION 1304-D. ENVELOPES FOR OFFICIAL MAIL-IN BALLOTS.

5 (A) ADDITIONAL ENVELOPES.--THE COUNTY BOARDS OF ELECTION
6 SHALL PROVIDE TWO ADDITIONAL ENVELOPES FOR EACH OFFICIAL MAIL-IN
7 BALLOT OF A SIZE AND SHAPE AS SHALL BE PRESCRIBED BY THE
8 SECRETARY OF THE COMMONWEALTH, IN ORDER TO PERMIT THE PLACING OF
9 ONE WITHIN THE OTHER AND BOTH WITHIN THE MAILING ENVELOPE. ON
10 THE SMALLER OF THE TWO ENVELOPES TO BE ENCLOSED IN THE MAILING
11 ENVELOPE SHALL BE PRINTED, STAMPED OR ENDORSED THE WORDS
12 "OFFICIAL MAIL-IN BALLOT," AND NOTHING ELSE. ON THE LARGER OF
13 THE TWO ENVELOPES, TO BE ENCLOSED WITHIN THE MAILING ENVELOPE,
14 SHALL BE PRINTED THE FORM OF THE DECLARATION OF THE ELECTOR AND
15 THE NAME AND ADDRESS OF THE COUNTY BOARD OF ELECTION OF THE
16 PROPER COUNTY. THE LARGER ENVELOPE SHALL ALSO CONTAIN
17 INFORMATION INDICATING THE LOCAL ELECTION DISTRICT OF THE MAIL-
18 IN VOTER.

19 (B) FORM OF DECLARATION AND ENVELOPE.--THE FORM OF
20 DECLARATION AND ENVELOPE SHALL BE AS PRESCRIBED BY THE SECRETARY
21 OF THE COMMONWEALTH AND SHALL CONTAIN, AMONG OTHER THINGS, A
22 STATEMENT OF THE ELECTOR'S QUALIFICATIONS, TOGETHER WITH A
23 STATEMENT THAT THE ELECTOR HAS NOT ALREADY VOTED IN THE PRIMARY
24 OR ELECTION.

25 (C) MAILING ENVELOPE.--THE MAILING ENVELOPE ADDRESSED TO THE
26 ELECTOR SHALL CONTAIN THE TWO ENVELOPES, THE OFFICIAL MAIL-IN
27 BALLOT, LISTS OF CANDIDATES, WHEN AUTHORIZED BY SECTION 1303-
28 D(B), THE UNIFORM INSTRUCTIONS IN FORM AND SUBSTANCE AS
29 PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH AND NOTHING
30 ELSE.

1 (D) NOTICE.--NOTICE OF THE REQUIREMENTS UNDER SECTION 1306-D
2 SHALL BE PRINTED ON THE ENVELOPE FOR THE MAIL-IN BALLOT.
3 SECTION 1305-D. DELIVERING OR MAILING BALLOTS.

4 THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT AND APPROVAL OF
5 AN APPLICATION FILED BY A QUALIFIED ELECTOR UNDER SECTION 1301-
6 D, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL MAIL-IN BALLOTS ON~~ON~~
7 AS SOON AS A BALLOT IS CERTIFIED AND THE BALLOTS ARE AVAILABLE.
8 WHILE ANY PROCEEDING IS PENDING IN A FEDERAL OR STATE COURT
9 WHICH WOULD AFFECT THE CONTENTS OF ANY BALLOT, THE COUNTY BOARD
10 OF ELECTIONS MAY AWAIT A RESOLUTION OF THAT PROCEEDING BUT IN
11 ANY EVENT, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL ABSENTEE
12 BALLOTS NOT LATER THAN THE SECOND TUESDAY PRIOR TO THE PRIMARY
13 OR ELECTION. FOR APPLICANTS WHOSE PROOF OF IDENTIFICATION WAS
14 NOT PROVIDED WITH THE APPLICATION OR COULD NOT BE VERIFIED BY
15 THE BOARD, THE BOARD SHALL SEND THE NOTICE REQUIRED UNDER
16 SECTION 1302.2-D(C) WITH THE MAIL-IN BALLOT. AS ADDITIONAL
17 APPLICATIONS ARE RECEIVED AND APPROVED, THE BOARD SHALL DELIVER
18 OR MAIL OFFICIAL MAIL-IN BALLOTS TO THE ADDITIONAL ELECTORS
19 WITHIN 48 HOURS.

