

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1800 Session of 2021

INTRODUCED BY GROVE, RYAN, STAMBAUGH, FEE, SCHMITT, PICKETT, R. MACKENZIE, HICKERNELL, BERNSTINE, STAATS, WHEELAND, HELM, ROTHMAN, M. MACKENZIE, MILLARD, COOK, SCHLEGEL CULVER, JOZWIAK, PENNYCUICK, COX, GLEIM, SMITH, MOUL, SAYLOR, RADER, KERWIN, MENTZER, JAMES, FRITZ, OWLETT, STRUZZI, ROWE, SANKEY, E. NELSON, SCHEMEL, HEFFLEY, KNOWLES, DAY, C. WILLIAMS, MUSTELLO, IRVIN AND MAJOR, SEPTEMBER 20, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 17, 2021

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," as follows:
12 in preliminary provisions, further providing for definitions,
13 providing for legislative authority over elections,
14 establishing the Bureau of Election Audits and providing for
15 special standing in challenges to the Election Code;
16 in the Secretary of the Commonwealth, further providing for
17 powers and duties of the Secretary of the Commonwealth and
18 providing for reports on implementation of elections;
19 in county boards of elections, further providing for powers and
20 duties of county boards and providing for county boards of
21 elections and satellite offices;
22 in district election officers, further providing for district
23 election boards and election, for qualifications of election
24 officers, for tie votes for judge and inspector, for clerks
25 of election and machine inspectors, for vacancies in election
26 boards, appointment, judge and majority inspector to be
27 members of majority party and minority inspector to be member
28 of minority party, for election officers to be sworn, for

1 oath of judge of election, for oaths of inspectors of
2 election, for oaths of clerks of election, for oath of
3 machine inspectors, for power of election officers to
4 administer oaths, for compensation of district election
5 officers and for appointment of watchers;
6 in election districts and polling places, further providing for
7 polling places to be selected by county board, for public
8 buildings to be used where possible and portable polling
9 places and for temporary polling places;
10 providing for registration of electors;
11 in ballots, further providing for form of official election
12 ballot and for number of ballots to be printed and specimen
13 ballots;
14 in voting machines, further providing for examination and
15 approval of voting machines by the Secretary of the
16 Commonwealth, for requirements of voting machines, for
17 preparation of voting machines by county election boards and
18 for delivery of voting machines and supplies by county
19 election boards to election officers;
20 in electronic voting systems, further providing for experimental
21 use of electronic voting systems and for statistical sample
22 and providing for requirements of accessible voting machines
23 and for voting system defects, disclosure, investigation and
24 penalties;
25 repealing provisions relating to voting apparatus bonds and
26 providing for election equipment funding;
27 in preparation for and conduct of primaries and elections,
28 providing for voter's bill of rights, for senior voter's bill
29 of rights and for disabled voter's bill of rights and further
30 providing for delivery of ballots and supplies to judges of
31 election, for time for opening and closing polls, for opening
32 of polls, posting cards of instruction and notices of
33 penalties and voters' rights and examination of voting
34 machines, for manner of applying to vote, persons entitled to
35 vote, voter's certificates, entries to be made in district
36 register, numbered lists of voters and challenges, for
37 assistance in voting and for deadline for receipt of valid
38 voter registration application;
39 in voting by qualified absentee electors, further providing for
40 applications for official absentee ballots, for date of
41 application for absentee ballot, for delivering or mailing
42 ballots and for voting by absentee electors, providing for
43 supervised voting by qualified absentee electors in certain
44 facilities and further providing for canvassing of official
45 absentee ballots and mail-in ballots;
46 in voting by qualified mail-in electors, further providing for
47 applications for official mail-in ballots, for date of
48 application for mail-in ballot, for delivering or mailing
49 ballots and for voting by mail-in electors;
50 in Pennsylvania Election Law Advisory Board, further providing
51 for Pennsylvania Election Law Advisory Board;
52 providing for early voting by qualified electors;
53 in returns of primaries and elections, further providing for
54 returns to be open to public inspection and exceptions and
55 for computation of returns by county board, certification and
56 issuance of certificates of election;
57 in recounts and contest, providing for powers and duties of the
58 Attorney General relating to elections and for powers and
59 duties of district attorneys relating to elections;
60 in penalties, further providing for disobeying lawful

1 instructions, for perjury, for false affidavits of
2 candidates, for refusal to permit inspection of papers,
3 destruction or removal and Secretary of the Commonwealth, for
4 refusal to permit inspection of papers, destruction or
5 removal and county boards of elections, for insertion and
6 alteration of entries in documents, removal and refusal to
7 deliver, for refusal to permit overseers, watchers, attorneys
8 or candidates to act, for driving away watchers, attorneys,
9 candidates or overseers, for refusal to permit election
10 officers, clerks and machine inspectors to act and driving
11 away said persons, for refusal to administer oath and acting
12 without being sworn, for violation of oath of office by
13 election officers, for peace officers, failure to render
14 assistance and hindering or delaying county board members and
15 others, for nomination petitions and papers and offenses by
16 signers, for false signatures and statements in nomination
17 petitions and papers, for nomination petitions, certificates
18 and papers, destruction, fraudulent filing and suppression,
19 for offenses by printers of ballots, for unlawful possession
20 of ballots and counterfeiting ballots, for forging and
21 destroying ballots, for tampering with voting machines, for
22 destroying, defacing or removing notices, et cetera, for
23 police officers at polling places, for peace officer, failure
24 to quell disturbances at polls and hindering or delaying
25 election officers and others, for election officers
26 permitting unregistered electors to vote, challenges and
27 refusing to permit qualified electors to vote, for election
28 officers refusing to permit elector to vote in proper party
29 at primaries, for frauds by election officers, for prying
30 into ballots, for interference with primaries and elections,
31 frauds and conspiracy, for persons interfering in other
32 districts, for assault and battery at polls, for unlawful
33 assistance in voting, for election officers permitting
34 unlawful assistance, for failure to keep and return record of
35 assisted voters, for unlawful voting, for elector voting
36 ballot of wrong party at primary, for repeat voting at
37 elections, for removing ballots, for commissioners to take
38 soldiers' votes, for fraudulent voting by soldiers, for
39 bribery at elections, for receipts and disbursements of
40 primary and election expenses by persons other than
41 candidates and treasurers, for receipts of primary and
42 election expenses by unauthorized persons, for contributions
43 by corporations or unincorporated associations, for failure
44 to file expense account, for prohibiting duress and
45 intimidation of voters and interference with the free
46 exercise of the elective franchise, for failure to perform
47 duty, for hindering or delaying performance of duty, for
48 violation of any provision of act and for violations of
49 provisions relating to absentee and mail-in ballots and
50 providing for unlawful collection of ballots and for
51 prohibiting duress and intimidation of elections officials;
52 providing for reimbursements and withholding; and making an
53 appropriation and making a related repeal.

54 The General Assembly of the Commonwealth of Pennsylvania
55 hereby enacts as follows:

56 Section 1. Section 102(e), (n), (p), (r), (s), (t), (z-1),

1 (z.4) and (z.5) of the act of June 3, 1937 (P.L.1333, No.320),
2 known as the Pennsylvania Election Code, are amended and the
3 section is amended by adding subsections to read:

4 Section 102. Definitions.--The following words, when used in
5 this act, shall have the following meanings, unless otherwise
6 clearly apparent from the context:

7 * * *

8 (e) [The] Except as provided in section 700-A, the words
9 "district register" shall mean the [cards] electronic poll book
10 containing all or any part of the registry list of qualified
11 electors of the same election district, as prepared by the
12 registration commissions.

13 * * *

14 (n) [The] Except as provided in section 700-A, the word
15 "party" shall mean a political party, as defined in section 801
16 of this act.

17 * * *

18 (p) [The] Except as provided in section 700-A, the words
19 "political body" shall mean an independent body of electors, as
20 defined in section 801 of this act.

21 * * *

22 (r) [The] Except as provided in section 700-A, the words
23 "primary" or "primary election" shall mean any election held for
24 the purpose of electing party officers and nominating candidates
25 for public offices to be voted for at an election.

26 * * *

27 (s) [The] Except as provided in section 700-A, the words
28 "public office" shall include every public office to which
29 persons can be elected by a vote of the electors under the laws
30 of this State.

1 (t) [The] Except as provided in section 700-A, the words
2 "qualified elector" shall mean any person who shall possess all
3 of the qualifications for voting now or hereafter prescribed by
4 the Constitution of this Commonwealth, or who, being otherwise
5 qualified by continued residence in his election district, shall
6 obtain such qualifications before the next ensuing election.

7 * * *

8 (z-1) [The] Except as provided in section 700-A, the words
9 "in military service" shall mean the uniformed services as
10 defined in section 102 of the Career Compensation Act of 1949
11 (63 Stat. 804 U.S. Code, Title 37, Par. 231).

12 * * *

13 (z.4) [The] Except as provided in section 700-A, the word
14 "municipality" shall mean a city, borough, incorporated town,
15 township or any similar general purpose unit of government which
16 may be created by the General Assembly.

17 (z.5) The words "proof of identification" shall mean:

18 [(1) In the case of an elector who has a religious objection
19 to being photographed, a valid-without-photo driver's license or
20 a valid-without-photo identification card issued by the
21 Department of Transportation.

22 (2) For an elector who appears to vote under section 1210, a
23 document that:

24 (i) shows the name of the individual to whom the document
25 was issued and the name substantially conforms to the name of
26 the individual as it appears in the district register;

27 (ii) shows a photograph of the individual to whom the
28 document was issued;

29 (iii) includes an expiration date and is not expired,
30 except:

1 (A) for a document issued by the Department of
2 Transportation which is not more than twelve (12) months past
3 the expiration date; or

4 (B) in the case of a document from an agency of the Armed
5 forces of the United States or their reserve components,
6 including the Pennsylvania National Guard, establishing that the
7 elector is a current member of or a veteran of the United States
8 Armed Forces or National Guard which does not designate a
9 specific date on which the document expires, but includes a
10 designation that the expiration date is indefinite; and

11 (iv) was issued by one of the following:

12 (A) The United States Government.

13 (B) The Commonwealth of Pennsylvania.

14 (C) A municipality of this Commonwealth to an employee of
15 that municipality.

16 (D) An accredited Pennsylvania public or private institution
17 of higher learning.

18 (E) A Pennsylvania care facility.

19 (3) For a qualified absentee elector under section 1301 or a
20 qualified mail-in elector under section 1301-D:

21 (i) in the case of an elector who has been issued a current
22 and valid driver's license, the elector's driver's license
23 number;

24 (ii) in the case of an elector who has not been issued a
25 current and valid driver's license, the last four digits of the
26 elector's Social Security number;

27 (iii) in the case of an elector who has a religious
28 objection to being photographed, a copy of a document that
29 satisfies paragraph (1); or

30 (iv) in the case of an elector who has not been issued a

1 current and valid driver's license or Social Security number, a
2 copy of a document that satisfies paragraph (2).]

3 (1) In the case of any elector, at least one of the
4 following:

5 (i) the elector's driver's license;

6 (ii) in the case of an elector who has a religious objection
7 to being photographed, a copy of a valid-without-photo driver's
8 license or a valid-without-photo identification card issued by
9 the Department of Transportation;

10 (iii) the elector's voter registration card with scannable
11 identification number and a copy of the elector's signature, as
12 issued by a county under section 302;

13 (iv) a document from an agency of the armed forces of the
14 United States or their reserve components, including the
15 Pennsylvania National Guard, establishing that the elector is a
16 current member of or a veteran of the United States Armed Forces
17 or National Guard which does not designate a specific date on
18 which the document expires, but includes a designation that that
19 expiration date is indefinite;

20 (v) a document issued by the secretary under section 201(n);

21 (vi) an affidavit provided to an elector by elections
22 officers, on which the elector shall affirm his or her identity,
23 including his or her signature and the last four digits of his
24 or her Social Security number. The affidavit shall include
25 disclosure of the penalties under section 1802; or

26 (vii) a document that shows the name and photograph of the
27 individual to whom the document was issued, includes an
28 expiration date and is not expired and is issued by one of the
29 following:

30 (A) The United States Government.

1 (B) The Commonwealth of Pennsylvania.

2 (C) A municipality of this Commonwealth to an employe of
3 that municipality.

4 (D) An accredited public or private institution of higher
5 learning located in this Commonwealth.

6 (E) A care facility located in this Commonwealth.

7 (2) (Reserved).

8 * * *

9 (z.7) The words "ballot comparison risk-limiting audit"
10 shall mean a statistical audit that compares the interpretation
11 of individual ballots according to the voting system to a human
12 interpretation of the same individual ballots.

13 (z.8) The words "risk limit" shall mean the maximum chance
14 that an audit will not progress to a full hand recount if the
15 voting system record is incorrect.

16 (z.9) The words "ballot-polling risk-limiting audit" shall
17 mean a statistical audit that selects ballots at random and
18 interprets the ballots by hand until there is strong evidence
19 that the recorded outcome in an election is correct, or until
20 all the votes have been counted by hand.

21 (z.10) The words "care facility" shall mean any of the
22 following:

23 (1) A long-term care nursing facility as defined in section
24 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the
25 "Health Care Facilities Act."

26 (2) An assisted living residence or a personal care home as
27 defined in section 1001 of the act of June 13, 1967 (P.L.31,
28 No.21), known as the "Human Services Code."

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

30 Section 107. Legislative Authority Over Elections.--Article

1 I, section 5 of the Constitution of the United States and
2 Article VII of the Constitution of Pennsylvania vest authority
3 for prescribing election law in the General Assembly.

4 Section 108. Bureau of Election Audits.--(a) The Bureau of
5 Election Audits is established in the Department of the Auditor
6 General. The Bureau of Election Audits shall have subpoena power
7 to request from the department or a county any documents,
8 records, papers, data, ballots, election materials or testimony
9 necessary for the efficient completion of the audits required
10 under this section.

11 (b) The Auditor General shall conduct independent election
12 audits in accordance with generally accepted governmental audit
13 standards (GAGAS) and appropriate Service Organization Control
14 standards and shall ensure that the audit methodology will
15 verify the accuracy of the election and the accuracy of
16 election equipment used.

17 (c) For audits that occur during an election year in which
18 the Auditor General stands for election, the Auditor General
19 shall appoint an independent special auditor who shall be a
20 licensed certified public accountant and shall have experience
21 in completing election audits to oversee the operation of the
22 Bureau of Election Audits.

23 (d) The Bureau of Election Audits shall ensure continuous
24 improvement of the election audits required under this section
25 to ensure the accuracy of election results and compliance with
26 Federal and State laws.

27 (e) The duties of the Bureau of Election Audits shall
28 include:

29 (1) Except if a full manual recount of an election is
30 undertaken or an election is uncontested, to conduct result-

1 confirming audits of each election in this Commonwealth,
2 completed by the third Friday following the election. The audits
3 shall include:

4 (i) A statistically sound, ballot-comparison or ballot-
5 polling, risk-limiting audit of ballots for each election, as
6 provided under section 1117-A.

7 (ii) An audit of election machine logs.

8 (iii) An audit of the returned absentee and mail-in ballots
9 in each county, including a comparison of retained envelopes on
10 which the executed declarations appear, for mail-in and absentee
11 ballots, secrecy envelopes and the total number of absentee and
12 mail-in ballots canvassed.

13 (iv) An audit comparing each canvassed and retained paper
14 ballot in each county with the number of votes recorded.

15 (v) An audit of the pre-election testing of election
16 equipment conducted by each county.

17 (vi) Any other audit deemed necessary by the Bureau of
18 Election Audits to ensure public trust in the outcome of each
19 election.

20 (2) To conduct performance audits of the operations of
21 elections systems and processes at least once every five years.

22 The audits shall include:

23 (i) An audit of each county election office in the
24 Commonwealth.

25 (ii) An audit of the Department of State's election
26 equipment certification process.

27 (iii) An audit of the Statewide Uniform Registry of Electors
28 (SURE) system, including an audit of the accuracy of the list of
29 registered electors.

30 (iv) An audit of the Department of State's administration of

1 elections.

2 (v) Any other audit deemed necessary by the Bureau of
3 Election Audits to ensure public trust in the election
4 administration in this Commonwealth.

5 (3) To publicly post audit methodologies for each of the
6 audits required under this section, including on the Auditor
7 General's publicly accessible Internet website and the
8 Department of State's publicly accessible Internet website.

9 (4) To publicly post the results of each audit required
10 under this section, including on the Auditor General's publicly
11 accessible Internet website, the Department of State's publicly
12 accessible Internet website and each county's publicly
13 accessible Internet website.

14 (5) To monitor corrective action plans developed by entities
15 audited under this section, ensuring that the corrective action
16 plan addresses deficiencies identified by an audit and that the
17 plan is successfully executed to remediate deficiencies.

18 (6) If a full manual recount of an election is undertaken,
19 the Bureau of Election audits shall not be required to perform
20 the audit required under paragraph (1)(i).

21 (f) The duties of the county board of elections shall
22 include:

23 (1) Cooperating with the Bureau of Election Audits to enable
24 efficient conduct of audits required under subsection (d).

25 (2) Cooperating with the Bureau of Election Audits to post
26 the results of audits conducted in that county as required under
27 subsection (e)(4).

28 (3) Holding a public meeting between the third Saturday
29 after an election and the fourth Thursday after an election, at
30 which the board shall make publicly available to the residents

1 of the county the results of audits conducted under subsection
2 (d).

3 (4) Submitting to the Department of State, along with the
4 certified results of the election, a report with the results of
5 the audits conducted under subsection (e) (3). The report shall
6 include the following:

7 (i) The overall accuracy of election results as confirmed by
8 the audits under subsection (e) (3).

9 (ii) A description of any problem or discrepancies
10 encountered in the administration of the election.

11 (iii) The identified causes of any problems or
12 discrepancies.

13 (4.1) Submitting to the Department of State, within ninety
14 (90) days after any election, recommended corrective actions
15 with respect to avoiding or mitigating any problems or
16 discrepancies in future elections.

17 (5) Developing a corrective action plan to address any
18 findings of error or deficiency within an audit conducted under
19 this section.

20 (g) The duties of the Department of State shall include:

21 (1) Cooperating with the Bureau of Election Audits to enable
22 efficient conduct of each audit required under subsection (e).

23 (2) Cooperating with the Bureau of Election Audits to post
24 the methodologies and results of audits conducted in this
25 Commonwealth as required under subsection (e) (3) and (4).

26 (3) To develop a corrective action plan to address any
27 findings of error or deficiency within an audit conducted under
28 this section.

29 Section 109. Special Standing in Challenges to the Election
30 Code.--(a) In a judicial proceeding in which all or part of

1 this act is alleged to be unconstitutional, either or both
2 chambers of the General Assembly, subject to subsection (b),
3 shall have special standing to intervene as a party in the
4 action and to defend the act.

5 (b) The following shall apply:

6 (1) Special standing to intervene as a party under
7 subsection (a) for the Senate shall require an action of the
8 Senate Subcommittee on Management Operation as provided under
9 section 2.1 of the act of January 10, 1968 (1967 P.L.925,
10 No.417), referred to as the Legislative Officers and Employes
11 Law.

12 (2) Special standing to intervene as a party under
13 subsection (a) for the House of Representatives shall require a
14 majority vote by the House of Representatives.

15 (c) Intervention by either or both chambers of the General
16 Assembly under this section shall not constitute a waiver of
17 sovereign immunity, legislative privilege or other privilege or
18 immunity.

19 (d) This section shall not make either or both chambers of
20 the General Assembly a necessary or indispensable party to an
21 action. A party to an action may not name either or both
22 chambers of the General Assembly as a party or move to join
23 either or both chambers of the General Assembly as a party based
24 on this section.

25 (e) Nothing in this section shall be construed to limit the
26 standing of either or both chambers or an individual member of
27 the General Assembly in a judicial proceeding in which the
28 subject matter relates to specific powers unique to a
29 legislator's functions under the Constitution of Pennsylvania
30 being diminished or impaired.

1 Section 3. Section 201 of the act is amended to read:

2 Section 201. Powers and Duties of the Secretary of the
3 Commonwealth.--The Secretary of the Commonwealth shall exercise
4 in the manner provided by this act all powers granted to him by
5 this act, and shall perform all the duties imposed upon him by
6 this act, which shall include the following:

7 (a) To determine, in accordance with the provisions of this
8 act, the forms of nomination petitions and papers, expense
9 accounts and all other forms and records, the form of which he
10 is required to determine under the provisions of this act.

11 (b) To examine and reexamine voting machines, and to approve
12 or disapprove them for use in this State, in accordance with the
13 provisions of this act. The secretary shall not approve any
14 voting machine for any election, Federal or State, in this
15 Commonwealth, that does not comply with the requirements of
16 section 301 of the Help America Vote Act of 2002 (Public Law
17 107-252, 42 U.S.C. § 15481).

18 (c) To certify to county boards of elections for primaries
19 and elections the names of the candidates for President and
20 Vice-President of the United States, presidential electors,
21 United States senators, representatives in Congress and all
22 State offices, including senators, representatives, and judges
23 of all courts of record, and delegates and alternate delegates
24 to National Conventions, and members of State committees, and
25 the form and wording of constitutional amendments or other
26 questions to be submitted to the electors of the State at large.

27 (d) To receive and determine, as hereinafter provided, the
28 sufficiency of nomination petitions, certificates and papers of
29 candidates for President of the United States, presidential
30 electors, United States senators, representatives in Congress

1 and all State offices, including senators, representatives and
2 judges of all courts of record, and delegates and alternate
3 delegates to National Conventions and members of State
4 committees.

5 (e) To receive such reports from county boards of elections
6 as are required by this act, and to demand such additional
7 reports on special matters as he may deem necessary.

8 (e.1) To receive from county boards of elections information
9 on voting system errors or difficulties or other election data
10 pursuant to regulation.

11 (f) To receive from county boards of elections the returns
12 of primaries and elections, to canvass and compute the votes
13 cast for candidates and upon questions as required by the
14 provisions of this act; to proclaim the results of such
15 primaries and elections, within three days after receipt of
16 returns from all counties and to issue certificates of election
17 to the successful candidates at such elections, except in cases
18 where that duty is imposed by law on another officer or board.

19 [(f.1) To develop a voluntary professional certification and
20 poll worker training program for county election officials in
21 consultation with county boards of elections.]

22 (f.2) To order a county board to conduct a recount or
23 recanvass of an election under section 1404 for a public office
24 which appears on the ballot in every election district in this
25 Commonwealth or for a ballot question which appears on the
26 ballot in every election district in this Commonwealth.

27 (g) To perform only such other duties relating to elections
28 as [may be prescribed by law.] authorized by this act or by 25
29 Pa.C.S. (relating to elections).

