
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1372 Session of
2020

INTRODUCED BY BROOKS, MASTRIANO, HUTCHINSON, ARGALL, ARNOLD AND
PITTMAN, NOVEMBER 20, 2020

REFERRED TO STATE GOVERNMENT, NOVEMBER 20, 2020

AN ACT

1 Providing for a recount of votes in certain counties, for
2 separation of vote counts and for a report by the Department
3 of State relating to the 2020 general election.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the 2020 General
8 Election Act.

9 Section 2. Definitions.

10 Definitions.--As used in this section, the following words
11 and phrases shall have the meanings given to them in this
12 subsection unless the context clearly indicates otherwise:

13 "Department." The Department of State of the Commonwealth.

14 "Election." The general election held on November 3, 2020.

15 Section 3. Recount of votes.

16 (a) Recount.--If a court determines that a county violated
17 the act of June 3, 1937 (P.L.1333, No.320), known as the
18 Pennsylvania Election Code, in the conduct of the election, or a

1 county election official or poll worker submits a sworn
2 affidavit to the department or a district attorney alleging a
3 county violated the Pennsylvania Election Code in the conduct of
4 the election, the county shall recount the votes cast.

5 (b) Expenses.--Any expenses of a county associated with
6 recount under subsection (a) shall be paid by the department.

7 Section 4. Separation of vote counts.

8 A county shall do the following:

9 (1) Keep a separate count of votes from ballots received
10 prior to 8 p.m. on November 3, 2020.

11 (2) Keep a separate count of votes from ballots received
12 after 8 p.m. on November 3, 2020, and delivered by 5 p.m.
13 November 6, 2020, that were postmarked by 8 p.m. on November
14 3, 2020.

15 Section 5. Report to General Assembly.

16 (a) Report.--The department shall submit a report to the
17 General Assembly regarding how the following complaints relating
18 to the election were investigated:

19 (1) Complaints submitted to the Bureau of Commissions,
20 Elections and Legislation of the department regarding
21 violations of Title III of the Help America Vote Act of 2002
22 (Public Law 107-252, 42 U.S.C. § 15301 et seq.).

23 (2) Complaints submitted to the department through the
24 department's formal election complaint publicly accessible
25 Internet website.

26 (3) Complaints submitted to the department through the
27 voter hotline.

28 (b) Contents.--The information in the report under
29 subsection (a) shall include the complaint, polling precinct and
30 county in which the complaint originated, what actions the

1 department took to investigate the complaint and the outcome of
2 the investigation.

3 (c) Submission.--The department shall submit the report to
4 the General Assembly within 30 days of the effective date of
5 this section.

6 Section 6. Effective date.

7 This act shall take effect immediately.