20 SECTION 1306-D. VOTING BY MAIL-IN ELECTORS.

21 (A) GENERAL RULE.--AT ANY TIME AFTER RECEIVING AN OFFICIAL
22 MAIL-IN BALLOT, BUT ON OR BEFORE EIGHT O'CLOCK P.M. THE DAY OF
23 THE PRIMARY OR ELECTION, THE MAIL-IN ELECTOR SHALL, IN SECRET,
24 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
25 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
26 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL
27 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR
28 ENDORSED "OFFICIAL MAIL-IN BALLOT." THIS ENVELOPE SHALL THEN BE
29 PLACED IN THE SECOND ONE, ON WHICH IS PRINTED THE FORM OF
30 DECLARATION OF THE ELECTOR, AND THE ADDRESS OF THE ELECTOR'S

1 COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION DISTRICT OF THE
2 ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE AND SIGN THE
3 DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE SHALL THEN
4 BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY MAIL,
5 POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN PERSON
6 TO SAID COUNTY BOARD OF ELECTION.

7 (A.1) SIGNATURE.--ANY ELECTOR WHO IS UNABLE TO SIGN THE
8 DECLARATION BECAUSE OF ILLNESS OR PHYSICAL DISABILITY, SHALL BE
9 EXCUSED FROM SIGNING UPON MAKING A DECLARATION WHICH SHALL BE
10 WITNESSED BY ONE ADULT PERSON IN SUBSTANTIALLY THE FOLLOWING
11 FORM:

12 I HEREBY DECLARE THAT I AM UNABLE TO SIGN MY DECLARATION
13 FOR VOTING MY MAIL-IN BALLOT WITHOUT ASSISTANCE BECAUSE I
14 AM UNABLE TO WRITE BY REASON OF MY ILLNESS OR PHYSICAL
15 DISABILITY. I HAVE MADE OR RECEIVED ASSISTANCE IN MAKING
16 MY MARK IN LIEU OF MY SIGNATURE.

17 (MARK)

18 (DATE)

19 (COMPLETE ADDRESS OF WITNESS)

20 (SIGNATURE OF WITNESS)

21 (B) ELIGIBILITY.--

22 (1) ANY ELECTOR WHO RECEIVES AND VOTES A MAIL-IN BALLOT
23 UNDER SECTION 1301-D SHALL NOT BE ELIGIBLE TO VOTE AT A
24 POLLING PLACE ON ELECTION DAY. THE DISTRICT REGISTER AT EACH
25 POLLING PLACE SHALL CLEARLY IDENTIFY ELECTORS WHO HAVE
26 RECEIVED AND VOTED MAIL-IN BALLOTS AS INELIGIBLE TO VOTE AT
27 THE POLLING PLACE, AND DISTRICT ELECTION OFFICERS SHALL NOT
28 PERMIT ELECTORS WHO VOTED A MAIL-IN BALLOT TO VOTE AT THE
29 POLLING PLACE.

30 (2) AN ELECTOR WHO REQUESTS A MAIL-IN BALLOT AND WHO IS

1 NOT SHOWN ON THE DISTRICT REGISTER AS HAVING VOTED MAY VOTE
2 BY PROVISIONAL BALLOT UNDER SECTION 1210(A.4)(1).

3 (C) DEADLINE.--EXCEPT AS PROVIDED UNDER 25 PA.C.S. § 3511
4 (RELATING TO RECEIPT OF VOTED BALLOT), A COMPLETED MAIL-IN
5 BALLOT MUST BE RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF
6 ELECTIONS NO LATER THAN EIGHT O'CLOCK P.M. ON THE DAY OF THE
7 PRIMARY OR ELECTION.