30 (h) To establish a system for the remedy of complaints

1 regarding the administration of the provisions of Title III of
2 the Help America Vote Act of 2002 (Public Law 107-252, 42 U.S.C.
3 § 15481 et seq.).

4 (i) To obtain and maintain uniformity in the interpretation
5 and implementation of election laws.

6 (j) To provide uniform standards for the proper, accurate
7 and uniform implementation of voter registration laws and
8 records.

9 (k) To actively seek out and collect the data and statistics
10 necessary to knowledgeably scrutinize the effectiveness of
11 election laws.

12 (l) To provide technical assistance to election directors.

13 (m) To maintain a hotline for the reporting of any known or
14 suspected election fraud or intimidation or duress of poll
15 workers, judges of elections, election officials or election
16 observers, and to provide election fraud education to the
17 public.

18 (n) To provide to any registered elector upon request, and
19 free of charge, a durable photo identification card which may be
20 used for the purposes of voting.

21 (o) To submit to the Legislative Reference Bureau for
22 publication in the Pennsylvania Bulletin by December 31 of each
23 odd-numbered year the official instructions and procedures
24 manual prescribed by the Pennsylvania Election Law Advisory
25 Board.

26 (p) To receive any private donations intended to contribute
27 to election administration or voter education in this
28 Commonwealth, and to distribute the funds, or any public funds
29 used for the purposes of voter education, equally across this
30 Commonwealth based upon the most recent census estimate of

1 citizen voting age population. A distribution of private funds
2 must be approved by the Election Law Advisory Board.

3 (g) To maintain a publicly accessible Internet website using
4 a .gov domain name, on which the secretary shall post
5 information required by this act. The website shall additionally
6 adhere to generally accepted accessibility standards, including
7 compatibility with screen reading software.

8 (r) To retain and make publicly available any communications
9 relating to election administration and sent between the
10 department and at least three county election directors.

11 (s) To develop a uniform application for registered electors
12 to update their signature of record or to provide a medical
13 doctor's assessment of signature inconsistency due to a medical
14 condition.

15 (t) To cooperate with an independent prosecutor appointed by
16 the Attorney General for each election cycle to review election
17 complaints received by the secretary and the county boards of
18 elections.

19 (u) To publish on the department's publicly accessible
20 Internet website the list of registered electors in each county
21 and Statewide, at least five days prior to an election.

22 (v) To reimburse counties for the cost of annual training
23 required under section 1302-E.

24 (w) To create and publish, prior to the proclamation of
25 results in a primary or election, a combined record of the
26 registered electors in this Commonwealth as of the date of the
27 primary or election, together with the record of participation
28 in the primary or election by each registered elector, submitted
29 by counties under section 1404(c). The record shall be published
30 on the department's publicly accessible Internet website, made

1 available upon request to any elector and retained for a period
2 of five years. A physical copy of the record required under this
3 subsection must be created, dated and retained for a period of
4 five years.

5 (x) In addition to the requirements of 25 Pa.C.S. Ch. 15
6 (relating to changes in record), to seek a record of all deaths
7 among residents of this Commonwealth, and each month to compare
8 the records with the list of electors in the Statewide Uniform
9 Registry of Electors, and for any elector found to be deceased,
10 to notify the elector's county of residence.

11 (y) In addition to the requirements of 25 Pa.C.S. Ch. 15, to
12 fully participate in the Electronic Registration Information
13 Center (ERIC) and to utilize all available information received
14 through that system and through the National Change of Address
15 system to ensure the accuracy of the Statewide Uniform Registry
16 of Electors and the continued eligibility of all registered
17 electors in this Commonwealth.

18 (z) To receive from counties a monthly report of any newly
19 registered elector who was previously registered in another
20 state and to notify the chief elections administrator in that
21 state of the elector's registration in this Commonwealth.

22 (z.1) To create and maintain a tracking system for each
23 qualified mail-in or absentee elector to track the status of an
24 application for a mail-in or absentee ballot, the date on which
25 an elector's ballot is prepared, the date on which an elector's
26 ballot is mailed, the date on which an elector's ballot is
27 received and the date on which an elector's ballot is pre-
28 canvassed or canvassed.

29 (z.2) To develop and offer the training prescribed by the
30 Election Law Advisory Board under section 1302-E, and to make

1 such training available free of charge to any individual
2 required to complete the training.

3 Section 4. The act is amended by adding a section to read:

4 Section 209. Reports on Implementation of Elections.--(a)
5 No later than 75 days after an election, the Bureau of
6 Commissions, elections and legislation of the Department of
7 State shall issue a report to the chair and minority chair of
8 the State Government Committee of the Senate and the chair and
9 minority chair of the State Government Committee of the House of
10 Representatives. A copy of the report shall also be made
11 available on the Department of State's publicly accessible
12 Internet website.

13 (b) The report under subsection (a) shall include only the
14 following information relating to the administration of the
15 election by the Department of State, a county board of elections
16 or a registration commission established under 25 Pa.C.S. §
17 1203(a) (relating to commissions):

18 (1) For each county and the sum for this Commonwealth, the
19 number of applications for an absentee ballot which were
20 received by the county board of elections.

21 (2) For each county and the sum for this Commonwealth, the
22 number of applications for a mail-in ballot which were received
23 by the county board of elections.

24 (3) For each county and the sum for this Commonwealth, the
25 number of applications for an absentee ballot which were
26 approved by the county board of elections.

27 (4) For each county and the sum for this Commonwealth, the
28 number of applications for a mail-in ballot which were approved
29 by the county board of elections.

30 (5) For each county and the sum for this Commonwealth, the

1 number of absentee ballots which were voted by qualified
2 electors.

3 (6) For each county and the sum for this Commonwealth, the
4 number of mail-in ballots which were voted by qualified
5 electors.

6 (7) For each county and the sum for this Commonwealth, the
7 number of provisional ballots cast under section 1210(a.4).

8 (8) For each county and the sum for this Commonwealth, the
9 number of qualified electors voting by a provisional ballot
10 under section 1306(b) (2).

11 (9) For each county and the sum for this Commonwealth, the
12 number of qualified electors voting by provisional ballot under
13 section 1306-D(b) (2).

14 (10) For each county and the sum for this Commonwealth, the
15 number of provisional ballots under paragraph (7) which were
16 canvassed.

17 (11) For each county and the sum for this Commonwealth, the
18 number of provisional ballots under paragraph (8) which were
19 canvassed.

20 (12) For each county and the sum for this Commonwealth, the
21 number of provisional ballots under paragraph (9) which were
22 canvassed.

23 (13) (Reserved).

24 (14) For each county and the sum for this Commonwealth, the
25 number of polling places in school buildings.

26 (15) For each county, the date, starting time and ending
27 time that the county board of elections met to pre-canvass
28 absentee ballots and mail-in ballots under section 1308(g) (1.1).

29 (16) For each county, the date, starting time and ending
30 time that the county board of elections met to canvass absentee

1 ballots and mail-in ballots under section 1308(g) (2).

2 (17) For each county and the sum for this Commonwealth, the
3 number of absentee ballots which were challenged under section
4 1302.2(c).

5 (18) For each county and the sum for this Commonwealth, the
6 number of mail-in ballots which were challenged under section
7 1302.2-D(a) (2).

8 (19) For each county and the sum for this Commonwealth, the
9 number of absentee ballots subject to challenges under paragraph
10 (17) which were not canvassed.

11 (20) For each county and the sum for this Commonwealth, the
12 number of mail-in ballots subject to challenges under paragraph
13 (18) which were not canvassed.

14 (21) The number of incidents known to the Department of
15 State, county boards of elections or registration commissions
16 relating to each of the following categories:

17 (i) An absentee ballot or mail-in ballot which was sent to
18 the wrong individual or wrong address.

19 (ii) An absentee ballot or mail-in ballot which was voted by
20 an individual other than the individual who applied for the
21 absentee ballot or mail-in ballot.

22 (iii) An absentee ballot or mail-in ballot which was
23 returned to the county board of elections by a means other than
24 permitted by law.

25 (22) To the extent consistent with Federal and State law, a
26 review of any action taken by the Department of State, county
27 board of elections or registration commissions in response to an
28 incident under paragraph (21), including determinations made on
29 the incident, legal actions filed and referrals to law
30 enforcement.

1 (23) A review of issues or incidents encountered with an
2 electronic voting system that received the approval of the
3 Secretary of the Commonwealth under section 1105-A, including
4 technical issues encountered at polling places.

5 (c) The Department of State shall develop a process to
6 collect data required to be included in the report under
7 subsection (b) from each county board of elections which
8 conducts an election and each registration commission under 25
9 Pa.C.S. Pt. IV (relating to voter registration) in a county
10 which conducts an election, as applicable. A county board of
11 elections or registration commission under this subsection shall
12 comply with the process for submission of data under this
13 subsection no later than 60 days after an election.

14 Section 5. Section 302(f), (k) and (m) of the act are
15 amended and the section is amended by adding subsections to
16 read:

17 Section 302. Powers and Duties of County Boards.--The county
18 boards of elections, within their respective counties, shall
19 exercise, in the manner provided by this act, all powers granted
20 to them by this act, and shall perform all the duties imposed
21 upon them by this act, which shall include the following:

22 * * *

23 (f) [To make and issue such rules, regulations and
24 instructions, not inconsistent with law, as they may deem
25 necessary for the guidance of voting machine custodians,
26 elections officers and electors.] To follow and obey rules,
27 regulations and instructions as are included for each election
28 in the manual of operations published under section 201.

29 * * *

30 (k) To receive from district election officers the returns

1 of all primaries and elections, to canvass and compute the same,
2 and to certify, no later than the [third Monday] fourth Friday
3 following the primary or election, the results thereof to the
4 Secretary of the Commonwealth, as may be provided by law, and to
5 such other authorities as may be provided by law. The
6 certification shall include the number of votes received in each
7 election district by each candidate for the General Assembly[.]
8 and a complete record of each registered elector in the county
9 on the date of the election, including which registered electors
10 are recorded as participating in that election and the article
11 of this act under which each elector voted.

12 * * *

13 (m) To prepare and submit, within twenty days after the last
14 day to register to vote in each primary, municipal and general
15 election, a report to the Secretary of the Commonwealth in the
16 form prescribed by him, which shall contain a statement of the
17 total number of electors registered in each election district,
18 together with a breakdown of registration by each political
19 party or other designation. Copies of said statement shall be
20 furnished, upon request, to the county chairman of each
21 political party and political body[.] and shall be posted to the
22 county board of election's publicly accessible Internet website.

23 The Secretary of the Commonwealth shall forthwith submit such
24 information to the Legislative Data Processing Center and shall
25 publicly report the total number of registered electors for each
26 political party or other designation in each county not later
27 than five days prior to the primary, municipal or general
28 election.

29 * * *

30 (g) To maintain a publicly accessible Internet website using

1 a .gov domain name. The website shall additionally adhere to
2 generally accepted accessibility standards, including
3 compatibility with screen reading software.

4 (r) To decline to accept any private donation or
5 contribution for the purposes of operating elections, employing
6 staff or selecting and equipping a polling place or for use in
7 voter education, unless received from the secretary under a
8 distribution provided for in section 201(h).

9 (s) To provide to each registered elector in a county,
10 within one year of the effective date of this subsection and
11 upon new or updated registration after the effective date of
12 this subsection, or at the request of an elector, a durable
13 voter registration card, including a scannable identification
14 code and a likeness of a registered elector's signature. A
15 county board of elections shall investigate the circumstances of
16 any registration card returned as undeliverable by the United
17 States Postal Service. The investigation shall include
18 contacting the applicant, further attempts to have his or her
19 registration card delivered and the correction or
20 reconsideration of his or her registration status and registered
21 address, if they are found to be incorrect.

22 (t) To capture and store signatures submitted by an elector
23 for use in matching an elector's signature under the
24 requirements of this act.

25 (u) To implement the minimum voter education standards
26 established under section 1302-E and to conduct additional
27 nonpartisan education efforts as necessary to ensure that
28 electors have a working knowledge of the voting process.

29 (v) To report to the election law advisory board, by
30 December 31 of each general election year, a detailed

1 description of the voter education programs implemented and any
2 other information that may be useful in evaluating the
3 effectiveness of voter education.

4 (w) To purchase electronic poll books for use as the
5 district register in each election district within one year
6 after the effective date of this subsection. The electronic poll
7 books must provide an elector with the ability to scan his or
8 her driver's license or his or her voter registration card in
9 order to have his or her eligibility to vote verified, and must
10 have a means for an elector to electronically record his or her
11 signature. Notwithstanding any other provision of this act, for
12 elections held within one year of the effective date of this
13 section, paper district register cards may still be utilized by
14 any county. After the purchase of electronic poll books, paper
15 district register cards may be retained for use in the event of
16 an unforeseen issue in using electronic poll books at an
17 election.

18 (x) To provide each election district with at least one
19 accessible voting machine approved by the secretary under this
20 act.

21 (y) To publish at each polling place the voter bill of
22 rights, senior voter bill of rights and disabled voter bill of
23 rights established by this act.

24 (z) To provide copies of the voter bill of rights, senior
25 voter bill of rights and disabled voter bill of rights during
26 the process of supervised voting established by this act.

27 (z.1) To review any polling place where voters waited longer
28 than 30 minutes to cast a ballot and to identify and enact plans
29 to alleviate any such waiting time for future elections.

30 (z.2) For counties with a population of fewer than 100,000

1 at the time of the most recent Federal decennial census, to
2 collaborate with other counties to share resources or property
3 required for the administration of voting by absentee and mail-
4 in electors. The collaboration is not required and participation
5 in any resource sharing shall be at the discretion of each
6 county board.

7 (z.3) In addition to the requirements of 25 Pa.C.S. Ch. 15,
8 to seek a record of all deaths among residents of the county and
9 each month to compare the records with the list of registered
10 electors in the county. A registered elector whose first and
11 last name, date of birth and last four digits of the elector's
12 Social Security number are found on a death record shall be
13 subject to immediate removal from the SURE system. The local
14 commission shall notify the elector by mail of its action.

15 (z.4) To enter into an agreement with the Unified Judicial
16 System of Pennsylvania to receive a record of any county
17 resident who claims ineligibility for service as a juror under
18 42 Pa.C.S. § 4502 (relating to qualifications of jurors) and to
19 investigate the registration status of any registered elector
20 who claimed ineligibility to serve as a juror on the basis of a
21 lack of citizenship.

22 (z.5) To cooperate with the department to any degree
23 necessary in the creation of the system required under section
24 201(z.1).

25 (z.6) To cooperate with the election integrity officer
26 appointed in the county under section 1779, and to include the
27 election integrity officer in all correspondence related to the
28 conduct of the election.

29 (Z.7) AS FOLLOWS:

30 (I) TO PRE-CANVASS OR CANVASS ALL MAIL-IN AND ABSENTEE

<--

1 BALLOTS RECEIVED PRIOR TO ELECTION DAY BY NO LATER THAN NINE O'
2 CLOCK P. M. ON ELECTION DAY.

3 (II) TO CANVASS ALL MAIL-IN AND ABSENTEE BALLOTS RECEIVED ON
4 ELECTION DAY AND PRIOR TO EIGHT O'CLOCK P. M. BY NO LATER THAN
5 TWO O'CLOCK A. M. ON THE DAY FOLLOWING THE ELECTION.

6 (III) TO COMPUTE ALL RETURNS FROM EACH PRECINCT, WITH THE
7 EXCEPTION OF PROVISIONAL BALLOTS, AND ALL CANVASSED MAIL-IN OR
8 ABSENTEE BALLOTS, WITH THE EXCEPTION OF BALLOTS SET ASIDE FOR A
9 DETERMINATION OF COMPLIANCE WITH THIS ACT, BY NO LATER THAN SIX
10 O'CLOCK A. M. ON THE DAY FOLLOWING THE ELECTION.

11 (IV) A COUNTY MAY RECEIVE NO REIMBURSEMENTS UNDER THIS ACT
12 FOR AN ELECTION IN WHICH THE DEADLINES UNDER THIS SUBSECTION
13 ARE NOT MET.

14 (V) BALLOTS RETURNED BY QUALIFIED ABSENTEE MILITARY OR
15 OVERSEAS ELECTORS SHALL NOT BE SUBJECT TO THE DEADLINES IN THIS
16 SUBSECTION.

17 Section 6. The act is amended by adding a section to read:

18 Section 313. County Boards of Elections and Satellite
19 Offices.--In addition to the permanent offices operated by any
20 county board of elections, the board may, as necessary,
21 establish additional satellite election offices if the satellite
22 election office established under this section complies with the
23 requirements under this section. The following shall apply:

24 (a) A satellite election office must meet the requirements
25 for and be subject to the same restrictions as a polling place
26 under this act.

27 (b) A satellite election office must offer the same services
28 and capabilities as the permanent offices maintained by the
29 county board of elections.

30 (c) A satellite election office must be operated by paid

1 staff of the county board of elections.

2 (d) A board establishing satellite election offices must
3 ensure that the location of the offices are geographically
4 distributed across the county.

5 (e) A satellite election office must be established within a
6 permanent building. For purposes of this section, a permanent
7 building is any existing structure not temporarily erected for
8 use as a satellite election office.

9 (f) The location and hours of operation of a satellite
10 election office shall be published under section 106 at least 30
11 days prior to its establishment.

12 (g) After the establishment of in-person early voting under
13 Article XIII-F, a satellite election office may only be
14 established at the same premises as early voting locations in a
15 county.

16 Section 7. Sections 401, 402, 403, 404, 405, 406, 407, 408,
17 409, 410, 411, 412.2, 417(b), 526, 527 and 528 of the act are
18 amended to read:

19 Section 401. District Election Boards; Election.--(a) All
20 primaries and elections shall be conducted in each election
21 district by a district election board consisting of a judge of
22 election, a majority inspector of election and a minority
23 inspector of election, assisted by two clerks and machine
24 inspectors [in certain cases, as hereinafter provided] as
25 provided in this act. The judge and inspectors of election of
26 each election district shall be elected [by the electors
27 thereof] at the municipal election[,] and shall hold office for
28 a term of four years from the first Monday of January next
29 succeeding [their] the election. Each elector may vote for one
30 [person] individual as judge and for one [person] individual as

1 inspector[, and the person]. The individual receiving the
2 highest number of votes for judge shall be declared elected
3 judge of election, the [person] individual receiving the highest
4 number of votes for inspector shall be declared elected majority
5 inspector of election[, and the person] and the individual
6 receiving the second highest number of votes for inspector shall
7 be declared elected minority inspector of election.

8 (b) The county board shall fill all vacancies in conjunction
9 with the county parties. All vacancies must be filled two months
10 prior to a general election and one month prior to special
11 elections, midterm elections and primaries.

12 (c) The county board shall submit a status report to the
13 Department of State at the beginning of each month notifying the
14 department of the number of vacancies.

15 (d) The county board and county parties shall be provided
16 money to advertise the vacancies and recruit new election day
17 workers. Advertising may include television, radio and social
18 media.

19 (e) Each county board shall place information about county
20 board vacancies on the board's publicly accessible Internet
21 websites and shall produce public service announcements to
22 recruit workers.

23 (f) The county board and parties shall meet each month for
24 progress updates.

25 Section 402. Qualifications of Election Officers.-- (a)
26 Except as provided in subsection (b), election officers shall be
27 qualified registered electors of the [district in which they]
28 county in which the election officers are elected or appointed.
29 [No person shall be qualified to] No individual shall be
30 qualified to run or serve as an election officer who [shall

1 hold, or shall within two months have held,] holds or in the
2 previous two months has held any office, appointment or
3 employment in or under the Government of the United States or of
4 this [State] Commonwealth or of any city or county or poor
5 district, of any municipal board, commission or trust in any
6 city, [save only district justices] except magisterial district
7 judges, notaries public and persons in the militia service of
8 the [State; nor shall any] Commonwealth. An election officer
9 shall not be eligible to any civil office [to be] voted for at a
10 primary or election at which [he shall serve] the election
11 officer serves, except that of an election officer.

12 (b) The county board may appoint students, notwithstanding
13 [their] the student's eligibility to vote, to serve as a clerk
14 or machine inspector [pursuant to the following]. The following
15 shall apply:

16 (1) The county board may not appoint [no] more than two
17 students per precinct.

18 (2) [The] A judge of elections shall have direct supervision
19 of the student.

20 (3) The county board may compensate the student.

21 (4) The county board shall comply with all applicable
22 Federal and State laws.

23 (5) The student must at the time of the election for which
24 the student shall serve:

25 (i) be at least [seventeen (17)] 17 years of age;

26 (ii) be a United States citizen and a resident of the county
27 in which [he] the student was appointed to serve;

28 (iii) be enrolled in a secondary educational institution
29 with an exemplary academic record as determined by the
30 educational institution;

1 (iv) be approved by the principal or director of the
2 secondary educational institution; and

3 (v) have obtained the consent of [~~their~~] the student's
4 parent or guardian.

5 (6) The student may not serve as a judge of election or
6 [~~majority or minority~~] inspector.

7 Section 403. Tie Votes for Judge and Inspector.--If at any
8 municipal election in any district there [~~shall be~~] is a tie
9 vote for the office of judge of election, the majority inspector
10 of election [~~elected at said election~~] shall decide the tie
11 vote. If at any municipal election in any district there is a
12 tie vote for inspectors, the two candidates who receive the same
13 number of votes shall determine by lot which of [~~them~~] the
14 candidate's shall be the majority inspector. [~~, and the other~~
15 ~~candidate shall be the minority inspector, and in case of a tie~~
16 ~~vote also for judge of election at said election, the tie shall~~
17 ~~be decided by the person so determined to be majority inspector.~~
18 ~~The county board shall be notified immediately upon the~~
19 ~~determination of any such tie vote.]~~

20 Section 404. Clerks of Election, Machine Inspectors.--[~~Prior~~
21 ~~to the opening of the polls at each primary and election in~~
22 ~~districts in which voting machines are not used, each] Each
23 inspector shall appoint one clerk to serve at [~~such~~] a primary
24 or election. [~~One clerk shall be appointed by the minority~~
25 ~~inspector in each district in which a voting machine or machines~~
26 ~~are used, and in each district in which more than one voting~~
27 ~~machine is used, the] The county board of elections shall, prior
28 to each primary [~~and~~] or general election, appoint for [~~each~~
29 ~~additional voting machine to be used in such] every two voting
30 machines in each district, one qualified registered elector of~~~~~~

1 the county to serve as machine inspector [therein for such
2 primary or election]. The qualifications of clerks and machine
3 inspectors shall be the same as [herein] those provided for
4 election officers.