8 SECTION 1307-D. PUBLIC RECORDS.

9 (A) GENERAL RULE.--ALL OFFICIAL MAIL-IN BALLOTS, FILES,
10 APPLICATIONS FOR BALLOTS AND ENVELOPES ON WHICH THE EXECUTED
11 DECLARATIONS APPEAR, AND ALL INFORMATION AND LISTS ARE
12 DESIGNATED AND DECLARED TO BE PUBLIC RECORDS AND SHALL BE SAFELY
13 KEPT FOR A PERIOD OF TWO YEARS, EXCEPT THAT NO PROOF OF
14 IDENTIFICATION SHALL BE MADE PUBLIC, NOR SHALL INFORMATION
15 CONCERNING A MILITARY ELECTOR BE MADE PUBLIC WHICH IS EXPRESSLY
16 FORBIDDEN BY THE DEPARTMENT OF DEFENSE BECAUSE OF MILITARY
17 SECURITY.

18 (B) RECORD.--FOR EACH ELECTION, THE COUNTY BOARD SHALL
19 MAINTAIN A RECORD OF THE FOLLOWING INFORMATION, IF APPLICABLE,
20 FOR EACH ELECTOR WHO MAKES APPLICATION FOR A MAIL-IN BALLOT:

21 (1) THE ELECTOR'S NAME AND VOTER REGISTRATION ADDRESS.

22 (2) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS
23 RECEIVED BY THE COUNTY BOARD.

24 (3) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS
25 APPROVED OR REJECTED BY THE COUNTY BOARD.

26 (4) THE DATE ON WHICH THE COUNTY BOARD MAILS OR DELIVERS
27 THE MAIL-IN BALLOT TO THE ELECTOR.

28 (5) THE DATE ON WHICH THE ELECTOR'S COMPLETED MAIL-IN
29 BALLOT IS RECEIVED BY THE COUNTY BOARD.

30 ~~(6) THE DATE OF THE POSTMARK ON THE MAILING ENVELOPE OF~~ <--

1 ~~THE ELECTOR'S COMPLETED MAIL IN BALLOT.~~

2 (C) COMPILATION.--THE COUNTY BOARD SHALL COMPILE THE RECORDS
3 LISTED UNDER SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY
4 AVAILABLE UPON REQUEST WITHIN 48 HOURS.

5 SECTION 1308-D. VIOLATION OF PROVISIONS RELATING TO MAIL-IN
6 VOTING.

7 (A) PENALTIES.--EXCEPT AS PROVIDED UNDER SUBSECTION (B), A
8 PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS ACT RELATING
9 TO MAIL-IN VOTING SHALL, UNLESS OTHERWISE PROVIDED, BE SUBJECT
10 TO THE PENALTIES PROVIDED UNDER SECTION 1850.

11 (B) PERSONS NOT QUALIFIED AS MAIL-IN VOTERS.--A PERSON WHO
12 KNOWINGLY ASSISTS ANOTHER PERSON WHO IS NOT A QUALIFIED MAIL-IN
13 VOTER IN FILLING OUT A MAIL-IN BALLOT APPLICATION OR MAIL-IN
14 BALLOT COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