5 Section 405. Vacancies in Election Boards; Appointment;
6 Judge and Majority Inspector to Be Members of Majority Party;
7 Minority Inspector to Be Member of Minority Party.--(a)
8 Vacancies in election boards existing by reason of the
9 disqualification, removal, resignation or death of an election
10 officer, or from any other cause, occurring prior to the fifth
11 day before any primary or election, shall[, in all cases,] be
12 filled by appointment[, by the court of the proper county of
13 competent persons, qualified in accordance with the provisions
14 of this act, who] by the county board of elections, in
15 consultation with the county parties and the appointed
16 individual shall serve for the unexpired term of the [person]
17 individual whose place [he] the appointed individual is
18 appointed to fill[: Provided, however, That any]. A district
19 election officer who, after [his] election or appointment,
20 changes [his] political affiliation, [shall not thereby become]
21 is not disqualified to serve on [said] the election board, and
22 [shall not thereby] may not be subject to removal. In making
23 [such] appointments, the [court] county board shall receive and
24 consider any petitions filed by qualified electors of the
25 district affected[, and shall make no] and may not make an
26 appointment to fill any vacancy unless notice of the time at
27 which [they will make such appointment shall have been posted on
28 the polling place of such district, and in the immediate
29 vicinity thereof, at least five days prior thereto.] the board
30 will make the appointment was posted in the district polling

1 place at least five days prior to the appointment. In the
2 appointment of inspectors in any election district, both shall
3 not be of the same political party at the time of [said]
4 appointment, but one shall be of the party having the largest
5 number of votes and the other shall be of the party having the
6 second largest number of votes in [said] the district at the
7 last preceding November election, as [nearly as the judge or
8 judges can ascertain the fact] determined by the county board.
9 The judge of election shall, in all cases of appointment, be of
10 the political party having the majority of votes in [said] the
11 district at the last preceding November election, as [nearly as
12 the judge or judges can ascertain the fact. Immediately upon the
13 entry of an order of court filling any vacancy on an election
14 board, the clerk of said court shall forthwith transmit a
15 certified copy of said order to the county board, giving the
16 name and address of said appointee] determined by the county
17 board. Notwithstanding any provisions to the contrary, in
18 counties which have adopted home rule charters or optional plans
19 and which appoint the members of the county election board under
20 section 301(b), vacancies in the county board of elections shall
21 be filled consistent with the provisions for appointment of
22 county election board members under [that] section 301.

23 (a.1) Vacancies in county boards existing by reason of the
24 disqualification, removal, resignation or death of a clerk or
25 machine inspector appointed [pursuant to] under section 404 or a
26 vacancy of a clerk or machine inspector from any other cause
27 occurring prior to the day of any primary or election may be
28 filled by a student [pursuant to] under section 402(b).

29 (b) The first election board for any new district shall be
30 selected, by the court of the proper county, of competent

1 [persons] individuals, qualified in accordance with the
2 provisions of this act, who shall serve until the next municipal
3 election at which all election officials are elected under the
4 provisions of section 401.

5 (c) Vacancies in election boards occurring at any time
6 during the five days immediately preceding any primary or
7 election or on the day of the primary or election may be filled
8 by appointment by the county board [of elections] from a pool of
9 competent [persons] individuals who are qualified registered
10 electors of the county and who have been trained by the county
11 to perform the duties of election officers [which are required
12 by] required under this act. [Any person] An individual
13 appointed to fill a vacancy in accordance with this subsection
14 shall serve as a member of the election board on the day of the
15 primary or election only. Any election board position filled in
16 accordance with this subsection shall be deemed vacant on the
17 day immediately following the primary or election and
18 subsequently shall be filled in accordance with subsection (a).

19 Section 406. Election Officers to Be Sworn.--All judges,
20 inspectors, clerks of election and machine inspectors shall,
21 before entering upon [their] duties at any primary or election,
22 [be duly sworn in the presence of each other and of the watchers
23 and overseers, if any. The judge shall first be sworn by the
24 minority inspector or by a magistrate, alderman or justice of
25 the peace, and the inspectors, clerks and machine inspectors
26 shall then be sworn by the judge. Each of them shall forthwith
27 sign in duplicate the oath taken by him upon forms to be
28 furnished by the county board, and the same shall be attested by
29 the officer who administered the oath.

30 Section 407. Oath of Judge of Election.--The following shall

1 be the oath of each judge of election:

2 "I (John Doe) do swear (or affirm) that I will as judge duly
3 attend the ensuing election (or primary) during the continuance
4 thereof, and in cooperation with the inspectors, faithfully
5 carry on the same; that I will not give my consent to the
6 admission of any person to vote, except such as I firmly believe
7 to be registered and entitled to vote at such election (or
8 primary), according to the provisions of the Constitution and
9 laws of this Commonwealth, and that I will use my best endeavors
10 to prevent any fraud, deceit or abuse in carrying on the same,
11 and that I will make a true and perfect return of the said
12 election (or primary), and will at all times impartially and
13 faithfully perform my duty respecting the same, to the best of
14 my judgment and ability; and that I am not directly or
15 indirectly interested in any bet or wager on the result of this
16 election (or primary)."

17 Section 408. Oaths of Inspectors of Election.--The following
18 shall be the form of the oath to be taken by each inspector:

19 "I (John Doe) do swear (or affirm) that I will as an
20 inspector duly attend the ensuing election (or primary) during
21 the continuance thereof, and that I will not admit any person to
22 vote, except such as I shall firmly believe to be registered and
23 entitled to vote at such election (or primary), according to the
24 provisions of the Constitution and laws of this Commonwealth,
25 that I will not vexatiously delay or refuse to permit any person
26 to vote whom I shall believe to be entitled to vote as
27 aforesaid, that I will make a true and perfect return of the
28 said election (or primary), and that I will in all things truly,
29 impartially and faithfully perform my duties therein, to the
30 best of my judgment and ability; and that I am not directly or

1 indirectly interested in any bet or wager on the result of this
2 election (or primary)."

3 Section 409. Oaths of Clerks of Election.--The following
4 shall be the form of the oath to be taken by each clerk:

5 "I (John Doe) do swear (or affirm) that I will as a clerk
6 attend the ensuing election (or primary) during the continuance
7 thereof, that I will carefully and truly record the number of
8 votes that shall be given for each candidate at the election (or
9 primary) as often as his name shall be read to me by the judge
10 or inspectors thereof, and in all things truly and faithfully
11 perform my duty respecting the same to the best of my judgment
12 and ability; and that I am not directly or indirectly interested
13 in any bet or wager on the result of this election (or
14 primary)."

15 Section 410. Oath of Machine Inspectors.--The following
16 shall be the form of the oath to be taken by each machine
17 inspector:

18 "I (John Doe) do swear (or affirm) that I will as a machine
19 inspector attend the ensuing election (or primary) during the
20 continuance thereof, that I will in all things truly and
21 faithfully perform my duty respecting the same to the best of my
22 judgment and ability; and that I am not directly or indirectly
23 interested in any bet or wager on the result of this election
24 (or primary)."

25 Section 411. Power of Election Officers to Administer
26 Oaths.--The judge and inspectors of election shall each have the
27 power to administer oaths to any person claiming the right to
28 vote, or to his witnesses, or in any matter or thing required to
29 be done or inquired into by them under this act.] sign a written
30 oath of office which the judges shall transmit to the county

1 board of elections after the polling place closes. The
2 Department of State shall promulgate the text of the written
3 oath for all judges, inspectors, clerks and machine operators.

4 Section 412.2. Compensation of District Election Officers.--

5 (a) In all counties regardless of class, judges of election,
6 inspectors of election, clerks and machine operators shall be
7 paid compensation as fixed by the county board of elections for
8 each election, which amount shall be at least [~~\$75~~] \$175 and not
9 more than [~~\$200~~] \$300.

10 (a.1) An election officer shall receive additional
11 compensation, as fixed by the county board of elections, for
12 participating in election training.

13 (a.2) A judge of election shall receive additional
14 compensation, as fixed by the county board of elections, for
15 picking up and returning election materials.

16 (b) If a county board of elections authorizes that the
17 duties of a clerk of elections or machine operator may be
18 performed by two individuals who each perform the duties for
19 one-half of an election day, each individual shall be
20 compensated at one-half of the rate authorized for a single
21 individual who performs the duties for the entire election day.

22 (c) The county board of elections may establish different
23 per diem rates within minimum and maximum rates provided for
24 under subsection (a) based on the number of votes cast for the
25 following groups:

- 26 (1) 150 votes or fewer.
- 27 (2) 151 to 300 votes.
- 28 (3) 301 to 500 votes.
- 29 (4) 501 to 750 votes.
- 30 (5) 751 votes and over.

1 (d) For transmitting returns of elections and the ballot box
2 or boxes, all judges of election shall be entitled to receive
3 the additional sum of \$20.

4 (e) The county board of elections may require the minority
5 inspector of election to accompany the judge of election in
6 transmitting the returns of elections, in which case the
7 minority inspector of election shall be entitled to receive the
8 additional sum of \$20.

9 (f) The individual furnishing transportation to the judge of
10 election and the minority inspector in transmitting returns and
11 ballot boxes shall be entitled to [a minimum of 35¢] the
12 standard mileage rate set by the Internal Revenue Service for
13 the current year per circular mile from the polling place to the
14 county court house. The name of the individual shall appear on
15 the voucher of the judge of election and only one individual may
16 receive mileage compensation.

17 (h) When a primary and special election or a special
18 election and a general or municipal election take place on the
19 same date, the elections shall be construed as one election for
20 the purpose of receiving compensation.

21 (i) Compensation and other payments received by election
22 officials under this section shall not be deemed income
23 classified and categorized under section 303 of the act of March
24 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

25 (j) The department shall reimburse counties for half the
26 cost of payments made under subsections (a) and (f).

27 Section 417. Appointment of Watchers.--

28 * * *

29 (b) Each watcher so appointed must be a qualified registered
30 elector of the county in which the election district for which

1 the watcher was appointed is located and must have completed
2 training required for poll watchers under section 1302-E(c) (7).
3 Each watcher so appointed shall be authorized to serve in the
4 election district for which the watcher was appointed and, when
5 the watcher is not serving in the election district for which
6 the watcher was appointed, in any other election district in the
7 county in which the watcher is a qualified registered elector:
8 Provided, That only one watcher for each candidate at primaries,
9 or for each party or political body at general, municipal or
10 special elections, shall be present in the polling place at any
11 one time from the time that the election officers meet prior to
12 the opening of the polls under section 1208 until the time that
13 the counting of votes is complete and the district register and
14 voting check list is locked and sealed, and all watchers in the
15 room shall remain outside the enclosed space. It shall not be a
16 requirement that a watcher be a resident of the election
17 district for which the watcher is appointed. After the close of
18 the polls and while the ballots are being counted or voting
19 machine canvassed, all the watchers shall be permitted to be in
20 the polling place outside the enclosed space. Each watcher shall
21 be provided with a certificate from the county board of
22 elections, stating his name and the name of the candidate, party
23 or political body he represents. Watchers shall be required to
24 show their certificates when requested to do so. Watchers
25 allowed in the polling place under the provisions of this act,
26 shall be permitted to keep a list of voters and shall be
27 entitled to challenge any person making application to vote and
28 to require proof of his qualifications, as provided by this act.
29 During those intervals when voters are not present in the
30 polling place either voting or waiting to vote, the judge of

1 elections shall permit watchers, upon request, to inspect the
2 voting check list and either of the two numbered lists of voters
3 maintained by the county board: Provided, That the watcher shall
4 not mark upon or alter these official election records. The
5 judge of elections shall supervise or delegate the inspection of
6 any requested documents.

7 * * *

8 Section 526. Polling Places to Be Selected by County

9 Board.--(a) The county board of elections shall select and fix
10 the polling place within each new election district and may, at
11 any time [~~for any reason that may seem proper to it,~~], but not
12 less than 14 days before an election, either on [~~its own~~] board
13 motion or on petition of [~~ten~~] 10 qualified registered electors
14 of an election district, change the polling place within any
15 election district. Except in case of an emergency or unavoidable
16 event occurring within [~~twenty~~] 14 days of a primary or
17 election, which renders any polling place unavailable for use at
18 [~~such~~] a primary or election, the county board shall not change
19 any polling place until at least five days after notice of the
20 proposed change shall have been posted on the existing polling
21 place and in the immediate vicinity [~~thereof~~] of the polling
22 place, and until at least five days after written notice of the
23 proposed change shall have been given to the occupant or owner
24 of [~~said~~] the polling place, or [~~their~~] the owner's agent.

25 (b) Except in case of emergency or unavoidable event,
26 occurring within [~~twenty~~] 14 days of a primary or election,
27 which renders any polling place unavailable for use, if a
28 petition [~~be~~] is presented to the county board on or before the
29 day set for hearing of the petition for change of polling place,
30 signed by a majority of the registered electors of the district,

1 objecting to the proposed change, [said] the change shall not be
2 ordered.

3 (c) The county board of elections shall publicly announce
4 and post on the board's publicly accessible Internet website,
5 not less than [twenty] 14 days prior to the primary election,
6 special election, municipal election or general election, by
7 posting at [its] the board's office in a conspicuous place, a
8 list of the places at which the election is to be held in the
9 various election districts of the county. The list shall be
10 available for public inspection at the office of the county
11 board of elections. The posting on the Internet website shall
12 include the name and contact information of all election
13 officers in the county.

14 Section 527. Public Buildings to Be Used Where Possible;
15 Portable Polling Places.--(a) In selecting polling places, the
16 county board of elections shall, [wherever] if possible and
17 practicable, select schoolhouses, municipal buildings or rooms,
18 or other public buildings for that purpose. Any board of public
19 education or school directors, or county or the municipal
20 authorities shall, upon request of the county board, make
21 arrangements for the use of school property, or of county or
22 municipal property for polling places. In selecting polling
23 places, the county board of elections shall make every effort to
24 select polling places that provide all electors with an
25 environment that is free from intimidation and [violence]
26 accessible to all electors.

27 [In the event no available] If a public building as
28 contemplated under this section is not situated within the
29 boundaries of any election district, the county board of
30 elections may, not less than [twenty] 20 days prior to any

1 election, designate as the polling place for [such] the election
2 district any [such public building situated in another election
3 district within the same or immediately adjacent ward, or, if
4 there are no wards, then within the same borough or township as
5 the case may be, provided such other building is located in an
6 election district which is immediately adjacent to the boundary
7 of the election district for which it is to be the polling place
8 and is directly accessible therefrom by public street or
9 thoroughfare.] building that is located in the election district
10 and is accessible to all electors. If no building is available
11 in the election district, a polling place may be identified in a
12 public building within an adjacent election district. If no
13 public building can be identified, a building location in the
14 adjacent election district accessible to all electors may be
15 used. Two or more polling places may be located in the same
16 public building under this section. A polling place may be
17 selected and designated [hereunder less than twenty] less than
18 20 days prior to any election, with the approval of a court of
19 competent jurisdiction.

20 [(b) In the event no available public building as
21 contemplated under subsection (a) is situated within the
22 boundaries of a borough which constitutes a single election
23 district, the county board of elections may, not less than ten
24 days prior to any election, designate as the polling place for
25 such election district a municipal building owned by that
26 borough and located in an adjoining second class township:
27 Provided, That the municipal building which is to serve as the
28 polling place is located in an election district immediately
29 adjacent to the boundary of such borough and is directly
30 accessible from the borough by public street or thoroughfare.

1 Such municipal building may be designated as the polling place
2 for an election less than ten days prior to that election, with
3 the approval of a court of competent jurisdiction.]

4 (c) The board[, in its discretion,] may procure and provide
5 portable or movable polling places of adequate size and
6 facilities for any or all election districts if no public
7 building or other usable building is available for use.

8 Section 528. Temporary Polling Places.--If, in any election
9 district, no proper polling place can be obtained, the county
10 board of elections shall cause to be constructed for [such] the
11 district, a temporary room of adequate size to be used as a
12 polling place. Moveable polling places and temporary polling
13 places may be used if no public building or other usable
14 building is available for use.

15 Section 8. The act is amended by adding an article to read:

16 ARTICLE VII-A

17 REGISTRATION OF ELECTORS

18 SUBARTICLE A

19 PRELIMINARY PROVISIONS

20 Section 700-A. Definitions.

21 The following words and phrases when used in this article
22 shall have the meanings given to them in this section unless the
23 context clearly indicates otherwise:

24 "Applicant." An individual who applies to be registered to
25 vote as provided for under this article and 25 Pa.C.S. Pt. IV
26 (relating to voter registration).

27 "Commission." A registration commission established under 25
28 Pa.C.S. § 1203 (relating to commissions).

29 "Commissioner." A member of a commission.

30 "County." A county of this Commonwealth. The term includes a

1 county within which is located a city of the first class or with
2 which a city of the first class is coextensive.

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

4 "District." An election district or precinct of a
5 municipality.

6 "District register." The list of registered electors
7 prepared by the commission under 25 Pa.C.S. § 1402 (relating to
8 district registers).

9 "Election." A general, special, municipal or primary
10 election.

11 "General election." The election which the Constitution of
12 Pennsylvania requires to be held in even-numbered years.

13 "General register." The list of registered electors prepared
14 by the commission under 25 Pa.C.S. § 1401 (relating to general
15 register).

16 "In military service." Serving in the uniformed services as
17 defined in section 102 of the Career Compensation Act of 1949
18 (Public Law 81-350, 63 Stat. 801) or serving in the Pennsylvania
19 National Guard.

20 "Members of the United States merchant marine." Any of the
21 following:

22 (1) Individuals employed as officers or members of crews
23 of vessels documented under the law of the United States or
24 of vessels owned by the United States or of vessels of
25 foreign-flag registry under charter to or control of the
26 United States. This paragraph does not include individuals in
27 military service.

28 (2) Individuals enrolled with the United States for
29 employment or for training for employment or maintained by
30 the United States for emergency relief service as officers or

1 members of crews of vessels referred to in paragraph (1). The
2 term does not include individuals in military service or
3 individuals employed or enrolled for employment or for
4 training for employment or maintained for emergency relief on
5 the Great Lakes or the inland waterways.

6 "Military elector." Any of the following:

7 (1) An individual in military service and the
8 individual's spouse and dependents.

9 (2) An individual in the merchant marine and the
10 individual's spouse and dependents.

11 (3) An individual in a religious or welfare group
12 officially attached to and serving with the armed forces of
13 the United States and the individual's spouse and dependents.

14 (4) An individual who is a civilian employee of the
15 United States outside the territorial limits of the United
16 States, whether or not the individual is subject to the civil
17 service laws and whether or not the individual is paid from
18 funds appropriated by Congress, and the individual's spouse
19 and dependents.

20 "Municipal election." The election which the Constitution of
21 Pennsylvania requires to be held in odd-numbered years.

22 "Municipality." A city, borough, town or township.

23 "Party." Any of the following:

24 (1) A party or political body, one of whose candidates
25 at the general election immediately preceding the primary:

26 (i) polled, in each of at least 10 counties, at
27 least 2% of the largest entire vote cast in the county
28 for any elected candidate; and

29 (ii) polled a total vote in this Commonwealth equal
30 to at least 2% of the largest entire vote cast in this

1 Commonwealth for any elected candidate.

2 (2) A party or political body, one of whose candidates
3 at either the general or municipal election preceding the
4 primary polled at least 5% of the largest entire vote cast
5 for any elected candidate in any county.

6 "Political body." A political body not recognized as a
7 political party which has filed proper nomination papers as
8 required by law.

9 "Primary election." An election for the nomination of
10 candidates.

11 "Public office." Any Federal, State or political
12 subdivision, office or position of employment requiring the
13 individual elected or appointed to render public service for a
14 fixed fee or compensation. The term does not include the office
15 of notary public or commissioner of deeds.

16 "Qualified elector." An applicant who possesses all of the
17 qualifications for voting prescribed by the Constitution of
18 Pennsylvania and the laws of this Commonwealth or who, being
19 otherwise qualified by continued residence in the election
20 district, obtains such qualifications before the next ensuing
21 election. The term does not include a military elector.

22 "Registrant" or "registered elector." A qualified elector
23 who is registered to vote in accordance with this article and 25
24 Pa.C.S. Pt. IV.

25 "Registration card." A registration record containing all
26 information required on the registration application, including
27 the elector's signature, and suitable space for the insertion by
28 the appropriate official of the following information:

29 (1) The ward and election district of residence.

30 (2) The registrant's street address.

1 (3) Data required to be given upon removal from the
2 registrant's residence.

3 (4) The date of each election at which the registrant
4 votes.

5 (5) The number and letter of the stub of the ballot
6 issued to the registrant or the registrant's number in the
7 order of admission to the voting machines.

8 (6) The initials of the election officer who enters the
9 record of voting in the district register.

10 (7) Whether the registrant needs assistance to vote and,
11 if so, the nature of the disability.

12 "Registration records." The general register, district
13 register and any other record of registration maintained by a
14 commission. The term includes any record maintained by the
15 commission on the Statewide Uniform Registry of Electors.

16 "Secretary." The Secretary of the Commonwealth.

17 "Statewide Uniform Registry of Electors" or "SURE system."
18 The integrated voter registration system of all registered
19 electors in this Commonwealth established in 25 Pa.C.S. Ch. 12
20 Subch. B (relating to Statewide Uniform Registry of Electors
21 (SURE)).

22 SUBARTICLE B

23 QUALIFICATIONS

24 Section 701-A. Qualifications to register.

25 (a) Eligibility.--An individual who will be at least 18
26 years of age on the day of the next election, who has been a
27 citizen of the United States for at least one month prior to the
28 next election and who has resided in this Commonwealth and the
29 election district where the individual offers to vote for at
30 least 30 days prior to the next ensuing election shall be

1 eligible to register as provided in this act.

2 (b) Effect.--No individual shall be permitted to vote at any
3 election unless the individual is registered under this
4 subsection, except as provided by law or by order of a court of
5 common pleas. No registered elector shall be required to
6 register again for any election while the elector continues to
7 reside at the same address.

8 (c) Removal of residence.--Except as otherwise provided
9 under this article and 25 Pa.C.S. Pt. IV (relating to voter
10 registration), a registered elector who removes residence from
11 one place to another outside the elector's last election
12 district shall not be entitled to vote in the election district
13 of the elector's last residence except pursuant to the
14 provisions of this section and 25 Pa.C.S. §§ 1501(b) (relating
15 to removal notices), 1502 (relating to transfer of registration)
16 and 1902 (relating to procedure for voting following failure to
17 return notification card).

18 Section 702-A. Residence of electors.

19 (a) General rule.--

20 (1) For the purpose of registration and voting, no
21 individual shall be deemed to have gained a residence by
22 reason of presence or lost a residence by reason of absence
23 in any of the following circumstances:

24 (i) Being employed in the service, either civil or
25 military, of this Commonwealth or of the United States.

26 (ii) Being engaged in the navigation of the waters
27 of this Commonwealth or of the United States or on the
28 high seas.

29 (iii) Being in an institution at public expense.

30 This subparagraph does not apply to a veteran who resides

1 in a home for disabled and indigent soldiers and sailors
2 maintained by the Commonwealth. Such a veteran may elect
3 to utilize that residence for registration and voting or
4 elect to vote as an absentee elector by the use of an
5 absentee ballot.

6 (2) Nothing in paragraph (1) shall preclude any elector
7 eligible under section 701-A from establishing the district
8 of residence as the election district of residence under
9 subsection (b).

10 (3) Except as otherwise provided in this subsection, no
11 individual who is confined in a penal institution shall be
12 deemed a resident of the election district where the
13 institution is located. The individual shall be deemed to
14 reside where the individual was last registered before being
15 confined in the penal institution, or, if there was no
16 registration prior to confinement, the individual shall be
17 deemed to reside at the last known address before
18 confinement.

19 (4) An individual who resides at a mental health
20 facility, if otherwise qualified under section 701-A, shall
21 be deemed at the individual's option a resident in one of the
22 following:

23 (i) The district where the institution is located.

24 (ii) The district where the individual was last
25 registered to vote before entering the institution. For
26 purposes of this subparagraph, if the individual was not
27 registered before entering the institution, the
28 individual shall be deemed to reside at the last known
29 address before entering the institution.

30 (b) Rules for determination.--The following apply:

1 (1) That the place shall be considered the residence of
2 an individual in which habitation is fixed and to which,
3 whenever the individual is absent, the individual has the
4 intention of returning.

5 (2) An individual shall not be considered to have lost
6 residence if the individual leaves home and goes into another
7 state or another election district for temporary purposes
8 only, with the intention of returning.

9 (3) An individual shall not be considered to have gained
10 a residence in an election district if the individual comes
11 into that district for temporary purposes only, without the
12 intention of making that election district a permanent place
13 of abode.

14 (4) If an individual removes to another state with the
15 intention of making that state the permanent residence, the
16 individual shall be considered to have lost residence in this
17 Commonwealth.

18 (5) If an individual removes to another state with the
19 intention of remaining there an indefinite time and making
20 that state the place of residence, the individual shall be
21 considered to have lost residence in this Commonwealth,
22 notwithstanding an intention to return at some indefinite
23 future period.

24 (6) If an individual goes into another state and, while
25 there, votes in an election held by that state, the
26 individual shall be considered to have lost residence in this
27 Commonwealth.

28 (7) An individual employed in the service of the Federal
29 Government or of the Commonwealth and required thereby to be
30 absent from the municipality where the individual resided

1 when entering that employment and the spouse of the
2 individual may remain registered in the district where the
3 individual resided immediately prior to entering that
4 employment, and the individual and the spouse shall be
5 enrolled in the political party designated by the individual
6 or spouse without declaring a residence by street and number
7 as follows:

8 (i) An individual who registers under this paragraph
9 for Commonwealth employment must produce a certificate
10 from the head of the State agency, under the seal of
11 office, providing that the individual or the individual's
12 spouse is actually employed in the service of the
13 Commonwealth and providing the nature of the employment
14 and the time when the employee first entered the
15 employment. The commission shall retain certificates
16 under this subparagraph.

17 (ii) The commission shall note on the registration
18 record of each individual registered under this paragraph
19 the fact of Federal or State employment.

20 (iii) At least once every two years the commission
21 shall verify the employment of the individuals registered
22 under this paragraph at the proper Federal or State
23 office. If an individual is found to be no longer a
24 Federal or State employee, the individual's registration
25 shall be canceled under 25 Pa.C.S. Ch. 15 (relating to
26 changes in records).

27 SUBARTICLE C

28 PROCEDURE

29 Section 721-A. Methods of voter registration.

30 An individual qualified to register to vote under section

1 701-A(a) may apply to register as follows:

2 (1) Under section 722-A.

3 (2) Under section 722.1-A.

4 (3) Under section 723-A.

5 (4) Under section 724-A.

6 (5) Under section 725-A.

7 Section 722-A. In-person voter registration.

8 (a) General rule.--Applications may be submitted to register
9 to vote or change party enrollment or name or address on a
10 current registration record in person before the commission or a
11 commissioner, a registrar or a clerk at the office of the
12 commission or at a place designated by the commission. The
13 applicant shall be advised that any intentional false statement
14 on the application constitutes perjury and will be punishable as
15 such. The applicant shall provide the information required on
16 the registration application and sign the registration
17 declaration. The commission shall prepare and provide voter
18 registration applications for the purpose of registering
19 qualified electors in accordance with this section.

20 Notwithstanding any other provision of this article and 25
21 Pa.C.S. Pt. IV (relating to voter registration), the commission
22 may use a mail registration application for in-person
23 registration. The commission shall mail the qualified elector an
24 identification card in accordance with section 728-A.

25 (b) Notice.--The commission shall, at least 30 days prior to
26 each establishment's opening, publish under section 106, the
27 address of each place of registration, the address of each
28 office of the commission established for the registration of
29 qualified electors other than its main office and the days and
30 hours when the place or office is open for the registration of

1 qualified electors. The announcement shall be made by posting
2 notice at the place or office and at the commission's main
3 office and by other means as the commission deems advisable.

4 (c) Polls.--The election board of each county shall cause
5 any polling place to be open, in proper order for use, as a
6 place of registration on each day when the polling place is
7 desired by the commission or required by the provisions of this
8 article and 25 Pa.C.S. Pt. IV for use as a place of
9 registration. The appropriating authority of the county shall
10 provide for the payment of rentals for such polling places and
11 other places of registration.

12 (d) Schools.--The board of public education or the board of
13 school directors shall furnish suitable space in any public
14 school building under its jurisdiction or control and shall
15 cause the space to be open and in proper order for use as a
16 place of registration on each day when the space is desired by
17 the commission for use as a place of registration in accordance
18 with the provisions of this article and 25 Pa.C.S. Pt. IV. Use
19 under this subsection may not interfere with school instruction.

20 (e) Municipal buildings.--The proper authority in the county
21 or municipality shall furnish suitable space in a building under
22 its jurisdiction or control and shall cause the space to be open
23 and in proper order for use as a place of registration on each
24 day when the space is desired by the commission for use as a
25 place of registration. Use under this subsection may not
26 interfere with the use for which the space is primarily
27 designed.

28 Section 722.1-A. Online voter registration.

29 (a) Application.--An application may be submitted to
30 register to vote or change party enrollment or name or address

1 on a current registration record through an online application
2 developed by the secretary and provided on the department's
3 publicly accessible Internet website. The applicant shall
4 provide the information required on the registration application
5 and electronically sign the registration declaration.

6 (b) Prohibition.--Except for an application developed under
7 subsection (a), no other application or third-party interface
8 may be approved or used for the purposes of voter registration.
9 Section 723-A. Application with driver's license application.

10 (a) General rule.--

11 (1) The Department of Transportation shall provide for
12 simultaneous application for voter registration in
13 conjunction with the process under 75 Pa.C.S. § 1510
14 (relating to issuance and content of driver's license). An
15 application under this subsection shall serve as an
16 application to register to vote unless the applicant fails to
17 sign the voter registration application. The secretary has
18 the primary responsibility for implementing and enforcing the
19 driver's license voter registration system created under this
20 section. The secretary, in consultation with the Secretary of
21 Transportation, may promulgate regulations for implementing
22 this section.

23 (2) An application for voter registration submitted to
24 the Department of Transportation under this subsection shall
25 be considered as updating any previous voter registration
26 information by a registrant.

27 (3) Any change of address submitted to the Department of
28 Transportation for the purposes of driver licensing shall
29 serve as notification of change of address for voter
30 registration for the registrant involved unless the

1 registrant indicates that the change of address is not for
2 voter registration purposes.

3 (b) Process.--

4 (1) The Department of Transportation shall provide for
5 an application for voter registration as part of a driver's
6 license application.

7 (2) The format of the driver's license/voter
8 registration application shall be determined and prescribed
9 by the secretary and the Secretary of Transportation.

10 (3) The voter registration application portion of the
11 application shall contain all the requirements of an official
12 voter registration application specified in section 727-A.
13 The voter registration portion of the application:

14 (i) may not require any information that duplicates
15 information required in the driver's license portion of
16 the form, other than a second signature; and

17 (ii) may require only the minimum amount of
18 information necessary to prevent duplicate voter
19 registration, to enable the commission to assess the
20 eligibility of the applicant and to administer voter
21 registration and other parts of the election process.

22 (c) Transmission.--

23 (1) The Department of Transportation shall forward
24 completed applications or contents of the completed voter
25 registration applications in machine-readable format to the
26 department by the close of registration for the ensuing
27 election.

28 (2) The department shall transmit the material to the
29 appropriate commission within 10 days after the date of its
30 receipt by the Department of Transportation. If a voter

1 registration application is received by the Department of
2 Transportation within five days before the last day to
3 register before an election, the application shall be
4 transmitted to the appropriate commission not later than five
5 days after the date of its receipt by the Department of
6 Transportation.

7 (3) Upon receipt of the completed voter registration
8 information from the department, the commission shall make a
9 record of the date of the receipt of the application and
10 process the application. No applicant shall be deemed
11 eligible to vote until the commission has received and
12 approved the application.

13 (3.1) After the Department of Transportation is
14 connected to the SURE system and notwithstanding paragraphs
15 (1), (2) and (3), the Department of Transportation shall
16 transmit electronically the contents of a completed voter
17 registration application within five days of receipt of the
18 application. Upon receipt of the information from the
19 Department of Transportation, a commission shall make a
20 record of the date of the receipt of the application and
21 process the application in accordance with section 728-A. If
22 the commission of the county of residence has not been
23 connected to the SURE system, the Department of
24 Transportation shall forward the completed application or
25 contents of the completed application to the department in
26 accordance with paragraph (1). No applicant shall be deemed
27 eligible to vote until the commission has received and
28 approved an application in accordance with section 728-A.

29 (4) Changes of address shall comply with the following:

30 (i) Before the Department of Transportation is

1 connected to the SURE system, the Department of
2 Transportation shall notify the department of changes of
3 address received under subsection (a)(3). The department
4 shall notify the commission of the county of the
5 registrant's former residence. After the Department of
6 Transportation is connected to the SURE system, the
7 Department of Transportation shall notify the commission
8 of the county of the registrant's former residence. If
9 the registrant has moved to an address outside this
10 Commonwealth, the commission shall verify the address
11 change in accordance with 25 Pa.C.S. § 1901 (relating to
12 removal of electors). Except as provided in subparagraph
13 (ii), if the registrant confirms in accordance with 25
14 Pa.C.S. § 1901(d) that he or she has moved to another
15 county, the commission shall cancel the registration and
16 forward the registrant's registration information to the
17 commission of the registrant's new county of residence.
18 Except as provided in subparagraph (ii), if the
19 registrant has moved to an address within the
20 commission's jurisdiction, the commission shall promptly
21 update the registration record of the registrant in
22 accordance with section 728-A. All changes of address
23 received by the Department of Transportation under this
24 section at least 30 days before an election must be
25 processed by the commission for the ensuing election. For
26 the purpose of this paragraph, the term "registration
27 information" means the registration card and any other
28 record of registration maintained by a commission.

29 (ii) In the case of changes of address received by
30 the Department of Transportation which do not contain a

1 signature of the registrant, the commission receiving the
2 change of address notification shall mail a notice to the
3 registrant at the new residence address requesting
4 verification of the address change. If the change of
5 address is to a new residence outside the commission's
6 jurisdiction, the commission shall mail the following
7 notice:

8 Date.....

9 Office of the Registration Commission
10 County, Pennsylvania
11 (Address and Telephone No. of County)

12 We have been notified by the Department of Transportation
13 that you recently changed your address
14 from (old residence address)
15 to (new residence address) and that this
16 change of address is to serve as a change of address for
17 voter registration purposes. Unless you notify this
18 office within 10 days from the date of this notice that
19 this information is not correct, your voter registration
20 will be transferred to County. You may notify
21 this office by writing your residence address, the date
22 and your signature on the bottom of this form and mailing
23 this notice to this office. You need not notify this
24 office if this information is correct.

25

26 Chief Clerk

27 If the address change is within the commission's
28 jurisdiction, the commission shall mail a voter's
29 identification card to the registrant at the new
30 residence address.

1 (iii) If the registrant does not return the notice
2 under subparagraph (ii) within the 10-day period, the
3 commission shall process the change of address according
4 to subparagraph (i). If the registrant notifies the
5 commission that the information is incorrect and the
6 commission is satisfied with the registrant's explanation
7 of the discrepancy, the address of the registrant's
8 registration shall remain unchanged. If the verification
9 notification or voter identification card is returned by
10 the post office as undeliverable as addressed or with a
11 forwarding address, the commission shall send a
12 confirmation notice to the registrant's address of former
13 residence in accordance with 25 Pa.C.S. § 1901(d)(2).

14 (5) Upon notification and confirmation of any change of
15 address, a commission shall promptly update information
16 contained in its registration record.

17 (d) Prohibition.--An individual who is not a qualified
18 elector is ineligible to register to vote under this section.

19 (e) Effect.--Failure to properly complete a voter
20 registration application shall not affect the validity of an
21 application for a driver's license, a renewal application or an
22 identification card application.

23 (f) Use of information.--No information regarding a
24 declination to register to vote in connection with an
25 application made under this section may be used for any purpose
26 other than voter registration.

27 (g) Staff.--Agents and employees working on behalf of the
28 Department of Transportation assisting in the completion of
29 voter registration applications shall conduct themselves in a
30 manner consistent with the following principles:

1 (1) They shall not seek to influence an applicant's
2 political preference or party registration or display
3 political preference or party allegiance.

4 (2) They shall not make a statement to an applicant or
5 take an action the purpose or effect of which is to
6 discourage the applicant from registering to vote.

7 (3) Applicants wishing to register to vote under this
8 section shall be given the same degree of assistance with the
9 voter registration application as with all other Department
10 of Transportation forms.

11 Agency employees who violate this subsection shall be removed
12 from employment, provided that the agency at its discretion may
13 impose a penalty of suspension without pay for at least 30 days,
14 but not more than 120 days, if it finds that the violation does
15 not warrant termination.

16 (h) Retention.--The Department of Transportation shall
17 retain complete records of voter registration information
18 received, processed and submitted to the SURE system by the
19 Department of Transportation. The records shall only be for the
20 purpose of supporting audit and accounting controls established
21 to ensure accurate and complete electronic transmission of
22 records between the SURE system and the Department of
23 Transportation.

24 (i) Agreement with department.--The Department of
25 Transportation shall enter into an agreement with the department
26 to match information in the SURE system with information in the
27 database of the Department of Transportation to the extent to
28 verify the accuracy of the driver's license number,
29 identification number or last four digits of the Social Security
30 number provided on an application for voter registration.

1 (j) Agreement with Commissioner of Social Security.--The
2 Department of Transportation shall enter into an agreement with
3 the Commissioner of Social Security to verify the last four
4 digits of the Social Security number provided in an application
5 for voter registration.

6 Section 724-A. Application by mail.

7 (a) General rule.--An application to register to vote or to
8 change party enrollment or name or address on a current
9 registration may be submitted by voter registration mail
10 application in the manner provided in this section. An
11 application may be submitted by mail or by representative to the
12 commission on an official mail registration application, the
13 form of which shall be determined and prescribed by the
14 secretary or the Federal Election Commission pursuant to the
15 National Voter Registration Act of 1993 (Public Law 103-31, 52
16 U.S.C. § 1973gg et seq.). The applicant must complete the
17 information required on the registration application and sign
18 the registration declaration.

19 (b) Time.--Registration under this section may be made at
20 any time. If a registration application is received by a
21 commission beyond the deadline for registration provided in
22 section 1231, the application shall be retained by the
23 commission until the beginning of the next period during which
24 registration can be made.

25 (c) Military electors.--

26 (1) A military elector may apply at any time for
27 registration on an official registration application or any
28 form prescribed by the Federal Government for such purpose.

29 (2) The status of a military elector to register under
30 this section with respect to residence shall remain as the

1 same home residence status from which the military elector is
2 qualified to register. If, at the time of leaving that home
3 address, the military elector had not resided in this
4 Commonwealth or in a particular election district for a
5 sufficient time to have been entitled to be registered but,
6 by continued residence, would have become entitled to be
7 registered, the military elector shall be entitled to be
8 registered at the time the military elector would have been
9 entitled to register had the military elector not left that
10 home address but continued to reside there.

11 (3) The commission is authorized to consider a request
12 for an absentee ballot as a request for an official
13 registration application and to forward to the requester all
14 of the following:

15 (i) An absentee ballot and balloting material.

16 (ii) An official registration application.

17 (4) The military elector must complete and file these
18 documents in accordance with the applicable provisions of
19 this act.

20 (5) The right to be registered pursuant to this
21 subsection shall not be subject to challenge for any reason
22 other than failure to have furnished the commission a
23 properly completed registration application.

24 Section 725-A. Government agencies.

25 (a) General rule.--The secretary shall administer a system
26 whereby all offices in this Commonwealth that provide public
27 assistance, each county clerk of orphans' court, including each
28 marriage license bureau, all offices in this Commonwealth that
29 provide State-funded programs primarily engaged in providing
30 services to persons with disabilities and all armed forces

1 recruitment centers do all of the following:

2 (1) Distribute voter registration applications with each
3 application, reapplication and application for
4 recertification, renewal or change of address.

5 (2) Assist applicants with completion of the
6 registration application unless assistance is refused.

7 (3) Accept completed registration applications.

8 (4) Transmit completed applications to the appropriate
9 commission.

10 (b) Forms.--An agency designated in subsection (a) shall
11 provide a form for office visits or, if the agency provides
12 services to persons with disabilities, for home visits which
13 contains all of the following:

14 (1) The question "If you are not registered to vote
15 where you live now, would you like to apply to register to
16 vote today?"

17 (2) If the agency provides public assistance, the
18 statement "Applying to register or declining to register to
19 vote will not affect the amount of assistance that you will
20 be provided by this agency."

21 (3) Boxes for the applicant to check to indicate whether
22 the applicant would like to register or decline to register
23 to vote. In close proximity to the boxes the following words
24 shall appear in prominent type: "IF YOU DO NOT CHECK EITHER
25 BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER
26 TO VOTE AT THIS TIME."

27 (4) The statement "In order to be qualified to register
28 to vote, you must be at least 18 years of age on the day of
29 the next election, you must have been a citizen of the United
30 States for at least one month prior to the next election and

1 have resided in Pennsylvania and the election district where
2 you plan to vote for at least 30 days prior to the next
3 election."

4 (5) The statement "If you would like help in filling out
5 the voter registration application form, we will help you.
6 The decision whether to seek help is yours. You may fill out
7 the form in private."

8 (6) The statement "If you believe that someone has
9 interfered with your right to register or to decline to
10 register to vote, your right to privacy in deciding whether
11 to register or in applying to register to vote or your right
12 to choose your own political party or other political
13 preference, you may file a complaint with the Secretary of
14 the Commonwealth, Pennsylvania Department of State,
15 Harrisburg, PA 17120." The secretary shall establish and
16 publish a toll-free telephone number for the purpose of
17 receiving complaints.

18 (c) Effect.--Failure to check either box under subsection
19 (b) (3) shall be considered a declination to register to vote.

20 (d) Staff.--Agency employees assisting in the completion of
21 voter registration applications shall conduct themselves in a
22 manner consistent with the following principles:

23 (1) They shall not seek to influence an applicant's
24 political preference or party registration or display
25 political preference or party allegiance.

26 (2) They shall not make any statement to an applicant or
27 take any action the purpose of or effect of which is to
28 discourage the applicant from registering to vote.

29 (3) They shall not make any statement to an applicant or
30 take any action the purpose of or effect of which is to lead

1 the applicant to believe that a decision to register or not
2 to register has any bearing on the availability of services
3 or benefits.

4 Agency employees who violate this subsection shall be removed
5 from employment, provided that the agency at its discretion may
6 impose a penalty of suspension without pay for at least 30 days,
7 but not more than 120 days, if it finds that the violation does
8 not warrant termination.

9 (e) Encouraging registration.--An agency designated in
10 subsection (a) shall provide reasonable space for nonpartisan
11 signs or posters encouraging voter registration. The signs and
12 posters shall be provided by the secretary.

13 (f) Transmission.--An agency designated in subsection (a)
14 shall forward all completed applications to the appropriate
15 commission within 10 days after the date of receipt. If a voter
16 registration application is received within five days before the
17 last day to register before an election, the application shall
18 be transmitted to the appropriate commission not later than five
19 days after the date of its receipt by the agency.

20 (g) Confidentiality.--The identity of the voter registration
21 agency through which any particular voter is registered in
22 accordance with this section shall not be disclosed to the
23 public.

24 (h) Use of information.--No information relating to a
25 declination to register to vote in connection with an
26 application made at an office described in this section may be
27 used for any purpose other than voter registration.

28 (i) Assistance.--Each agency shall provide to each applicant
29 who chooses to register to vote the same degree of assistance
30 with regard to the completion of the registration application

1 form as is provided by the office with regard to the completion
2 of its own forms unless the applicant refuses such assistance.

3 (j) Regulation.--The secretary shall promulgate regulations
4 regarding the maintenance and destruction of forms used pursuant
5 to this section.

6 Section 726-A. (Reserved).

7 Section 727-A. Preparation and distribution of applications.

8 (a) Form.--

9 (1) The secretary shall prescribe the form of an
10 official voter registration application. The official voter
11 registration application shall provide space for the
12 following information about the applicant:

13 (i) Full name.

14 (ii) Address of residence. If the residence is a
15 portion only of the house, the location or number of the
16 room, apartment or floor which is occupied.

17 (iii) Mailing address if different than address of
18 residence.

19 (iv) Name and residence address on previous
20 registration and the year of that registration.

21 (v) Designation of political party, for the purpose
22 of voting at a primary election.

23 (vi) Date of birth.

24 (vii) Telephone number. An application shall not be
25 rejected because of noncompliance with this subparagraph.

26 (viii) Race. An application shall not be rejected
27 because of noncompliance with this subparagraph.

28 (ix) Last four digits of Social Security number. An
29 application without the last four digits of an
30 applicant's Social Security number shall be considered

1 incomplete. An applicant who does not have a Social
2 Security number may have his or her identity confirmed
3 through an alternate record.

4 (x) A Department of Transportation driver's license
5 number or a Department of Transportation identification
6 card number. An application may not be rejected because
7 of noncompliance with this subparagraph.