15 SECTION 9. ~~SECTIONS 1405 AND 1626(C) OF THE ACT ARE SECTION~~ <--
16 1405 OF THE ACT IS AMENDED TO READ:

17 SECTION 1405. MANNER OF COMPUTING IRREGULAR BALLOTS.--THE
18 COUNTY BOARD, IN COMPUTING THE VOTES CAST AT ANY PRIMARY OR
19 ELECTION, SHALL COMPUTE AND CERTIFY VOTES CAST ON IRREGULAR
20 BALLOTS EXACTLY AS SUCH NAMES WERE WRITTEN, STAMPED[, AFFIXED TO
21 THE BALLOT BY STICKER,] OR DEPOSITED [OR AFFIXED] IN OR ON
22 RECEPTACLES FOR THAT PURPOSE, AND AS THEY HAVE BEEN SO RETURNED
23 BY THE ELECTION OFFICERS. IN DISTRICTS IN WHICH PAPER BALLOTS OR
24 BALLOTS CARDS ARE ELECTRONICALLY TABULATED, STICKERS OR LABELS
25 MAY NOT BE USED TO MARK BALLOTS. A VOTE CAST BY MEANS OF A
26 STICKER OR LABEL AFFIXED TO A BALLOT OR BALLOT CARD SHALL BE
27 VOID AND MAY NOT BE COUNTED. IN THE PRIMARY THE SECRETARY OF THE
28 COMMONWEALTH SHALL NOT CERTIFY THE VOTES CAST ON IRREGULAR
29 BALLOTS FOR ANY PERSON FOR A NATIONAL OFFICE INCLUDING THAT OF
30 THE PRESIDENT OF THE UNITED STATES, UNITED STATES SENATOR AND

1 REPRESENTATIVE IN CONGRESS; OR FOR ANY STATE OFFICE INCLUDING
2 THAT OF GOVERNOR AND LIEUTENANT GOVERNOR, AUDITOR GENERAL, STATE
3 TREASURER, SENATOR AND REPRESENTATIVE IN THE GENERAL ASSEMBLY,
4 JUSTICES AND JUDGES OF COURTS OF RECORD OR FOR ANY PARTY OFFICE
5 INCLUDING THAT OF DELEGATE OR ALTERNATE DELEGATE TO NATIONAL
6 CONVENTIONS AND MEMBER OF STATE COMMITTEE UNLESS THE TOTAL
7 NUMBER OF VOTES CAST FOR SAID PERSON IS EQUAL TO OR GREATER THAN
8 THE NUMBER OF SIGNATURES REQUIRED ON A NOMINATION PETITION FOR
9 THE PARTICULAR OFFICE. IN THE PRIMARY THE COUNTY BOARD SHALL NOT
10 CERTIFY THE VOTES CAST ON IRREGULAR BALLOTS FOR ANY PERSON FOR A
11 JUSTICE OF THE PEACE, CONSTABLE, NATIONAL, STATE, COUNTY, CITY,
12 BOROUGH, TOWN, TOWNSHIP, WARD, SCHOOL DISTRICT, ELECTION OR
13 LOCAL PARTY OFFICE UNLESS THE TOTAL NUMBER OF VOTES CAST FOR
14 SAID PERSON IS EQUAL TO OR GREATER THAN THE NUMBER OF SIGNATURES
15 REQUIRED ON A NOMINATION PETITION FOR THE PARTICULAR OFFICE.

16 ~~SECTION 1626. REPORTING BY CANDIDATE AND POLITICAL~~ <--
17 ~~COMMITTEES AND OTHER PERSONS.~~

18 * * *

19 ~~(C) [VOUCHERS OR COPIES OF VOUCHERS FOR ALL SUMS EXPENDED~~
20 ~~AMOUNTING TO MORE THAN TWENTY FIVE DOLLARS (\$25) SHALL BE~~
21 ~~RETAINED BY THE CANDIDATE OR THE COMMITTEE TREASURER AND SHALL~~
22 ~~BE AVAILABLE FOR PUBLIC INSPECTION AND COPYING AS HEREIN~~
23 ~~PROVIDED. ANY PERSON MAY INSPECT OR COPY SUCH VOUCHERS OR COPIES~~
24 ~~THEREOF BY FILING A WRITTEN REQUEST WITH THE APPROPRIATE~~
25 ~~SUPERVISORY OFFICE WHICH SHALL NOTIFY THE CANDIDATE OR POLITICAL~~
26 ~~COMMITTEE OF SUCH REQUEST. THE CANDIDATE OR POLITICAL COMMITTEE~~
27 ~~SHALL HAVE THE OPTION OF EITHER FORWARDING SUCH VOUCHERS OR COPY~~
28 ~~OF THE SAME TO THE SUPERVISOR FOR SUCH PURPOSE OR MAKING THE~~
29 ~~VOUCHERS OR COPY OF THE SAME AVAILABLE TO THE REQUESTING PERSON.~~
30 ~~IF A CANDIDATE OR A TREASURER OF A POLITICAL COMMITTEE SHALL~~