8 (1.1) Data required on the voter registration
9 application shall not be more nor less than the minimum data
10 elements permissible for Federal voter registration.

11 (2) Any person who assists in the completion of the
12 registration application shall sign the application and
13 indicate the person's address. In the case of those
14 registering under sections 723-A and 725-A, the person
15 providing assistance shall insert the person's initials or
16 employee or agent identification number on a separate or
17 detachable portion of the application or computer data file.

18 (3) A voter registration application shall be printed on
19 stock of good quality and shall be of suitable uniform size.
20 Nothing under this article and 25 Pa.C.S. Pt. IV (relating to
21 voter registration) shall prohibit the design and use of an
22 electronic voter registration application which includes the
23 applicant's digitized or electronic signature. The
24 registration application shall contain the following
25 information; however, the information may be provided on a
26 separate form for voter registration made under section 723-A
27 or 725-A:

28 (i) Notice that a registered elector does not need
29 to reregister unless the registered elector has moved.

30 (ii) Instructions on how to fill out and submit the

1 application and notification of when the application must
2 be submitted to a voter registration office in order to
3 be registered for the ensuing election.

4 (iii) Notice that the applicant must be a citizen of
5 the United States for at least one month prior to the
6 next election and a resident of this Commonwealth and the
7 election district for at least 30 days and must be at
8 least 18 years of age by the day of the next ensuing
9 election. The notice required in this subparagraph shall
10 be in print identical to the declaration under subsection
11 (b).

12 (iv) Notice that political party enrollment is
13 mandatory to vote in a primary election of a political
14 party.

15 (v) Notice that the commission will mail by
16 nonforwardable mail to the applicant a voter's
17 identification card upon acceptance of the application
18 and that the applicant should contact the commission if
19 the identification card is not received within 14 days
20 from the date the application is sent to the registration
21 office.

22 (vi) Notice that registration is not complete until
23 the application is processed and accepted by the
24 commission.

25 (vii) A warning to the applicant that making a false
26 registration or furnishing false information is perjury.
27 The notice required in this subparagraph shall be in
28 print identical to the declaration under subsection (b).

29 (viii) Instructions to Federal or State employees
30 who wish to retain voting residence in county of last

1 residence to so indicate on the application.

2 (ix) Notice that, if an individual declines to
3 register to vote, the fact that the individual has
4 declined to register will remain confidential and will be
5 used only for voter registration purposes. The notice
6 required in this subparagraph shall be in print identical
7 to the declaration under subsection (b).

8 (x) Notice that, if an individual does register to
9 vote, the office at which the individual submits a voter
10 registration application will remain confidential and
11 will be used for voter registration purposes only. The
12 notices required in this subparagraph shall be in print
13 identical to the declaration in subsection (b).

14 (4) In jurisdictions where there is a single language
15 minority, the secretary may print a bilingual application.

16 (5) In jurisdictions where a single language minority
17 exceeds 5% of the population, the secretary shall:

18 (i) print a bilingual application; and

19 (ii) conduct a public educational program among that
20 language group alerting both organizations and
21 individuals of that group of the availability of the
22 bilingual application and encouraging individuals to
23 register.

24 (6) To implement section 724-A, the secretary shall
25 print an official voter registration mail application
26 designed to preserve the confidentiality of the information
27 required to be submitted. The application shall contain
28 information required by this section and shall include the
29 name of each county seat, its post office mailing address and
30 zip code and its telephone number. Voter registration mail

1 applications shall contain information indicating whether the
2 application is a new registration, change of party
3 enrollment, change of address or change of name.

4 (7) Nothing under this article and 25 Pa.C.S. Pt. IV
5 shall prohibit a private organization or individual from
6 printing blank voter registration applications or shall
7 prohibit the use of such applications by any other
8 individual, provided that the form, content and paper quality
9 of such voter registration application complies with
10 department regulations for the forms or has received prior
11 approval from the secretary.

12 (b) Registration declaration.--

13 (1) The official voter registration application shall
14 contain a registration declaration. On the declaration, the
15 applicant shall state all of the following:

16 (i) The applicant has been a citizen of the United
17 States for at least one month prior to the next election.

18 (ii) On the day of the next ensuing election, the
19 applicant shall be at least 18 years of age.

20 (iii) On the day of the next ensuing election, the
21 applicant shall have resided in this Commonwealth and in
22 the election district for at least 30 days.

23 (iv) The applicant is legally qualified to vote.

24 (2) The applicant shall affirm all of the following:

25 (i) The information provided in the registration
26 declaration is true.

27 (ii) The applicant understands that:

28 (A) the registration declaration will be
29 accepted for all purposes as the equivalent of an
30 affidavit; and

1 (B) if the registration contains a material
2 false statement, the applicant shall be subject to
3 penalties for perjury.

4 (3) The registration declaration shall contain the
5 printed name and signature of the applicant and the date of
6 signing. An applicant unable to sign the voter registration
7 application shall make a mark before a person of the
8 applicant's choice other than the applicant's employer or an
9 agent of the applicant's union. The person shall insert the
10 person's name, address and telephone number. If the person is
11 an employee or agent of the Department of Transportation or
12 another agency as provided under section 725-A and is
13 assisting the applicant in an official capacity, the employee
14 or agent shall insert the initials and identification number
15 of the employee or agent. In the case of applicants
16 registering under section 723-A or 725-A, the person
17 providing assistance shall insert initials or employee or
18 agent identification number on a separate or detachable
19 portion of the application or computer data file.

20 (4) The official registration application shall contain
21 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
22 notice shall advise the applicant that if a person signs an
23 official registration application knowing a statement
24 declared in the application to be false, the person commits
25 perjury. The notice shall specify the penalty for perjury.

26 (c) Distribution.--

27 (1) The secretary shall supply official registration
28 applications to commissions.

29 (2) The secretary shall make available for distribution
30 official voter registration applications to public libraries,

1 public schools, State-related institutions of higher
2 education, offices operated by the Department of Revenue,
3 offices operated by the Department of Aging, area agencies on
4 aging, offices operated by the Pennsylvania Game Commission
5 or any of its authorized license-issuing agents, offices
6 operated by the Pennsylvania Fish and Boat Commission or any
7 of its issuing agents and offices that provide unemployment
8 compensation.

9 (3) Each participating agency identified under paragraph
10 (2) shall:

11 (i) Provide that official voter registration mail
12 applications are available on the premises and displayed
13 prominently in a conspicuous location during normal
14 business hours.

15 (ii) Provide an official voter registration mail
16 application to any individual requesting one.

17 (iii) Provide reasonable space for nonpartisan signs
18 or posters indicating the availability of official voter
19 registration mail applications on the premises.

20 (4) The secretary may provide technical assistance to
21 commissions upon request and agencies designated under
22 paragraph (2).

23 (5) The secretary shall print and distribute mail
24 registration applications which are not postage paid and
25 which shall not be specific to any county registration
26 office. Along with the distribution of such applications, the
27 secretary shall also include instructions to inform the
28 applicant where the application is to be sent.

29 (6) The secretary and commissions shall supply
30 applications to all of the following:

1 (i) Persons and organizations who request
2 applications.

3 (ii) Federal, State and political subdivision
4 offices.

5 (iii) Political parties and political bodies.

6 (iv) Candidates.

7 (d) Staff.--Agency employees assisting in the distribution
8 of voter registration applications under subsection (c) shall
9 conduct themselves in a manner consistent with the following
10 principles:

11 (1) They shall not seek to influence an applicant's
12 political preference or party registration or display
13 political preference or party allegiance.

14 (2) They shall not make any statement to an applicant or
15 take any action the purpose of or effect of which is to
16 discourage the applicant from registering to vote.

17 (3) They shall not make any statement to an applicant or
18 take any action the purpose of or effect of which is to lead
19 the applicant to believe that a decision to register or not
20 to register has any bearing on the availability of services
21 or benefits.

22 Agency employees who violate this subsection shall be removed
23 from employment, provided that the agency at its discretion may
24 impose a penalty of suspension without pay for at least 30 days,
25 but not more than 120 days, if it finds that the violation does
26 not warrant termination.

27 Section 728-A. Approval of registration applications.

28 (a) Examination.--Upon receiving a voter registration
29 application, a commissioner, clerk or registrar of a commission
30 shall do all of the following:

1 (1) Initial and date the receipt of the application.

2 (2) Examine the application to determine all of the

3 following:

4 (i) Whether the application is complete.

5 (ii) Whether the applicant is a qualified elector,

6 including verification of the last four digits of the

7 applicant's Social Security number and the applicant's

8 Department of Transportation driver's license number or

9 Department of Transportation identification card number,

10 if available.

11 (iii) Whether the applicant has an existing

12 registration record. After the commission is connected to

13 the SURE system, the commissioner, clerk or registrar

14 shall search the SURE system on a Statewide basis to

15 determine if the applicant has an existing registration

16 record. The commissioner, clerk or registrar shall take

17 special care to scrutinize any registration for a similar

18 name at the same registered address.

19 (iv) Whether the applicant is entitled or qualified

20 to receive the requested transfer or change, if

21 applicable.

22 (b) Decision.--A commission shall do one of the following:

23 (1) Record and forward a voter registration application

24 to the proper commission if the commission finds during its

25 examination under subsection (a) that the applicant does not

26 reside within the commission's county but resides elsewhere

27 in this Commonwealth.

28 (2) Reject a voter registration application, indicate

29 the rejection and the reasons for the rejection on the

30 application and notify the applicant by first class

1 nonforwardable mail, return postage guaranteed of the
2 rejection and the reason if the commission finds during its
3 examination under subsection (a) any of the following:

4 (i) The application was not properly completed and,
5 after reasonable efforts by the commission to ascertain
6 the necessary information, the application remains
7 incomplete or inconsistent.

8 (ii) The applicant is not a qualified elector.

9 (iii) The applicant is not entitled to a transfer of
10 registration or a change of address.

11 (iv) The applicant is not legally qualified for a
12 change of name.

13 A rejection shall be made no later than 25 days before the
14 election succeeding the filing of the application.

15 (3) Process a voter registration application in
16 accordance with subsection (c) if the commission finds during
17 its examination under subsection (a) all of the following:

18 (i) The application requests registration.

19 (ii) The application contains the required
20 information indicating that the applicant is a qualified
21 elector of the county.

22 (4) Process a voter registration application in
23 accordance with subsection (c) and update its registration
24 records if the commission finds during its examination under
25 subsection (a) all of the following:

26 (i) The application requests registration.

27 (ii) The application contains the required
28 information indicating that the applicant is a qualified
29 elector of the county.

30 (iii) The applicant is currently a registered

1 elector of the county.

2 (5) Process a voter registration application in
3 accordance with subsection (c) and request transfer of
4 registration records in accordance with subsection (d) if the
5 commission finds during its examination under subsection (a)
6 all of the following:

7 (i) The application requests registration.

8 (ii) The application contains the required
9 information indicating that the applicant is a qualified
10 elector of the county.

11 (iii) The applicant is currently a registered
12 elector of another county.

13 (6) Process a voter registration application in
14 accordance with subsection (c) and request transfer of
15 registration records in accordance with subsection (d) if the
16 commission finds during its examination under subsection (a)
17 all of the following:

18 (i) The application requests a transfer of
19 registration.

20 (ii) The application contains the required
21 information indicating that the applicant is a qualified
22 elector of the county.

23 (iii) The applicant is currently a registered
24 elector of another county.

25 (7) Process a voter registration application in
26 accordance with subsection (c) and update its registration if
27 the commission finds during its examination under subsection
28 (a) all of the following:

29 (i) The application requests a change of address.

30 (ii) The application contains the required

1 information indicating that the applicant is a qualified
2 elector of the county.

3 (iii) The applicant is currently a registered
4 elector of the county.

5 (8) Process a voter registration application in
6 accordance with subsection (c) and update its registration
7 records if the commission finds during its examination under
8 subsection (a) all of the following:

9 (i) The application requests a change of name.

10 (ii) The applicant is legally qualified to a change
11 of name.

12 (iii) The application contains the required
13 information indicating that the applicant is a qualified
14 elector of the county.

15 (iv) The applicant is currently a registered elector
16 of the county.

17 (c) Processing of voter registration.--

18 (1) When a commission has accepted a voter registration
19 application under subsection (b) (3), the commission shall
20 assign each applicant a unique identification number in the
21 SURE system. The commission shall mail a durable, wallet-
22 sized voter's identification card to the individual by first
23 class nonforwardable mail, return postage guaranteed, which
24 shall serve as notice of the acceptance of the application.
25 The card shall contain all of the following:

26 (i) Name and address of the individual.

27 (ii) Name of municipality of residence.

28 (iii) Identification of the individual's ward and
29 district.

30 (iv) The effective date of registration.

1 (v) Designation of party enrollment and date of
2 enrollment.

3 (vi) An image of the individual's signature or mark.

4 (vii) The unique identification number of the
5 individual.

6 (viii) A statement that the individual must notify
7 the commission within 10 days from the date it was mailed
8 if any information on the card is incorrect otherwise,
9 the information shall be deemed correct for voter
10 registration purposes.

11 (ix) A scannable identification code or strip.

12 (2) When a commission has accepted a voter registration
13 application under subsection (b) (4), (5), (6), (7) or (8),
14 the commission shall mail a durable, wallet-sized voter's
15 identification card to the individual by first class
16 nonforwardable mail, return postage guaranteed, which shall
17 serve as notice of the acceptance of the application. The
18 card shall contain all of the following:

19 (i) Name and address of the individual.

20 (ii) Name of municipality of residence.

21 (iii) Identification of the individual's ward and
22 district.

23 (iv) The effective date of registration.

24 (v) Designation of party enrollment and date of
25 enrollment.

26 (vi) An image of the individual's signature or mark.

27 (vii) The SURE registration number of the
28 individual.

29 (viii) A statement that the individual must notify
30 the commission within 10 days from the date it was mailed

1 if any information on the card is incorrect, otherwise,
2 the information shall be deemed correct for voter
3 registration purposes.

4 (ix) A scannable identification code or strip.

5 (3) An envelope containing a voter identification card
6 shall be marked on the outside with a request to the
7 postmaster to return it within five days if it cannot be
8 delivered to the addressee at the address given.

9 (4) (Reserved).

10 (5) (Reserved).

11 (d) Transfer of registration records.--

12 (1) If, during application, an individual discloses that
13 the individual is a registered elector of another county, the
14 commission of the individual's new county of residence shall
15 direct a cancellation notice to the commission of the
16 individual's former county of residence in accordance with
17 regulations promulgated under this article or 25 Pa.C.S. Pt.
18 IV.

19 (2) Upon receipt of a notice transmitted in accordance
20 with paragraph (1), the commission of the individual's former
21 county of residence shall investigate. If the commission
22 finds that the individual is a registered elector of the
23 county, the commission shall verify the address change with
24 the registered elector in accordance with this article and 25
25 Pa.C.S. Pt. IV. Upon verifying that the registered elector
26 has moved to another county of residence, the commission
27 shall cancel the registered elector's registration, transfer
28 a copy of the canceled registration record to the commission
29 of the registered elector's new county of residence and
30 retain a record of the transfer. The commission of both

1 counties shall promptly update information contained in their
2 registration records.

3 (e) Challenges.--All challenges to applications for
4 registration shall be made as provided in section 729-A.
5 Section 728.1-A. SURE registration number.

6 Each registered elector shall be assigned a single and unique
7 SURE registration number in accordance with sections 728-A and
8 25 Pa.C.S. § 1514 (relating to conversion of registration
9 records). Once assigned, a SURE registration number shall not be
10 changed, modified or altered.

11 Section 729-A. Challenges.

12 (a) Standing.--An individual claiming the right to be
13 registered may be challenged by a commissioner, registrar or
14 clerk or by a qualified elector of the municipality.

15 (b) Complaint.--To make a challenge, a complainant must file
16 a challenge affidavit in a form prescribed by the secretary
17 containing the following information:

18 (1) Name of challenged individual.

19 (2) Address of challenged individual.

20 (3) Name of complainant.

21 (4) Address of complainant.

22 (5) Date of affidavit.

23 (6) Reason for challenge.

24 (c) Response.--An individual who is challenged must respond
25 to the challenge affidavit as provided in subsection (b) in a
26 written statement sworn or affirmed by the individual. The
27 challenged individual must produce such other evidence as may be
28 required to satisfy the registrar or commissioner as to the
29 individual's qualifications as a qualified elector.

30 (d) Resolution.--If the challenged individual establishes to

1 the satisfaction of the commission the right to be registered as
2 required under this article and 25 Pa.C.S. Pt. IV (relating to
3 voter registration), the challenged individual shall be
4 registered. If the challenged individual does not establish to
5 the satisfaction of the commission the right to be registered as
6 provided under this article and 25 Pa.C.S. Pt. IV, the
7 challenged individual's registration, if any, shall be canceled,
8 and the commission shall promptly update information contained
9 in its registration records.

10 Section 730-A. (Reserved).

11 Section 731-A. Privacy in voter registration.

12 The secretary shall provide a means for an elector who has an
13 active protection from abuse order under 23 Pa.C.S. Ch. 61
14 (relating to protection from abuse) entered against another
15 party to have the elector's birth date recorded in the Statewide
16 Uniform Registry of Electors so that the birth year shall be
17 listed as not fewer than 18 years and not greater than 50 years
18 prior to the year in which the claim was made. The secretary
19 shall ensure that the accommodation under this section shall end
20 when the protection from abuse order expires.

21 Section 9. Section 1003(f) of the act is amended and the
22 section is amended by adding a subsection to read:

23 Section 1003. Form of Official Election Ballot.--

24 * * *

25 [(f) In order that each elector may have the opportunity of
26 designating his choice for all the candidates nominated by one
27 political party or political body, there shall be printed on the
28 extreme left of the ballot, and separated from the rest of the
29 ballot by a space of at least one-half inch, a list of the names
30 of all the political parties or political bodies represented on

1 such ballot which have nominated candidates to be voted for at
2 such election. Such names shall be arranged in the order of the
3 votes obtained at the last gubernatorial election by the
4 candidate for Governor of the parties or bodies nominating,
5 beginning with the party that received the highest number of
6 votes cast. Following the names of such political parties and
7 political bodies shall be the names of the parties and bodies
8 not represented on the ballot at the last gubernatorial
9 election, arranged alphabetically, according to the party name
10 or appellation. A square of sufficient size for the convenient
11 insertion of a cross mark shall be placed at the right of each
12 party name or appellation.]

13 * * *

14 (h) The official ballots shall be printed on paper of the
15 correct size for the machines used by a county and watermarked
16 with the name of the county in which it shall be used.

17 Section 10. Section 1007(a) of the act is amended to read:

18 Section 1007. Number of Ballots to Be Printed; Specimen
19 Ballots.--(a) The county board of each county shall provide for
20 each election district a supply of official election ballots
21 for:

22 [(1) the general primary election held in even-numbered
23 years in which candidates for the office of President of the
24 United States are not nominated in an amount of at least 10%
25 greater than the highest number of ballots cast in the election
26 district in any of the previous three general primary elections
27 at which candidates for the office of President of the United
28 States were not nominated;

29 (2) the general primary election held in even-numbered years
30 in which candidates for the office of President of the United

1 States are nominated in an amount of at least 15% greater than
2 the highest number of ballots cast in the election district in
3 any of the previous three general primary elections at which
4 candidates for the office of President of the United States were
5 nominated;

6 (3) the municipal primary election held in odd-numbered
7 years in an amount of at least 10% greater than the highest
8 number of ballots cast in any of the previous three municipal
9 primary elections in the election district;

10 (4) the general election held in even-numbered years in
11 which candidates for the office of President of the United
12 States are not elected in an amount of at least 10% greater than
13 the highest number of ballots cast in the election district in
14 any of the previous three general elections at which candidates
15 for the office of President of the United States were not
16 elected;

17 (5) the general election held in even-numbered years in
18 which candidates for the office of President of the United
19 States are elected in an amount of at least 15% greater than the
20 highest number of ballots cast in the election districts in any
21 of the previous three general elections at which candidates for
22 the office of President of the United States were elected; and

23 (6) the municipal election held in odd-numbered years in an
24 amount of at least 10% greater than the highest number of
25 ballots cast in any of the previous three municipal elections in
26 the election district.]

27 (1) Any primary election, 50% of the registered electors in
28 an election district, less the number of electors in the
29 district who have requested an absentee or mail-in ballot.

30 (2) Any general election, 100% of the registered electors in

1 an election district, less the number of electors in the
2 district who have requested an absentee or mail-in ballot.

3 * * *

4 Section 11. Sections 1106, 1107 and 1111 of the act are
5 amended by adding subsections to read:

6 Section 1106. Examination and Approval of Voting Machines by
7 the Secretary of the Commonwealth.--

8 * * *

9 (g) Examination shall include, but is not limited to,
10 testing of all software required for the voting system's
11 operation, the ballot reader, the digital printer, the fail-safe
12 operations, the counting center environmental requirements and
13 the equipment reliability estimate.

14 (h) For the purposes of examining the system, the secretary
15 shall employ or contract for the services of at least one
16 individual who is an expert in one or more fields of data
17 processing, mechanical engineering and public administration and
18 shall require from the individual a written report of his or her
19 examination.

20 (i) Within 30 days after completing the examination and upon
21 approval of any electronic or electromechanical voting system,
22 the secretary shall make and maintain a report on the system,
23 together with a written or printed description and drawings and
24 photographs clearly identifying the system and the operation
25 thereof. As soon as practicable after the filing, the department
26 shall send a notice of certification and upon request, a copy of
27 the report to county boards of elections in this Commonwealth.
28 The report under this subsection shall be a public record under
29 the act of February 14, 2008 (P.L.6, No.3), known as the Right-
30 to-Know Law.

1 (j) After a voting system has been approved by the
2 secretary, any change or improvement in the system must be
3 approved by the secretary prior to the adoption of the change or
4 improvement by a county. If the change or improvement does not
5 comply with the requirements of this act, the secretary shall
6 suspend sales of the equipment or system in this Commonwealth
7 until the equipment or system complies with the requirements of
8 this act.

9 (k) The secretary shall examine and approve at least two
10 accessible voting machines which meet the requirements of
11 section 1123-A.

12 (l) The secretary shall examine and approve all electronic
13 or electromechanical devices used in the casting, processing or
14 tabulation of ballots or in the recording of electors,
15 including, but not limited to, ballot sorters, envelope
16 extractors, ballot scanners and electronic pollbooks.

17 (m) The examination and approval under subsection (l) shall
18 ensure that the device conforms with standards to provide
19 timeliness and accuracy in the casting and counting of ballots
20 or in the recording of electors.