1 ~~FAIL TO MAKE SAID VOUCHERS OR COPIES THEREOF AVAILABLE FOR~~
2 ~~INSPECTION AND COPYING WHEN REQUESTED BY THE APPROPRIATE~~
3 ~~SUPERVISORY OFFICER, SUCH OFFICER SHALL DIRECT THE CANDIDATE OR~~
4 ~~POLITICAL COMMITTEE TO PROMPTLY DELIVER THE VOUCHERS OR COPIES~~
5 ~~THEREOF TO THE SUPERVISORY OFFICE FOR PURPOSES OF INSPECTION AND~~
6 ~~COPYING. COSTS OF COPYING AND COSTS OF DELIVERY BY THE CANDIDATE~~
7 ~~OR TREASURER OF THE REQUESTED VOUCHERS OR COPIES THEREOF SHALL~~
8 ~~BE BORNE BY THE PERSON REQUESTING SAME.] (1) VOUCHERS OR COPIES~~
9 ~~OF VOUCHERS FOR ALL SUMS EXPENDED AMOUNTING TO MORE THAN TWENTY~~
10 ~~FIVE DOLLARS (\$25) SHALL BE RETAINED BY THE CANDIDATE OR THE~~
11 ~~POLITICAL COMMITTEE TREASURER FOR A PERIOD OF THREE (3) YEARS AS~~
12 ~~REQUIRED UNDER SECTION 1622(C) AND SHALL BE AVAILABLE FOR PUBLIC~~
13 ~~INSPECTION AND COPYING.~~

14 ~~(2) A PERSON MAY INSPECT OR COPY VOUCHERS OR COPIES OF~~
15 ~~VOUCHERS BY FILING A WRITTEN REQUEST DIRECTLY WITH THE CANDIDATE~~
16 ~~OR POLITICAL COMMITTEE. THE CANDIDATE OR POLITICAL COMMITTEE~~
17 ~~SHALL MAKE THE VOUCHERS OR COPIES OF THE VOUCHERS AVAILABLE TO~~
18 ~~THE REQUESTING PERSON. COSTS OF COPYING AND COSTS OF DELIVERY BY~~
19 ~~THE CANDIDATE OR TREASURER OF THE REQUESTED VOUCHERS OR COPIES~~
20 ~~SHALL BE BORNE BY THE REQUESTING PERSON. IF A CANDIDATE OR A~~
21 ~~TREASURER OF A POLITICAL COMMITTEE FAILS TO MAKE THE VOUCHERS OR~~
22 ~~COPIES OF THE VOUCHERS AVAILABLE FOR INSPECTION AND COPYING WHEN~~
23 ~~REQUESTED, THE REQUESTING PERSON SHALL PROVIDE WRITTEN NOTICE OF~~
24 ~~THE VIOLATION TO THE CANDIDATE OR POLITICAL COMMITTEE. IF THE~~
25 ~~VIOLATION IS NOT CORRECTED WITHIN 30 DAYS AFTER RECEIPT OF A~~
26 ~~NOTICE, THE REQUESTING PERSON MAY FILE AN ACTION IN AN~~
27 ~~APPROPRIATE COURT OF COMMON PLEAS SEEKING DECLARATORY OR~~
28 ~~INJUNCTIVE RELIEF. IN AN ACTION UNDER THIS SUBSECTION, THE COURT~~
29 ~~MAY ALLOW THE PREVAILING PARTY REASONABLE ATTORNEY FEES,~~
30 ~~INCLUDING LITIGATION COSTS AND EXPENSES.~~