21 Section 1107. Requirements of Voting Machines.--No voting
22 machine shall, upon any examination or reexamination, be
23 approved by the Secretary of the Commonwealth, or by any
24 examiner appointed by him, unless it shall, at the time, satisfy
25 the following requirements:

26 * * *

27 (u) It shall immediately reject a ballot where the number of
28 votes for an office or question exceeds the number which the
29 elector is entitled to cast or where the tabulating equipment
30 reads the ballot as a ballot with no votes cast.

1 (v) It shall be capable of providing records from which the
2 operation of the voting system may be audited.

3 (w) It shall be capable of recording votes from ballots of
4 different political parties from the same precinct, for a
5 primary election.

6 (x) It shall be manufactured in the United States and sold
7 by a vendor with a primary place of business within the United
8 States.

9 (y) It shall utilize open-source software code.

10 (z) It shall fully comply with the most recently adopted
11 Voluntary Voting System Guidelines developed by the Election
12 Assistance Commission.

13 (z.1) The requirements of subsections (u), (v), (w), (x),
14 (y) and (z) shall apply only to machines newly examined or
15 approved by the secretary after 2024. No machines purchased by a
16 county prior to 2024 shall be decertified on the basis of
17 noncompliance with subsection (u), (v), (w), (x), (y) or (z).

18 Section 1111. Preparation of Voting Machines by County
19 Election Boards.--

20 * * *

21 (g) On any day not more than 35 days before the commencement
22 of voting, the county election board shall have the automatic
23 tabulating equipment publicly tested to ascertain that the
24 equipment will correctly count the votes cast for all offices
25 and on all measures. If the ballots to be used at the polling
26 place on election day are not available at the time of the
27 testing, the county election board may conduct an additional
28 test not more than 10 days before election day. Public notice of
29 the time and place of the test shall be given at least 48 hours
30 prior to the test by publication on the county election board's

1 publicly accessible Internet website and once in one or more
2 newspapers of general circulation in the county or, if there is
3 no newspaper of general circulation in the county, by posting
4 the notice in at least four conspicuous places in the county.
5 The county election board shall provide written notice to each
6 candidate for election of the time and location of the public
7 preelection test. The test shall be open to representatives of
8 the political parties, the press and the public and shall be
9 video recorded and broadcast simultaneously on a publicly
10 accessible Internet website. Each political party may designate
11 one person with expertise in the computer field who shall be
12 allowed in the central counting room when tests are being
13 conducted and when the official votes are being counted. The
14 designee shall not interfere with the normal operation of the
15 canvassing board.

16 (h) For electronic or electromechanical voting systems
17 configured to tabulate mail-in or absentee ballots at a central
18 or regional site, the public testing shall be conducted by
19 processing a preaudited group of ballots so produced as to
20 record a predetermined number of valid votes for each candidate
21 and on each measure and to include one or more ballots for each
22 office which have activated voting positions in excess of the
23 number allowed by law in order to test the ability of the
24 automatic tabulating equipment to reject the votes. If an error
25 is detected, the cause of the error shall be corrected and an
26 errorless count shall be made before the automatic tabulating
27 equipment is approved. The test shall be repeated and errorless
28 results must be achieved immediately before the start of the
29 official count of the ballots and again after the completion of
30 the official count. The programs and ballots used for testing

1 shall be sealed and retained under the custody of the county
2 election board.

3 (i) For electronic or electromechanical voting systems
4 configured to include electronic or electromechanical tabulation
5 devices which are distributed to the precincts, all or a sample
6 of the devices to be used in the election shall be publicly
7 tested. If a sample is to be tested, the sample shall consist of
8 a random selection of at least 10% of the devices. The test
9 shall be conducted by processing a group of ballots, causing the
10 device to output results for the ballots processed and comparing
11 the output of results to the results expected for the ballots
12 processed. The group of ballots shall be produced so as to
13 record a predetermined number of valid votes for each candidate
14 and on each measure and to include for each office one or more
15 ballots which have activated voting positions in excess of the
16 number allowed by law in order to test the ability of the
17 tabulating device to reject such votes.

18 (j) If a tested tabulating device is found to have an error
19 in tabulation, it shall be deemed unsatisfactory. For each
20 device deemed unsatisfactory, the county election board shall
21 take steps to determine the cause of the error, shall attempt to
22 identify and test other devices that could reasonably be
23 expected to have the same error and shall test a number of
24 additional devices sufficient to determine that each device is
25 satisfactory. Upon deeming a device unsatisfactory, the county
26 election board may require all devices to be tested or may
27 declare that all devices are unsatisfactory.

28 (k) If the operation or output of any tested tabulation
29 device, such as spelling or the order of candidates on a report,
30 is in error, the problem shall be reported to the county

1 election board, which shall determine if the reported problem
2 warrants the county election board deeming the device
3 unsatisfactory.

4 (l) At the completion of testing under this section, the
5 county election board, the representatives of the political
6 parties and the candidates or their representatives who attended
7 the test shall witness the resetting of each device that passed
8 to a preelection state of readiness and the sealing of each
9 device that passed in such a manner as to secure its state of
10 readiness until the opening of the polls.

11 (m) The county election board shall execute a written
12 statement setting forth the tabulation devices tested, the
13 results of the testing, the protective counter numbers, if
14 applicable, of each tabulation device, the number of the seal
15 securing each tabulation device at the conclusion of testing,
16 any problems reported to the board as a result of the testing
17 and whether each device tested is satisfactory or
18 unsatisfactory. The written statement under this subsection
19 shall be a public record under the act of February 14, 2008
20 (P.L.6, No.3), known as the Right-to-Know Law.

21 (n) Any tabulating device deemed unsatisfactory shall be
22 recoded, repaired or replaced and shall be made available for
23 retesting. The device must be determined by the county election
24 board to be satisfactory before the device may be used in an
25 election. The county election board shall announce at the close
26 of the first testing the date, place and time that an
27 unsatisfactory device will be retested or may, at the option of
28 the board, notify by telephone each person who was present at
29 the first testing as to the date, place and time that the
30 retesting will occur.

1 (o) Records must be kept of all preelection testing of
2 electronic or electromechanical tabulation devices used in an
3 election. The records shall be present and available for
4 inspection and reference during public preelection testing by
5 any person in attendance during the testing. The need of the
6 county election board for access to the records during the
7 testing shall take precedence over the need of other attendees
8 to access such records so that the work of the county election
9 board will not be delayed or hindered. Records of testing must
10 include, for each device, the name of each person who tested the
11 device and the date, place, time and results of each test.
12 Records of testing shall be retained as part of the official
13 records of the election in which any device was used and shall
14 be public records under the Right-to-Know Law.

15 (p) The county election board shall submit a copy of all
16 records required under this section to the Office of the Auditor
17 General.

18 Section 12. Sections 1112(c)1, 1106-A and 1117-A of the act
19 are amended to read:

20 Section 1112. Delivery of Voting Machines and Supplies by
21 County Election Boards to Election Officers.--

22 * * *

23 (c) The county election board shall furnish, at the expense
24 of the county, and deliver with each voting machine:

25 1. A [lantern] flashlight, or a proper substitute for one,
26 which, in the case of a loss of electricity, shall give
27 sufficient light to enable voters, while in the voting machine
28 booth, to read the ballot labels, and suitable for the use of
29 election officers in examining the counters. The [lantern]
30 flashlight, or proper substitute therefor, shall be prepared and

1 in good order for use before the opening of the polls.

2 * * *

3 Section 1106-A. Experimental Use of Electronic Voting
4 Systems.--(a) The county board of elections of any county may
5 provide for experimental use at any primary or election in one
6 or more election districts of said county, of an electronic
7 voting system, and the use of such system shall be as valid for
8 all purposes as if the electronic voting system had been adopted
9 in accordance with the provisions of this act.

10 (b) The Secretary of the Commonwealth may approve the use of
11 an experimental electronic voting system by the county board of
12 elections of any county which complies with section 1306(a) for
13 absentee voters as provided for in the Uniformed and Overseas
14 Citizens Absentee Voting Act (Public Law 99-410, 100 Stat. 924)
15 and for disabled voters if the system allows the elector to mark
16 his electronic ballot in secrecy as provided for paper absentee
17 ballots pursuant to section 1306(a). The system shall be exempt
18 from the requirements of sections 1107-A, 1302, 1303, 1304, 1305
19 and 1306.

20 (c) The Secretary of the Commonwealth shall investigate the
21 use and viability of blockchain technology for the purposes of
22 electronic voting by disabled voters and absentee voters as
23 provided for in the Uniformed and Overseas Citizens Absentee
24 Voting Act.

25 Section 1117-A. [Statistical Sample.--The county board of
26 elections, as part of the computation and canvass of returns,
27 shall conduct a statistical recount of a random sample of
28 ballots after each election using manual, mechanical or
29 electronic devices of a type different than those used for the
30 specific election. The sample shall include at least two (2) per

1 centum of the votes cast or two thousand (2,000) votes whichever
2 is the lesser.] Post-election Audit.--The county board of
3 elections, as part of the computation and canvass of returns,
4 and prior to certification, shall cooperate in a result-
5 confirming audit conducted by the department of the Auditor
6 General. The audit shall be a ballot comparison, risk-limiting
7 audit, conducted with a risk limit of one (1) per centum for
8 mail-in and absentee ballots and for ballots cast on voting
9 machines, the audit shall be a ballot-polling, risk-limiting
10 audit, conducted with a risk limit of one (1) per centum.

11 Section 13. The act is amended by adding sections to read:

12 Section 1123-A. Requirements of Accessible Voting
13 Machines.--An accessible voting machine may not, upon any
14 examination or reexamination, be approved by the Secretary of
15 the Commonwealth, or by an examiner appointed by the Secretary,
16 unless the accessible voting machine satisfies the following
17 requirements:

18 (1) The voting system must provide a tactile input or audio
19 input device, or both.

20 (2) The voting system must provide a method by which voters
21 can confirm any tactile or audio input by having the capability
22 of audio output using synthetic or recorded human speech that is
23 reasonably phonetically accurate.

24 (3) Any operable controls on the input device which are
25 needed for voters who are visually impaired must be discernible
26 tactilely without actuating the keys.

27 (4) Audio and visual access approaches must be able to work
28 both separately and simultaneously.

29 (5) If a nonaudio access approach is provided, the system
30 may not require color perception. The system must use black text

1 or graphics, or both, on white background or white text or
2 graphics, or both, on black background, unless the office of the
3 secretary approves other high-contrast color combinations that
4 do not require color perception.

5 (6) Any voting system that requires any visual perception
6 must offer the election official who programs the system, prior
7 to its being sent to the polling place, the capability to set
8 the font size, as it appears to the voter, from a minimum of 14
9 points to a maximum of 24 points.

10 (7) The voting system must provide audio information,
11 including any audio output using synthetic or recorded human
12 speech or any auditory feedback tones that are important for the
13 use of the audio approach, through at least one mode, by handset
14 or headset, in enhanced auditory fashion (increased
15 amplification), and must provide incremental volume control with
16 output amplification up to a level of at least 97 db spl.

17 (8) For transmitted voice signals to the voter, the voting
18 system must provide a gain adjustable up to a minimum of 20 db
19 spl with at least one intermediate step of 12 db spl of gain.

20 (9) For the safety of others, if the voting system has the
21 possibility of exceeding 120 db spl, a mechanism must be
22 included to reset the volume automatically to the voting
23 system's default volume level after every use.

24 (10) If sound cues and audible information such as "beeps"
25 are used, there must be simultaneous corresponding visual cues
26 and information.

27 (11) Controls and operable mechanisms must be operable with
28 one hand, including operability with a closed fist and operable
29 without tight grasping, pinching or twisting of the wrist.

30 (12) The force required to operate or activate the controls

1 must be no greater than five pounds of force.

2 (13) Voting booths must have voting controls at a minimum
3 height of 36 inches above the finished floor with a minimum knee
4 clearance of 27 inches high, 30 inches wide and 19 inches deep,
5 or the accessible voter interface devices must be designed so as
6 to allow their use on top of a table to meet these requirements.
7 Tabletop installations must include adequate privacy.

8 (14) Any audio ballot must provide the voter with the
9 following functionalities:

10 (i) After the initial instructions that the system requires
11 election officials to provide to each voter, the voter should be
12 able to independently operate the voter interface through the
13 final step of casting a ballot without assistance.

14 (ii) The voter must be able to determine the races that he
15 or she is allowed to vote in and to determine which candidates
16 are available in each race.

17 (iii) The voter must be able to determine how many
18 candidates may be selected in each race.

19 (iv) The voter must be able to have confidence that the
20 physical or vocal inputs given to the system have selected the
21 candidates that he or she intended to select.

22 (v) The voter must be able to review the candidate
23 selections that he or she has made.

24 (vi) Prior to the act of casting the ballot, the voter must
25 be able to change any selections previously made and confirm a
26 new selection.

27 (vii) The system must communicate to the voter the fact that
28 the voter has failed to vote in a race or has failed to vote the
29 number of allowable candidates in any race and require the voter
30 to confirm his or her intent to undervote before casting the

1 ballot.

2 (viii) The system must prevent the voter from overvoting any
3 race.

4 (ix) The voter must be able to input a candidate's name in
5 each race that allows a write-in candidate.

6 (x) The voter must be able to review his or her write-in
7 input to the interface, edit that input and confirm that the
8 edits meet the voter's intent.

9 (xi) There must be a clear, identifiable action that the
10 voter takes to "cast" the ballot. The system must make clear to
11 the voter how to take this action so that the voter has minimal
12 risk of taking the action accidentally but, when the voter
13 intends to cast the ballot, the action can be easily performed.

14 (xii) Once the ballot is cast, the system must confirm to
15 the voter that the action has occurred and that the voter's
16 process of voting is complete.

17 (xiii) Once the ballot is cast, the system must preclude the
18 voter from modifying the ballot cast or voting or casting
19 another ballot.

20 Section 1124-A. Voting system defects, disclosure,
21 investigations and penalties.

22 (a) (Reserved).

23 (b) Disclosure.--No later than January 1 of every odd-
24 numbered year, each vendor shall file a written disclosure with
25 the department identifying any known defect in the voting system
26 or the fact that there is no known defect, the effect of any
27 defect on the operation and use of the approved voting system
28 and any known corrective measures to cure a defect, including,
29 but not limited to, advisories and bulletins issued to system
30 users.

1 (c) Cure of defect.--Implementation of corrective measures
2 approved by the department which enable a system to conform to
3 the standards and ensure the timeliness and accuracy of the
4 casting and counting of ballots constitutes a cure of a defect.

5 (d) New defect.--If a vendor becomes aware of the existence
6 of a defect, the vendor must file a new disclosure with the
7 department as provided in subsection (a) within 30 days of the
8 date the vendor determined or reasonably should have determined
9 that the defect existed.

10 (e) Suspension.--If a vendor discloses to the department
11 that a defect exists, the department may suspend all sales or
12 leases of the voting system in this Commonwealth and may suspend
13 the use of the system in any election in this Commonwealth. The
14 department shall provide written notice of a suspension under
15 this subsection to the affected vendor and county boards of
16 elections. If the department determines that the defect no
17 longer exists, the department shall lift the suspension and
18 provide written notice to each affected vendor and supervisor of
19 elections.

20 (f) Prohibition.--If a vendor fails to file a required
21 disclosure for a voting system previously approved by the
22 department, that system may not be sold, leased or used for
23 elections in this Commonwealth until the voting system has been
24 submitted for examination and approval under this act. The
25 department shall provide written notice to each county board of
26 elections that the system is no longer approved.

27 (g) Investigation.--If the department has reasonable cause
28 to believe a voting system approved under this act contains a
29 defect either before, during or after an election which has not
30 been disclosed pursuant to this section, the department shall

1 investigate whether the voting system has a defect.

2 (h) Initiation of investigation.--The department shall
3 initiate an investigation on its own initiative or upon the
4 written request of the board of elections of a county that
5 purchased a voting system that contains the alleged defect.

6 (i) Notice of investigation.--Upon initiation of an
7 investigation, the department shall provide written notice to
8 the vendor and each county board of elections.

9 (j) Notice of defect.--If the department determines by a
10 preponderance of the evidence that a defect exists in the voting
11 system, or that vendor failed to timely disclose a defect under
12 this section, the department shall provide written notice to the
13 affected vendor and county board of elections.

14 (k) Response.--A vendor who receives notice of a defect
15 shall, within 10 days of receipt of the notice under subsection
16 (j), file a written response to the department which:

17 (1) denies that the alleged defect exists or existed as
18 alleged by the department or that the vendor failed to timely
19 disclose a defect and sets forth the reasons for the denial;
20 or

21 (2) admits that the defect exists or existed as alleged
22 by the department or that the vendor failed to timely
23 disclose a defect.

24 (l) Cure.--If the defect has been cured, the vendor shall
25 provide an explanation of how the defect was cured.

26 (m) Failure to cure.--If the defect has not been cured, the
27 vendor shall inform the department whether the defect can be
28 cured and shall provide the department with a plan for curing
29 the defect.

30 (n) Time frame.--If the defect can be cured, the department

1 shall establish a time frame within which to cure the defect.

2 (o) Action.--If, after receiving a response from the vendor,
3 the department determines that a defect does not exist or has
4 been cured within the time frame established by the department,
5 the department shall take no further action.

6 (p) Civil penalty.--If the department determines that a
7 vendor failed to timely disclose a defect or that a defect
8 exists and a vendor has not filed a written response or has
9 failed to cure within the time frame established by the
10 department, or if the defect cannot be cured, the department
11 shall impose a civil penalty of \$25,000 for the defect plus an
12 amount equal to the actual costs incurred by the department in
13 conducting the investigation.

14 (q) Administrative penalty.--If the department finds that a
15 defect existed:

16 (1) The department may suspend all sales and leases of
17 the voting system and may suspend its use in any county in
18 this Commonwealth. The department shall provide written
19 notice of the suspension to each affected vendor and county
20 board of elections.

21 (2) If the department determines that a defect no longer
22 exists in a voting system that has been suspended from use
23 under this section, the department shall lift the suspension
24 and authorize the sale, lease and use of the voting system in
25 any election in the State. The department shall provide
26 written notice that the suspension has been lifted to each
27 affected vendor and county board of elections.

28 (3) If the defect cannot be cured, the department may
29 disapprove the voting system for use in elections in this
30 Commonwealth. The department shall provide written notice to

1 all directors of elections that the system is no longer
2 approved. After approval of a system that has been withdrawn
3 under this paragraph, the system may not be sold, leased or
4 used in this Commonwealth until it has been resubmitted for
5 examination and approval and adopted for use under this act.

6 (4) A vendor for whom a civil penalty was imposed under
7 this section may not submit a voting system for approval by
8 the department or enter into a contract for sale or lease of
9 a voting system in this Commonwealth until each civil penalty
10 has been paid and the department provides written
11 confirmation of the payment to the county board of elections.

12 (r) Report.--The department shall prepare a written report
13 of any investigation conducted pursuant to this section and
14 submit the report to the President pro tempore of the Senate,
15 the Speaker of the House of Representatives, the Majority Leader
16 and Minority Leader of the Senate, the Majority Leader and
17 Minority Leader of the House of Representatives, the chair and
18 minority chair of the State Government Committee of the Senate
19 and the chair and minority chair of the State Government
20 Committee of the House of Representatives.

21 (s) Authority.--The authority of the department under this
22 section shall be in addition to, and not exclusive of, any other
23 authority provided by law.

24 (t) Definitions.--For the purposes of this section:

25 "Defect" means a failure, fault or flaw in an electronic or
26 electro-mechanic voting system approved under this act, which
27 results in nonconformance with the standards in a manner that
28 affects the timeliness or accuracy of the casting or counting of
29 ballots or a failure or inability of the voting system
30 manufacturer or vendor to make available and provide approved

1 replacements of hardware or software to the counties that have
2 purchased the approved voting system, the unavailability of
3 which results in the system's nonconformance with the standards
4 in a manner that affects the timeliness or accuracy of the
5 casting or counting of ballots.

6 "Department" means the Department of State of the
7 Commonwealth.

8 Section 13.1. Article XI-B of the act is repealed:

9 [ARTICLE XI-B

10 VOTING APPARATUS BONDS

11 Section 1101-B. Definitions.

12 The following words and phrases when used in this article
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Account." The County Voting Apparatus Reimbursement Account
16 established under section 1106-B.

17 "Authority." The Pennsylvania Economic Development Financing
18 Authority.

19 "Bond." Any type of revenue obligation, including a bond or
20 series of bonds, note, certificate or other instrument, issued
21 by the authority for the benefit of the department under this
22 article.

23 "Bond administrative expenses." Expenses incurred to
24 administer bonds as provided under the Financing Law, or as
25 otherwise necessary to ensure compliance with applicable Federal
26 or State law.

27 "Bond obligations." The principal of a bond and any premium
28 and interest payable on a bond, together with any amount owed
29 under a related credit agreement or a related resolution of the
30 authority authorizing a bond.

1 "Credit agreement." A loan agreement, a revolving credit
2 agreement, an agreement establishing a line of credit, a letter
3 of credit or another agreement that enhances the marketability,
4 security or creditworthiness of a bond.

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

6 "Election security equipment." Information technology such
7 as intrusion detection sensors and other infrastructure deployed
8 to enhance the security of voting apparatus and election systems
9 by detecting and reporting hacking attempts and other election
10 security breaches.

11 "Electronic voting system." As defined in section 1101-A.

12 "Financing Law." The act of August 23, 1967 (P.L.251,
13 No.102), known as the Economic Development Financing Law.

14 "Voting apparatus." A kind or type of electronic voting
15 system that received the approval of the Secretary of the
16 Commonwealth under section 1105-A.

17 Section 1102-B. Bond issuance.

18 (a) Declaration of policy.--The General Assembly finds and
19 declares that funding the replacement of voting apparatuses,
20 including interest, through the authority, is in the best
21 interest of this Commonwealth.

22 (b) Authority.--Notwithstanding any other law, the following
23 shall apply:

24 (1) The department may be a project applicant under the
25 Financing Law and may apply to the authority for the funding
26 of the replacement of voting apparatuses.

27 (2) The authority may issue bonds under the Financing
28 Law, consistent with this article, to finance projects to
29 fund the replacement of county voting apparatuses or to
30 reimburse counties for their cost to purchase or enter into

1 capital leases for voting apparatuses.

2 (3) Participation of an industrial and commercial
3 development authority shall not be required to finance the
4 replacement of voting apparatuses.

5 (c) Debt or liability.--

6 (1) Bonds issued under this article shall not be a debt
7 or liability of the Commonwealth and shall not create or
8 constitute any indebtedness, liability or obligation of the
9 Commonwealth.

10 (2) Bond obligations and bond administrative expenses
11 shall be payable solely from revenues or money pledged or
12 available for repayment as authorized under this article.
13 This paragraph shall include the proceeds of any issuance of
14 bonds.

15 (3) Each bond shall contain on its face a statement
16 that:

17 (i) the authority is obligated to pay the principal
18 or interest on the bonds only from the revenues or money
19 pledged or available for repayment as authorized under
20 this article;

21 (ii) neither the Commonwealth nor a county is
22 obligated to pay the principal or interest; and

23 (iii) the full faith and credit of the Commonwealth
24 or any county is not pledged to the payment of the
25 principal of or the interest on the bonds.

26 Section 1103-B. Criteria for bond issuance.

27 (a) Determination.--If the department decertifies one or
28 more voting apparatuses that are in use in any county of this
29 Commonwealth, the department shall apply to the authority to
30 issue bonds for reimbursements to each county for the cost of

1 procuring new voting apparatuses.

2 (a.1) Issuance.--Bonds may be issued in one or more series,
3 and each series may finance reimbursement grants to one or more
4 counties.

5 (b) Terms.--

6 (1) The department, with the approval of the Office of
7 the Budget, shall specify in its application to the
8 authority:

9 (i) the maximum principal amount of the bonds for
10 each bond issue; and

11 (ii) the maximum term of the bonds consistent with
12 applicable law.

13 (2) The total principal amount for all bonds issued
14 under this article may not exceed \$90,000,000.

15 (3) The term of the bonds issued under this article may
16 not exceed 10 years from the respective date of original
17 issuance.

18 (c) Expiration.--For the purpose of this article,
19 authorization to issue bonds, not including refunding bonds,
20 shall expire December 31, 2020.

21 Section 1104-B. Issuance of bonds, security and sources of
22 payments.

23 (a) Issuance.--The authority shall consider issuance of
24 bonds upon application by the department. Bonds issued under
25 this article shall be subject to the provisions of the Financing
26 Law, unless otherwise specified under this article.

27 (b) Service agreement authorized.--The authority and the
28 department may enter into an agreement or service agreement to
29 effectuate this article, including an agreement to secure bonds
30 issued for the purposes under section 1102-B(b), pursuant to

1 which the department shall agree to pay the bond obligations and
2 bond administrative expenses to the authority in each fiscal
3 year that the bonds or refunding bonds are outstanding in
4 amounts sufficient to timely pay in full the bond obligations,
5 bond administrative expenses and any other financing costs due
6 on the bonds issued for the purposes under section 1102-B(b).
7 The department's payment of the bond obligations, bond
8 administrative expenses and other financing costs due on the
9 bonds as service charges under an agreement or service agreement
10 shall be subject to and dependent upon the appropriation of
11 funds by the General Assembly to the department for payment of
12 the service charges. The service agreement may be amended or
13 supplemented by the authority and the department in connection
14 with the issuance of any series of bonds or refunding bonds
15 authorized under this section.

16 (c) Security.--Bond obligations and bond administrative
17 expenses may be secured, for the benefit of the holders of the
18 bonds and the obligees under credit agreements or the agreements
19 under subsection (b), by pledge of a security interest in and
20 first lien on the following:

21 (1) Money relating to the bonds held on deposit in any
22 other fund or account under an instrument or agreement
23 pertaining to the bonds, including bond reserves and interest
24 income on the money.

25 (2) The security provided under this subsection shall
26 not apply to money in any fund relating to arbitrage rebate
27 obligations.

28 Section 1105-B. Sale of bonds.

29 The authority shall offer the bonds for sale by means of a
30 public, competitive sale or by means of a negotiated sale based

1 on the authority's determination of which method will produce
2 the most benefit to counties and the Commonwealth.

3 Section 1106-B. Deposit of bond proceeds.

4 The net proceeds of bonds, other than refunding bonds,
5 exclusive of costs of issuance, reserves and any other financing
6 charges, shall be transferred by the authority to the State
7 Treasurer for deposit into a restricted account established in
8 the State Treasury and held solely for the purposes under
9 section 1102-B(b) to be known as the County Voting Apparatus
10 Reimbursement Account. The department shall pay out the bond
11 proceeds to the counties from the account in accordance with
12 this article.

13 Section 1107-B. Payment of bond-related obligations.

14 For each fiscal year in which bond obligations and bond
15 administrative expenses will be due, the authority shall notify
16 the department of the amount of bond obligations and the
17 estimated amount of bond administrative expenses in sufficient
18 time, as determined by the department, to permit the department
19 to request an appropriation sufficient to pay bond obligations
20 and bond administrative expenses that will be due and payable in
21 the following fiscal year. The authority's calculation of the
22 amount of bond obligations and bond administrative expenses that
23 will be due shall be subject to verification by the department.

24 Section 1108-B. Commonwealth not to impair bond-related
25 obligations.

26 The Commonwealth pledges that it shall not do any of the
27 following:

- 28 (1) Limit or alter the rights and responsibilities of
29 the authority or the department under this article, including
30 the responsibility to:

1 (i) pay bond obligations and bond administrative
2 expenses; and
3 (ii) comply with any other instrument or agreement
4 pertaining to bonds.

5 (2) Alter or limit the service agreement under section
6 1104-B(b).

7 (3) Impair the rights and remedies of the holders of
8 bonds, until each bond issued at any time and the interest on
9 the bond are fully met and discharged.

10 Section 1109-B. (Reserved).

11 Section 1110-B. Personal liability.

12 The members, directors, officers and employees of the
13 department and the authority shall not be personally liable as a
14 result of good faith exercise of the rights and responsibilities
15 granted under this article.

16 Section 1111-B. Annual report.

17 No later than March 1 of the year following the first full
18 year in which bonds have been issued under this article and for
19 each year thereafter in which bond obligations existed in the
20 prior year, the department shall submit an annual report to the
21 chair and minority chair of the Appropriations Committee of the
22 Senate, the chair and minority chair of the Appropriations
23 Committee of the House of Representatives, the chair and
24 minority chair of the State Government Committee of the Senate
25 and the chair and minority chair of the State Government
26 Committee of the House of Representatives providing all data
27 available on bonds issued or existing in the prior year. The
28 report shall include existing and anticipated bond principal,
29 interest and administrative costs, revenue, repayments,
30 refinancing, overall benefits to counties and any other relevant

1 data, facts and statistics that the department believes
2 necessary in the content of the report.

3 Section 1112-B. Reimbursement of county voting apparatus
4 expenses.

5 (a) Application.--A county may apply to the department to
6 receive funding to replace the county's voting apparatuses or to
7 reimburse the county's cost to purchase or lease by capital
8 lease voting apparatuses. Each county shall submit an
9 application for funding on a form containing information and
10 documentation prescribed by the department no later than July 1,
11 2020.

12 (b) Documentation for prior purchase or lease.--If a county
13 seeks reimbursement of the county's cost to purchase or lease by
14 capital lease a voting apparatus that the county purchased or
15 leased before the date that the county submits its application
16 to the department, the county's application shall include
17 documentation prescribed by the department to substantiate the
18 county's cost to purchase or lease the voting apparatus,
19 including copies of fully executed voting apparatus contracts,
20 invoices and proof of payment to the vendor of the voting
21 apparatus.

22 (c) Documentation for subsequent purchase or lease.--If a
23 county seeks funding to purchase or lease by capital lease a
24 voting apparatus that the county will purchase or lease after
25 the date that the county submits its application to the
26 department, the county's application shall include documentation
27 prescribed by the department to substantiate the county's
28 estimate to purchase or lease the voting apparatus, including
29 copies of fully executed voting apparatus contracts, bids or
30 price quotes submitted to the county by voting apparatus vendors

1 and other price estimates or cost proposals.

2 (d) Review.--The department shall review each county
3 application on a rolling basis and shall either approve or deny
4 each county's application within 90 days of the date the
5 application is received by the department. A county may
6 supplement or amend submitted applications during the 90-day
7 review period in consultation with the department.

8 (e) Approval for prior purchase or lease.--If the department
9 approves a county's application submitted under subsection (b),
10 the department and the county shall enter into a written grant
11 agreement through which the department shall reimburse the
12 county at the amount determined under subsection (g).

13 (f) Approval for subsequent purchase or lease.--If the
14 department approves a county's application under subsection (c),
15 the department and the county shall enter into a written grant
16 agreement through which the department will provide funding to
17 reimburse the county's cost to purchase or lease a voting
18 apparatus at the amount determined under subsection (g). The
19 county shall hold the grant money in an account of the county
20 that is separate from each other county account. The county
21 shall deliver quarterly reports to the department of the voting
22 apparatus costs paid from the grant money in a form prescribed
23 by the department. The county shall return any unspent grant
24 money to the department within 30 days of the expiration of the
25 grant agreement.

26 (g) Payments.--

27 (1) A county shall only receive amounts under this
28 section to the extent that the department has bond proceeds
29 available in the account from which to make payments.

30 (2) Except as provided under paragraph (3), a county

1 which submitted an application approved under subsection (e)
2 or (f) shall receive 60% of the total amount submitted under
3 subsection (b) or (c) which may be reimbursed or paid.

4 (3) If the total amount submitted by all counties under
5 paragraph (2) exceeds the total amount available for
6 reimbursement or payment, a county shall receive a portion of
7 the amount available equal to the total amount submitted by
8 the county under subsection (b) or (c) which may be
9 reimbursed or paid, divided by the total amount submitted by
10 all counties under subsection (b) or (c) which may be
11 reimbursed or paid.

12 (4) If any bond proceeds remain after the department has
13 issued all reimbursements in accordance with paragraphs (1),
14 (2) and (3), the department may utilize the remaining balance
15 for grants for counties for the purchase and distribution to
16 the counties of election security equipment. The department
17 shall provide notice to each county no later than 30 days
18 prior to receiving applications for grants under this
19 paragraph.

20 (h) Certification.--A county shall only receive the
21 reimbursement or funding under this article after making a
22 certification to the department, the President pro tempore of
23 the Senate, the Speaker of the House of Representatives, the
24 Minority Leader of the Senate, the Minority Leader of the House
25 of Representatives, the chair and minority chair of the
26 Appropriations Committee of the Senate, the chair and minority
27 chair of the Appropriations Committee of the House of
28 Representatives, the chair and minority chair of the State
29 Government Committee of the Senate and the chair and minority
30 chair of the State Government Committee of the House of

1 Representatives that the county has completed a program under 25
2 Pa.C.S. § 1901(b) (1) (relating to removal of electors) and
3 mailed notices required under 25 Pa.C.S. § 1901(b) (3) within the
4 prior 12 months. The certification shall include information on
5 whether the county has undertaken a canvass under 25 Pa.C.S. §
6 1901(b) (2).

7 (i) Department application.--The department shall apply to
8 the authority for funding under section 1102-B only if the
9 department has approved county applications under this article
10 which total at least \$50,000,000.]

11 Section 13.2. The act is amended by adding an article to
12 read:

13 ARTICLE XI-C

14 ELECTION EQUIPMENT FUNDING

15 Section 1101-C. Definitions.

16 The following words and phrases when used in this article
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 "Account." The Election Equipment Funding Program Account
20 established under section 1105-C(c).

21 "Authority." The Commonwealth Financing Authority.

22 "Board." The board of directors of the authority.

23 "Election equipment." The following:

24 (1) Voting machines.

25 (2) Sorters.

26 (3) Extractors.

27 (4) Electronic poll books.

28 (5) Servers for data storage.

29 (6) Tabulators.

30 "Program." The Election Equipment Funding Program

1 established under section 1102-C.

2 Section 1102-C. Establishment.

3 The Election Equipment Funding Program is established. The
4 authority shall administer and act as the fiscal agent for the
5 program and shall be responsible for receiving and reviewing
6 grant applications and awarding grants. The purpose of the
7 program shall be to award grants to counties for the purchase
8 and maintenance of election equipment.

9 Section 1103-C. Grant awards.

10 Grant awards shall be at the discretion of the authority and
11 shall be limited to amounts appropriated to the authority for
12 the program.

13 Section 1104-C. Application.

14 (a) Period.--The authority shall establish an annual
15 application period during which applications for grant funding
16 under the program may be submitted. The annual application
17 period shall be no fewer than 21 days and no longer than 60
18 days.

19 (b) Form and contents.--An application shall be submitted to
20 the authority. An application shall include the following
21 information:

22 (1) A receipt for the equipment purchased.

23 (2) Verification that the specific equipment purchased
24 has been certified by the Election Assistance Commission and
25 the Department of State.

26 (3) A copy of the security protocols for each type of
27 equipment.

28 (4) A copy of the most recent post-election audit
29 conducted in that county.

30 (5) A copy of the Auditor General's report on the most

1 recent election conducted in that county, including any
2 corrective action plan issued under section 108(5).

3 (6) A copy of any service contract agreed to as part of
4 the purchase of equipment.

5 (c) Review.--In reviewing an application, the authority
6 shall conduct a review of each item required under subsection
7 (b) to ensure that the county and equipment being purchased is
8 in full compliance with this act.

9 (d) Criteria.--The authority shall award grants based on a
10 county's compliance with this act. Specific criteria to be
11 considered when weighing an application shall be:

12 (1) Whether the county submitting an application has
13 provided proof of full compliance with this act during the
14 most recent election.

15 (2) Whether the equipment purchased qualifies for
16 reimbursement under this act.

17 Section 1105-C. Implementation.

18 (a) Requirements.--The following apply:

19 (1) The requirements for the administration of the
20 program shall be as follows:

21 (i) An application for a grant under this section
22 must be received by a deadline established by the
23 authority.

24 (ii) The authority shall execute a grant agreement
25 between the board and a county before the payment of a
26 grant award.

27 (iii) A county shall maintain full and accurate
28 records for the purchase or maintenance of election
29 equipment.

30 (iv) A county shall submit to the authority copies

1 of all canceled checks or other records verifying
2 expenditures of grant money.

3 (2) The authority may establish additional requirements
4 for the program as the authority deems necessary to
5 administer the program.

6 (b) Restrictions and limitations.--The following apply:

7 (1) Any unused portion of a grant award shall be
8 returned to the authority.

9 (2) Grant money may not be used for any of the
10 following:

11 (i) The operation of satellite election offices or
12 ballot return locations.

13 (ii) The mailing of applications for mail-in or
14 absentee ballots to electors.

15 (iii) A voter education or election awareness
16 program.

17 (3) The authority may establish additional restrictions
18 and limitations as the authority deems necessary to
19 administer the program.

20 (c) Account.--The authority shall establish the Election
21 Equipment Funding Program Account. The following shall apply:

22 (1) The purpose of the account shall be to award grants
23 under this act.

24 (2) The following shall be sources of funding for the
25 account:

26 (i) Appropriations, including Federal money.

27 (ii) Return on the money in the account.

28 (3) Money in the account is continuously appropriated to
29 the account. This appropriation shall not lapse at the end of
30 a fiscal year.

1 (d) Guidelines.--Within 180 days of the effective date of
2 this section, the board shall adopt guidelines to implement this
3 section. The guidelines shall include provisions for submission,
4 review and approval of applications and award of grants.

5 Section 13.3. The act is amended by adding sections to read:

6 Section 1201.3. Voter's Bill of Rights.--Each registered
7 voter in this Commonwealth shall have the right to:

8 (1) Vote and have his or her vote accurately counted.

9 (2) Cast a vote if he or she is in line at the time of the
10 closing of polls.

11 (3) Ask for and receive assistance in voting.

12 (4) Receive up to two replacement ballots if he or she makes
13 a mistake prior to the ballot being cast.

14 (5) Receive an explanation if his or her registration or
15 identity is in question.

16 (6) Cast a provisional ballot, if his or her registration or
17 identity is in question.

18 (7) Receive written instructions to use when voting and,
19 upon request, oral instructions from elections officers to use
20 when voting.

21 (8) Vote free from coercion or intimidation by elections
22 officers or any other person.

23 (9) Vote on a voting system that is in working condition and
24 that will allow votes to be accurately cast and accurately
25 counted.

26 (10) Any other rights as provided by Federal, State or local
27 law.

28 Section 1201.4. Senior Voter's Bill of Rights.--In addition
29 to the rights of a voter under section 1201.3, a voter in this
30 Commonwealth who is 70 years of age or older shall have the

1 right to:

2 (1) Receive any assistance necessary to successfully cast a
3 ballot.

4 (2) Move to the front of the line upon arrival at a polling
5 place.

6 (3) Receive assistance through supervised voting under
7 section 1306.2.

8 (4) Any other rights as provided by Federal, State or local
9 law.

10 Section 1201.5. Disabled Voter's Bill of Rights.--In
11 addition to the rights of a voter under section 1201.3, a voter
12 in this Commonwealth who is disabled shall have the right to:

13 (1) Receive any assistance necessary to successfully cast a
14 ballot.

15 (2) Move to the front of the line upon arrival at a polling
16 place.

17 (3) Bring into a polling place or elections office a service
18 animal qualified under the Americans with Disabilities Act of
19 1990 (Public Law 101-336, 104 Stat. 327).

20 (4) Vote using an accessible voting machine approved under
21 this act.

22 (5) Have all polling places in this Commonwealth meet
23 accessibility requirements under the Americans with Disabilities
24 Act of 1990 (Public Law 101-336, 104 Stat. 327).

25 (6) Request a ballot be brought by election officers outside
26 the polling place of the qualified elector, provided that:

27 (i) A qualified elector's vote under this section shall be
28 cast within 150 feet of the entrance to the polling place.

29 (ii) The qualified elector shall mark the ballot in the
30 presence of two election officers, with one representing each of

1 the political parties with the greatest number of registered
2 electors in this Commonwealth.

3 (iii) The qualified elector shall mark the ballot in a
4 secret manner and, obscuring the vote, return the ballot to the
5 election officers. The election officers shall immediately
6 return to the polling place and deposit the ballot in the voting
7 machine.

8 (iv) The electronic poll book utilized by the polling place
9 shall be brought to the qualified elector, if possible, or
10 otherwise made to record the qualified elector's participation
11 in the election.

12 (v) A record shall be made of each elector voting under this
13 section and of each election officer assisting in the casting of
14 each such ballot.

15 (7) Any other rights as provided by Federal, State or local
16 law.

17 Section 14. Sections 1204, 1205, 1209(a), 1210(a.3)(4),
18 1218(a), 1231(a), (b)(1), (3) and (4), 1302(b), (i)(2) and (k),
19 1302.1(a) and (a.3)(1) and (2) and 1305(b) of the act are
20 amended to read:

21 Section 1204. Delivery of Ballots and Supplies to Judges of
22 Election.--(a) The [cards of instruction, return sheets, tally
23 papers, statements, oaths of election officers, affidavits,
24 voter's certificates, and other forms and supplies required for
25 use in each election district, and also the district register of
26 such district, and in districts in which ballots are used, the
27 official and specimen ballots prepared for use therein, shall be
28 packed by the county board of elections in separate sealed
29 packages for each election district, marked on the outside so as
30 to clearly designate the districts for which they are intended,

1 and, in the case of districts in which ballots are used, the
2 number of ballots of each kind enclosed. They shall then be
3 delivered by the county board,] following materials shall be
4 prepared by the county board and delivered to all districts:

5 (1) Cards of instruction.

6 (2) Return sheets.

7 (3) Tally papers.

8 (4) Statements.

9 (5) Written oaths of election officers.

10 (6) Affidavits.

11 (7) Voter's certificates.

12 (8) Other forms and supplies.

13 (9) The district register of each district.

14 (10) The official and sample ballots prepared.

15 (b) The materials shall be delivered by the election board,

16 together with the ballot box, which shall bear the name and

17 number of the election district[,] to the judges of election in

18 the [several] election districts[,] not later than the day prior

19 to the day of the primary or election[: Provided, however, That

20 if,]. If, for any reason, it is impossible to deliver [such] the

21 packages to the judge of election in any district, [such] the

22 packages may be delivered to one of the inspectors [therein] or

23 the judges or inspectors may pick up the materials. The

24 respective judges of election or inspectors shall, [on delivery

25 to them of such packages,] upon delivery, return receipts

26 [therefor] to the county board[, which]. The board shall keep a

27 record of the time [when and the] and manner in which the

28 [several] packages are delivered. [The county board may, in its

29 discretion, require the respective judges of election to call at

30 its office to obtain the said packages.]

1 Section 1205. Time for Opening and Closing Polls.--At all
2 primaries and elections the polls shall be opened at 7 A.M. [,
3 Eastern Standard Time,] local time and shall remain open
4 continuously until 8 P.M. local time, [Eastern Standard Time,]
5 at which time they shall be closed.

6 Section 1209. Opening of Polls; Posting Cards of Instruction
7 and Notices of Penalties and Voters' Rights; Examination of
8 Voting Machines.--(a) [In districts in which ballots are used,
9 the election officers shall, after taking the oath, open the
10 ballot boxes which have been furnished to them, and burn and
11 totally destroy all the ballots and other papers which they may
12 find therein, before the opening of the polls.]

13 Whenever during any emergency, it becomes necessary to save
14 waste paper on account of a shortage thereof, the Governor of
15 the Commonwealth may, by proclamation, suspend the foregoing
16 provisions relating to the destruction of ballots and papers,
17 and in that case, the election board shall set the ballots and
18 other papers aside and they shall be collected and disposed of
19 by such means and in such manner as may be determined by the
20 county election board.] When the polling place is opened, the
21 ballot box shall be securely locked[,] and shall not be opened
22 until the close of the polls, as provided in section 1221. At
23 the opening of the polls the seals of the packages furnished by
24 the county board shall be publicly broken[, and the said
25 packages] and the packages shall be opened by the judge of
26 election. The cards of instruction and notices of penalties
27 shall be immediately posted in each voting compartment, and not
28 less than three [such] cards and notices of penalties and
29 voters' rights[,] and not less than five [specimen] sample
30 ballots (at primaries five of each party) [,] shall be

1 immediately posted in or about the voting room outside the
2 enclosed space[, and such cards], cards of instruction, notices
3 of penalties and [specimen] sample ballots shall be given to any
4 elector [at his request, so long as there are any on hand.] upon
5 request if the cards or sample ballots are available.

6 * * *

7 Section 1210. Manner of Applying to Vote; Persons Entitled
8 to Vote; Voter's Certificates; Entries to Be Made in District
9 Register; Numbered Lists of Voters; Challenges.--* * *

10 (a.3) * * *

11 (4) As each voter is found to be qualified and votes, the
12 election officer in charge of the district register shall [write
13 or stamp] record the date of the election or primary, his number
14 in the order of admission to the voting machines, and at
15 primaries a letter or abbreviation designating the party in
16 whose primary he votes, and shall sign [his name or initials in
17 the proper space on the registration card of such voter
18 contained in the district register.] electronically.