1 ~~(3) PRIOR TO GRANTING A REQUEST FOR INSPECTION AND COPYING~~
2 ~~VOUCHERS, A CANDIDATE OR POLITICAL COMMITTEE MAY REQUIRE A~~
3 ~~REQUESTER TO PREPAY AN ESTIMATE OF THE FEES AUTHORIZED UNDER~~
4 ~~THIS SECTION IF THE COSTS OF COPYING AND COSTS OF DELIVERY~~
5 ~~REQUIRED TO FULFILL THE REQUEST ARE EXPECTED TO EXCEED ONE~~
6 ~~HUNDRED DOLLARS (\$100). IF NO PREPAYMENT IS REQUESTED OR MADE, A~~
7 ~~CANDIDATE OR POLITICAL COMMITTEE MAY REQUIRE THE REQUESTOR TO~~
8 ~~PAY THE ACTUAL COSTS OF COPYING AND COSTS OF DELIVERY PRIOR TO~~
9 ~~THE RELEASE OF THE REQUESTED DOCUMENTS.~~

10 ~~(4) A PERSON WHO VIOLATES THIS SECTION SHALL BE SUBJECT TO~~
11 ~~THE PENALTIES UNDER THIS ACT. THE ATTORNEY GENERAL SHALL HAVE~~
12 ~~PROSECUTORIAL JURISDICTION OVER A VIOLATION COMMITTED UNDER THIS~~
13 ~~SECTION. THE DISTRICT ATTORNEY OF ANY COUNTY IN WHICH A~~
14 ~~VIOLATION OCCURRED HAS CONCURRENT POWERS AND RESPONSIBILITIES~~
15 ~~WITH THE ATTORNEY GENERAL OVER THE VIOLATIONS.~~

16 ~~(5) A CANDIDATE OR POLITICAL COMMITTEE MAY DENY A REQUESTING~~
17 ~~PERSON ACCESS TO A VOUCHER OR COPIES IF THE REQUESTING PERSON~~
18 ~~HAS MADE REPEATED REQUESTS FOR THE SAME RECORD AND THE REPEATED~~
19 ~~REQUESTS HAVE PLACED AN UNREASONABLE BURDEN ON THE CANDIDATE OR~~
20 ~~POLITICAL COMMITTEE. A DENIAL UNDER THIS PARAGRAPH SHALL NOT~~
21 ~~RESTRICT THE ABILITY TO REQUEST A DIFFERENT RECORD.~~

22 ~~(6) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS~~
23 ~~SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS PARAGRAPH~~
24 ~~UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:~~

25 ~~"COMMITTEE." AS DEFINED IN SECTION 1621.~~

26 ~~"COSTS OF COPYING." UP TO TWENTY FIVE CENTS (25¢) PER COPY~~
27 ~~FOR BLACK AND WHITE COPIES, AND UP TO FIFTY CENTS (50¢) PER COPY~~
28 ~~FOR COLOR COPIES. IF A CD OR DVD IS PROVIDED, THE COST OF~~
29 ~~COPYING WILL BE UP TO THE ACTUAL COST OF THE CD OR DVD, NOT TO~~
30 ~~EXCEED THREE DOLLARS (\$3) PER DISC. FOR A FLASH DRIVE THE COST~~

~~1 OF COPYING WILL BE UP TO THE ACTUAL COST OF THE FLASH DRIVE.
2 "COSTS OF DELIVERY." THE COST OF POSTAGE OR SHIPPING OF
3 DOCUMENTS FROM THE CANDIDATE OR COMMITTEE TO THE REQUESTER. THE
4 ALLOWABLE FEE FOR POSTAGE OR SHIPPING WILL BE UP TO THE ACTUAL
5 COST OF THE UNITED STATES POSTAL SERVICE'S FIRST CLASS POSTAGE.
6 "POLITICAL COMMITTEE." AS DEFINED IN SECTION 1621.
7 "VOUCHER." A DOCUMENT THAT REASONABLY DESCRIBES THE CAMPAIGN
8 EXPENSE.~~

9 * * *

10 SECTION 10. THE SECRETARY OF THE COMMONWEALTH SHALL PREPARE
11 AND DISSEMINATE INFORMATION TO THE PUBLIC REGARDING THE CHANGES
12 TO THE VOTING PROCEDURES UNDER THIS ACT.

13 SECTION 11. SECTIONS 1, 2, 3, 3.2, 4, 5, 5.1, 6, 7, 8, 9 AND <--
14 12 OF THIS ACT ARE NONSEVERABLE. IF ANY PROVISION OF THIS ACT OR
15 ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID,
16 THE REMAINING PROVISIONS OR APPLICATIONS OF THIS ACT ARE VOID.

17 SECTION 12. REPEALS ARE AS FOLLOWS:

18 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
19 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF
20 SECTION 1231 OF THE ACT.

21 (2) 25 PA.C.S. § 1326 IS REPEALED.

22 (3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
23 PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF
24 SECTION 1232 OF THE ACT.

25 (4) 25 PA.C.S. § 1330 IS REPEALED.

26 (5) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
27 PARAGRAPH (6) IS NECESSARY TO EFFECTUATE THE ADDITION OF
28 SECTION 1233 OF THE ACT.

29 (6) 25 PA.C.S. § 1602(A) (1) IS REPEALED.

30 SECTION 13. THE FOLLOWING APPLY:

1 (1) THIS SECTION APPLIES TO THE AMENDMENT OR ADDITION OF
2 THE FOLLOWING PROVISIONS:

- 3 (I) SECTION 102.
- 4 (II) SECTION 1003(A).
- 5 (III) SECTION 1007(B).
- 6 (IV) SECTION 1107.
- 7 (V) SECTION 1110.
- 8 (VI) SECTION 1107-A.
- 9 (VII) SECTION 1109-A.
- 10 (VIII) SECTION 1112-A(A).
- 11 (IX) SECTION 1216(D).
- 12 (X) SECTION 1222(A) AND (B).
- 13 (XI) SECTION 1223.
- 14 (XII) SECTION 1231.
- 15 (XIII) SECTION 1232.
- 16 (XIV) SECTION 1233.
- 17 (XV) SECTION 1302.
- 18 (XVI) SECTION 1302.1.
- 19 (XVII) SECTION 1302.2.
- 20 (XVIII) SECTION 1305.
- 21 (XIX) SECTION 1306.
- 22 (XX) SECTION 1308.
- 23 (XXI) ARTICLE XIII-D.

24 (2) THE PENNSYLVANIA SUPREME COURT HAS EXCLUSIVE
25 JURISDICTION TO HEAR A CHALLENGE TO OR TO RENDER A
26 DECLARATORY JUDGMENT CONCERNING THE CONSTITUTIONALITY OF A
27 PROVISION REFERRED TO IN PARAGRAPH (1). THE SUPREME COURT MAY
28 TAKE ACTION IT DEEMS APPROPRIATE, CONSISTENT WITH THE SUPREME
29 COURT RETAINING JURISDICTION OVER THE MATTER, TO FIND FACTS
30 OR TO EXPEDITE A FINAL JUDGMENT IN CONNECTION WITH SUCH A

1 CHALLENGE OR REQUEST FOR DECLARATORY RELIEF.

2 (3) AN ACTION UNDER PARAGRAPH (2) MUST BE COMMENCED
3 WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS SECTION.

4 SECTION 14. THIS ACT SHALL APPLY TO ELECTIONS HELD ON OR
5 AFTER APRIL 28, 2020.

6 SECTION 15. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

7 (1) THE ADDITION OF SECTION 207 OF THE ACT SHALL TAKE
8 EFFECT IN 180 DAYS.

9 (2) THE AMENDMENT OF SECTION 908 OF THE ACT SHALL TAKE <--
10 EFFECT IN 60 DAYS.

11 ~~(2)~~ (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT <--
12 IMMEDIATELY.