19 * * *

20 Section 1218. Assistance in Voting.--

21 (a) [No voter shall be permitted to] (1) Voters may not
22 receive any assistance in voting at any primary or election,
23 unless [there is recorded upon his registration card his
24 declaration] upon arriving to vote, the voter signs an affidavit
25 that, by reason of blindness, disability, or inability to read
26 or write, [he is] the voter:

27 (i) is unable to read the names on the ballot or on the
28 voting machine labels[, or that he]; or

29 (ii) has a physical disability which renders [him] the voter
30 unable to see or mark the ballot or operate the voting

1 machine[,] or to enter the voting compartment or voting machine
2 booth without assistance. [, the exact nature of such condition
3 being recorded on such registration card, and unless the
4 election officers are satisfied that he still suffers from the
5 same condition.]

6 (2) Election officers must be satisfied that the voter
7 suffers from the same condition in the affidavit in order to
8 receive assistance under paragraph (1).

9 (3) If the voter is blind or has impaired vision, an
10 election officer shall read the affidavit to the voter and
11 provide assistance in completion of the affidavit.

12 * * *

13 Section 1231. Deadline for Receipt of Valid Voter
14 Registration Application.--(a) Except as provided under
15 subsection (b), each commission, commissioner and registrar or
16 clerk appointed by the commission shall receive, during ordinary
17 business hours and during additional hours as the commission
18 prescribes, at the office of the commission and at additional
19 places as the commission designates, applications from
20 individuals who apply to be registered to vote as provided under
21 25 Pa.C.S. Pt. IV (relating to voter registration) who appear
22 and claim that they are entitled to be registered as electors of
23 a municipality. A commission may not accept the registration
24 application of an individual until after the commission has
25 confirmed the individual's eligibility to register to vote under
26 Article VII-A.

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)] section 723-
4 A, if the valid voter registration application is received by
5 the appropriate commission not later than [fifteen] thirty days
6 before the election.

7 * * *

8 (3) In the case of voter registration at a voter
9 registration agency under 25 Pa.C.S. § 1325 (relating to
10 government agencies), if the valid voter registration
11 application is received by the appropriate commission not later
12 than [fifteen] thirty days before the election.

13 (4) In any other case, if the valid voter registration
14 application of the applicant is received by the appropriate
15 commission not later than [fifteen] thirty days before the
16 election.

17 * * *

18 Section 1302. Applications for Official Absentee Ballots.--*

19 * *

20 (b) The following shall apply:

21 (1) An application for a qualified elector under subsection
22 (a) shall contain the following information, without which the
23 application shall be rejected:

24 (i) Home residence at the time of entrance into actual
25 military service or Federal employment, [length of time a
26 citizen; length of residence in Pennsylvania; date] if
27 applicable.

28 (ii) Date of birth. [, length of time a resident of voting
29 district, voting district if known, party]

30 (iii) Party choice in case of primary [, name and, for a

1 military].

2 (iv) Name.

3 (v) For a military elector, his stateside military address,
4 FPO or APO number and serial number.

5 (vi) At least two of the following:

6 (A) Last four digits of the elector's Social Security
7 number.

8 (B) If the elector has a Pennsylvania driver's license, the
9 license number.

10 (C) The elector's voter registration number.

11 (1.1) A qualified elector's application shall contain the
12 following, but the application shall not be rejected if the
13 information is unknown or not provided:

14 (i) Voting district.

15 (ii) Length of time a resident of voting district.

16 (iii) Length of time a citizen.

17 (iv) Length of residence in this Commonwealth.

18 (2) Any elector other than a military elector shall in
19 addition specify the nature of his employment, the address to
20 which ballot is to be sent, relationship where necessary, and
21 such other information as may be determined and prescribed by
22 the Secretary of the Commonwealth.

23 (3) When such application is received by the Secretary of
24 the Commonwealth it shall be forwarded to the proper county
25 board of election.

26 * * *

27 (i) * * *

28 (2) Nothing in this act shall prohibit a private
29 organization or individual from printing blank voter
30 applications for absentee ballots or shall prohibit the use of

1 such applications by another individual, provided the form,
2 content and paper quality have been approved by the Secretary of
3 the Commonwealth. Voter applications for absentee ballots
4 distributed under this section must clearly indicate that they
5 have not been sent or distributed by a county or by the
6 department and must be blank upon distribution to any elector.

7 * * *

8 (k) The Secretary of the Commonwealth [may] shall develop an
9 electronic system through which all qualified electors may apply
10 for an absentee ballot and request permanent absentee voter
11 status under subsection (e.1), provided the system is able to
12 capture a digitized or electronic signature of the applicant. A
13 county board of elections shall treat any application or request
14 received through the electronic system as if the application or
15 request had been submitted on a paper form or any other format
16 used by the county.

17 Section 1302.1. Date of Application for Absentee Ballot.--

18 (a) Except as provided in subsection (a.3), applications for
19 absentee ballots shall be received in the office of the county
20 board of elections not earlier than fifty (50) days before the
21 primary or election, except that if a county board of elections
22 determines that it would be appropriate to its operational
23 needs, any applications for absentee ballots received more than
24 fifty (50) days before the primary or election may be processed
25 before that time. Applications for absentee ballots shall be
26 processed if received not later than five o'clock P.M. of the
27 [first Tuesday] fifteenth day prior to the day of any primary or
28 election.

29 (a.3) (1) The following categories of electors may apply
30 for an absentee ballot under this subsection, if otherwise

1 qualified:

2 (i) An elector whose physical disability or illness
3 prevented the elector from applying for an absentee ballot
4 before five o'clock P.M. on the [first Tuesday] fifteenth day
5 prior to the day of the primary or election.

6 (ii) An elector who, because of the elector's business,
7 duties or occupation, was unable to apply for an absentee ballot
8 before five o'clock P.M. on the [first Tuesday] fifteenth day
9 prior to the day of the primary or election.

10 (iii) An elector who becomes so physically disabled or ill
11 after five o'clock P.M. on the [first Tuesday] fifteenth day
12 prior to the day of the primary or election that the elector is
13 unable to appear at the polling place on the day of the primary
14 or election.

15 (iv) An elector who, because of the conduct of the elector's
16 business, duties or occupation, will necessarily be absent from
17 the elector's municipality of residence on the day of the
18 primary or election, which fact was not and could not reasonably
19 be known to the elector on or before five o'clock P.M. on the
20 [first Tuesday] fifteenth day prior to the day of the primary or
21 election.

22 (2) An elector described in paragraph (1) may submit an
23 application for an absentee ballot at any time up until the time
24 of the closing of the polls on the day of the primary or
25 election. The application shall include a declaration describing
26 the circumstances that prevented the elector from applying for
27 an absentee ballot before five o'clock P.M. on the [first
28 Tuesday] fifteenth day prior to the day of the primary or
29 election or that prevent the elector from appearing at the
30 polling place on the day of the primary or election, and the

1 elector's qualifications under paragraph (1). The declaration
2 shall be made subject to the provisions of 18 Pa.C.S. § 4904
3 (relating to unsworn falsification to authorities).

4 * * *

5 Section 1305. Delivering or Mailing Ballots.--

6 * * *

7 (b) (1) The county board of elections upon receipt and
8 approval of an application filed by any elector qualified in
9 accordance with the provisions of section 1301, subsections (i)
10 to (l), inclusive, shall commence to deliver or mail official
11 absentee ballots [as soon as a ballot is certified and the
12 ballots are available.] on the day after the deadline for
13 registering to vote in any election. While any proceeding is
14 pending in a Federal or State court which would affect the
15 contents of any ballot, the county board of elections may await
16 a resolution of that proceeding but in any event, shall commence
17 to deliver or mail official absentee ballots not later than the
18 second Tuesday prior to the primary or election. For those
19 applicants whose proof of identification was not provided with
20 the application or could not be verified by the board, the board
21 shall send the notice required under section 1302.2(d) with the
22 absentee ballot. As additional applications are received and
23 approved after the time that the county board of elections
24 begins delivering or mailing official absentee and mail-in
25 ballots, the board shall deliver or mail official absentee
26 ballots to such additional electors within forty-eight hours.

27 [(2) Notwithstanding any other provisions of this act and
28 notwithstanding the inclusion of a mailing address on an
29 absentee or mail-in ballot application, a voter who presents the
30 voter's own application for an absentee or mail-in ballot within

1 the office of the county board of elections during regular
2 business hours may request to receive the voter's absentee or
3 mail-in ballot while the voter is at the office. This request
4 may be made orally or in writing. Upon presentation of the
5 application and the making of the request and upon approval
6 under sections 1302.2 and 1302.2-D, the county board of
7 elections shall promptly present the voter with the voter's
8 absentee or mail-in ballot. If a voter presents the voter's
9 application within the county board of elections' office in
10 accordance with this section, a county board of elections may
11 not deny the voter's request to have the ballot presented to the
12 voter while the voter is at the office unless there is a bona
13 fide objection to the absentee or mail-in ballot application.]

14 (2) A county board of elections shall investigate the
15 circumstances of any absentee ballot returned as undeliverable
16 by the United States Postal Service. The investigation shall
17 include contacting the absentee elector, further attempts to
18 have his ballot delivered and the correction or reconsideration
19 of his registration status and registered address, if these are
20 found to be incorrect.

21 (3) If a qualified absentee elector directs the qualified
22 elector's ballot to be mailed to an address other than the
23 qualified elector's registered address, a county board of
24 elections shall additionally mail a notice of the request to the
25 qualified elector's registered address.

26 * * *

27 Section 15. Section 1306(a) of the act, amended March 27,
28 2020 (P.L.41, No.12), is amended and the section is amended by
29 adding a subsection to read:

30 Section 1306. Voting by Absentee Electors.--(a) Except as

1 provided in paragraphs (2) and (3), at any time after receiving
2 an official absentee ballot, but on or before eight o'clock P.M.
3 the day of the primary or election, the elector shall, in
4 secret, proceed to mark the ballot only in black lead pencil,
5 indelible pencil or blue, black or blue-black ink, in fountain
6 pen or ball point pen, and then fold the ballot, enclose and
7 securely seal the same in the envelope on which is printed,
8 stamped or endorsed "Official Election Ballot." This envelope
9 shall then be placed in the second one, on which is printed the
10 form of declaration of the elector, and the address of the
11 elector's county board of election and the local election
12 district of the elector. The elector shall then fill out, date
13 and sign the declaration printed on such envelope. [Such
14 envelope shall then be securely sealed and the elector shall
15 send same by mail, postage prepaid, except where franked, or
16 deliver it in person to said county board of election.]

17 * * *

18 (a.1) The elector shall, prior to eight o'clock P.M. on
19 election day, return his or her completed absentee ballot by one
20 of the following methods only:

21 (1) Delivery through the United States Postal Service to the
22 offices of his or her county board of elections.

23 (2) Delivery in person to the permanent offices of his or
24 her county board of elections during its regular hours of
25 operation.

26 (3) Delivery to a ballot return location established under
27 the following conditions:

28 (i) A ballot return location may only be operated during the
29 hours of seven o'clock A.M. to eight o'clock P.M. during the
30 seven days prior to an election.

1 (ii) Ballot return locations may be established by a county
2 board of elections as necessary. The following shall apply:

3 (A) A county shall maintain at least one ballot return
4 location and may maintain an additional ballot return location
5 for each 100,000 residents of that county as of the most recent
6 census. The county board of election office may serve as a
7 ballot return location.

8 (B) Ballot return locations must be monitored by at least
9 one inspector of elections from each of the two parties with the
10 highest number of registered electors in this Commonwealth. If
11 two such inspectors of elections are unavailable to appear at a
12 ballot return location on any particular day, a county shall not
13 operate the ballot return location. Each inspector of elections
14 shall receive the same compensation provided for an election
15 under this act for each day on which he monitors a ballot return
16 location.

17 (C) The inspectors of election monitoring a ballot return
18 location shall verify the identification of each individual
19 returning a ballot consistent with the provisions of this act.
20 The inspectors of election shall also review each ballot prior
21 to the ballot's return to ensure completeness of the declaration
22 of the elector, signature and date. IF, UPON INSPECTION AND <--
23 REVIEW OF A BALLOT BEING RETURNED, EITHER INSPECTOR OF ELECTION
24 BELIEVES THE BALLOT OR ITS METHOD OF RETURN TO BE IN VIOLATION
25 OF ANY PROVISION OF THIS ACT, THE BALLOT SHALL BE SECURED
26 SEPARATELY FROM ALL OTHER BALLOTS AT THE BALLOT RETURN LOCATION,
27 AND THE INSPECTORS OF ELECTION SHALL RECORD THE DATE, TIME,
28 IDENTITY OF THE ELECTOR AND A RECORD OF EACH BALLOT BEING
29 RETURNED IN POTENTIAL VIOLATION OF THIS ACT. THE COUNTY BOARD OF
30 ELECTIONS SHALL DETERMINE WHETHER THE BALLOTS ARE IN VIOLATION

1 OF ANY PROVISION OF THIS ACT AND, ONLY IF THE COUNTY BOARD OF
2 ELECTIONS IS SATISFIED THAT A BALLOT IS NOT IN VIOLATION, SHALL
3 DIRECT THE BALLOT TO BE PRE-CANVASSED OR CANVASSED.

4 (D) Ballot return locations must be monitored by video
5 recording during each hour of operation. The recording must be
6 made available for public inspection and retained for a period
7 of two years.

8 (E) Ballots returned to a location established under this
9 section must be promptly collected and secured each evening
10 after eight o'clock P.M., or immediately upon being closed for
11 the day, whichever is earlier.

12 (F) Each ballot return location intended to be established
13 in an election must be published under section 106 at least
14 thirty (30) days prior to establishment.

15 (G) Each ballot return location must be considered a polling
16 place for the requirements of this act, including accessibility,
17 access of observers and restriction of political activity.

18 (H) Ballot return locations must be established at a fixed
19 location for the duration of the seven days prior to an
20 election.

21 (I) Ballot return locations must be evenly distributed
22 throughout a county to ensure equal access of voters.

23 (J) After the establishment of in-person early voting under
24 Article XIII-F, ballot return locations may only be established
25 at the same premises as early voting locations in a county.

26 (K) No reimbursement shall be provided by the department or
27 the State Treasury for the costs that a county incurs in
28 operating ballot return locations.

29 (4) Nothing in this section shall be construed to prohibit
30 an elector from returning the completed ballot of another member

1 of his household, registered at the same residential address and
2 unit number. At any time that an elector appears with the intent
3 of returning more than one completed ballot, the inspectors of
4 election shall review the ballots for compliance with this
5 subsection. An elector returning more than one completed ballot
6 shall be informed of the penalty provided under section 1855 for
7 any unlawful collection of ballots.

8 * * *

9 Section 16. The act is amended by adding a section to read:

10 Section 1306.2. Supervised Voting by Qualified Absentee
11 Electors in Certain Facilities.--(a) The county board of
12 elections shall provide supervised voting for absent electors
13 residing in an assisted living facility or nursing home facility
14 within that county at the request of an administrator of the
15 facility. The request for supervised voting in the facility
16 shall be made by submitting a written request to the board of
17 elections no later than twenty-one (21) days prior to the
18 election for which that request is submitted. The request shall
19 specify the name and address of the facility and the name of
20 electors who wish to vote absentee in that election. If the
21 request contains the names of fewer than five voters, the board
22 of elections is not required to provide supervised voting.

23 (b) The county board of elections may, in the absence of a
24 request from the administrator of a facility, provide for
25 supervised voting in the facility for persons who have requested
26 an absentee ballot. The county board of elections shall notify
27 the administrator of a facility that supervised voting will
28 occur.

29 (c) The county board of elections shall, in cooperation with
30 the administrator of a facility, select a date and time when the

1 supervised voting will occur.

2 (d) The county board of elections shall designate supervised
3 voting teams to provide services prescribed by this section.
4 Each supervised voting team shall include at least two persons.
5 Each supervised voting team must include representatives of at
6 least the two parties with the largest number of registered
7 electors in this Commonwealth, except that, in a primary
8 election to nominate party nominees in which only one party has
9 candidates appearing on the ballot, each supervised voting team
10 members may be of only that party. Supervised voting teams shall
11 not be required to be employed by a county and may be volunteers
12 from each party, except that a candidate may not provide
13 supervised voting services.

14 (e) The supervised voting team shall deliver the ballots to
15 the respective absentee electors and each member of the team
16 shall jointly supervise the voting of the ballots. If an elector
17 requests assistance in voting, the oath prescribed under this
18 act shall be completed and the elector may receive the
19 assistance of two members of the supervised voting team or some
20 other person of the elector's choice to assist the elector in
21 casting the elector's ballot.

22 (f) Before providing assistance, the supervised voting team
23 shall disclose to the elector that the ballot may be retained to
24 vote at a later time and that the elector has the right to seek
25 assistance in voting from some other person of the elector's
26 choice without the presence of the supervised voting team.

27 (g) If an elector declines to vote a ballot or is unable to
28 vote a ballot, the supervised voting team shall mark the ballot
29 "refused to vote" or "unable to vote."

30 (h) After the ballots have been voted or marked in

1 accordance with the provisions of this section, the supervised
2 voting team shall deliver the ballots to the county board of
3 elections.

4 (i) The department shall provide training and information to
5 assisted living facilities and nursing home facilities in order
6 to assist residents in voting, including applicable laws
7 regarding assistance in voting and penalties for violation of
8 election laws.

9 Section 17. Sections 1308(g) and 1302-D(b) and (g) of the
10 act, amended March 27, 2020 (P.L.41, No.12), are amended to
11 read:

12 Section 1308. Canvassing of Official Absentee Ballots and
13 Mail-in Ballots.--* * *

14 (g) (1) (i) An absentee ballot cast by any absentee
15 elector as defined in section 1301(a), (b), (c), (d), (e), (f),
16 (g) and (h) shall be canvassed in accordance with this
17 subsection if the ballot is cast, submitted and received in
18 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to
19 uniform military and overseas voters).

20 (ii) An absentee ballot cast by any absentee elector as
21 defined in section 1301(i), (j), (k), (l), (m) and (n), an
22 absentee ballot under section 1302(a.3) or a mail-in ballot cast
23 by a mail-in elector shall be canvassed in accordance with this
24 subsection if the absentee ballot or mail-in ballot is received
25 in the office of the county board of elections no later than
26 eight o'clock P.M. on the day of the primary or election.

27 (1.1) The county board of elections shall meet [no earlier
28 than seven o'clock A.M. on] at least twice prior to election day
29 to pre-canvass all ballots received prior to the meeting.
30 Meetings to pre-canvass ballots may occur only between seven

1 o'clock A.M. and eleven o'clock P.M. on the five days prior to
2 election day and while polls are open on election day. A county
3 board of elections shall provide at least forty-eight hours'
4 notice of a pre-canvass meeting by publicly posting a notice of
5 a pre-canvass meeting on its publicly accessible Internet
6 website. One authorized representative of each candidate in an
7 election, one authorized representative of the county
8 chairperson of each political party and one representative
9 [from] of each political party shall be permitted to remain in
10 the room in which the absentee ballots and mail-in ballots are
11 pre-canvassed. Authorized representatives shall be provided with
12 meaningful access to view and observe the entire process of pre-
13 canvassing or canvassing activities. Such access shall allow all
14 authorized representatives to easily read the text on any ballot
15 or envelope at any point in the process of pre-canvassing or
16 canvassing activities. A county board of elections must
17 designate an official to respond to issues reported by
18 authorized representatives. The department shall establish a
19 procedure for authorized representatives to report any concerns
20 arising from any pre-canvass meeting and the department must
21 investigate and report on any concerns raised in each election.
22 A county board of elections shall record the pre-canvassing and
23 canvassing meetings with audio and visual recording. The entire
24 recording under this section shall be made available only after
25 the close of the polls. No person observing, attending or
26 participating in a pre-canvass meeting may disclose the results
27 of any portion of any pre-canvass meeting prior to the close of
28 the polls.

29 (2) The county board of elections shall meet [no earlier
30 than] immediately upon the close of polls on the day of the

1 election [and no later than the third day following the
2 election] to begin canvassing absentee ballots and mail-in
3 ballots not included in the pre-canvass meeting. The meeting
4 under this paragraph shall continue until all absentee ballots
5 and mail-in ballots received prior to the close of the polls
6 have been canvassed. The county board of elections shall not
7 record or publish any votes reflected on the ballots prior to
8 the close of the polls. The canvass process shall continue
9 through the eighth day following the election for valid
10 military-overseas ballots timely received under 25 Pa.C.S. §
11 3511 (relating to receipt of voted ballot). A county board of
12 elections shall provide at least forty-eight hours' notice of a
13 canvass meeting by publicly posting a notice on its publicly
14 accessible Internet website. One authorized representative of
15 each candidate in an election and one representative from each
16 political party shall be permitted to remain in the room in
17 which the absentee ballots and mail-in ballots are canvassed.

18 (3) When the county board meets to pre-canvass or canvass
19 absentee ballots and mail-in ballots under paragraphs (1), (1.1)
20 and (2), the board shall [examine] do all of the following:

21 (i) Examine the declaration on the envelope of each ballot
22 not set aside under subsection (d) and shall compare the
23 information and signature thereon with that contained in the
24 "Registered Absentee and Mail-in Voters File," the absentee
25 voters' list and/or the "Military Veterans and Emergency
26 Civilians Absentee Voters File," whichever is applicable.

27 (ii) A county board of elections shall use an automated
28 sorting or extracting machine to assist in its processing of
29 absentee ballots and mail-in ballots, the machine must possess
30 capabilities as a signature verification device, and the

1 capabilities must additionally be used by the county board of
2 elections to assist in comparing the signature on each ballot
3 with the signature in a voter's file.

4 (iii) If the county board has verified the proof of
5 identification as required under this act and is satisfied that
6 the declaration is sufficient [and], that the information
7 contained in the "Registered Absentee and Mail-in Voters File,"
8 the absentee voters' list and/or the "Military Veterans and
9 Emergency Civilians Absentee Voters File" verifies his right to
10 vote[,] and that the signature on the ballot matches the
11 signature on file, the county board shall provide a list of the
12 names of electors whose absentee ballots or mail-in ballots are
13 to be pre-canvassed or canvassed.

14 (iv) For absentee ballots or mail-in ballots which the
15 county board is not satisfied that proof of identification has
16 been provided due to an inability to match the signature present
17 on the ballot to the signature on file, or for a ballot on which
18 the declaration of the elector is incomplete, or are unsigned or
19 undated, the county board shall:

20 (A) Attempt to notify the elector by mail, email, telephone
21 or text message that the elector's ballot is incomplete and will
22 not be counted unless action is taken by the elector prior to
23 the closing of polls on Election Day.

24 (B) Direct the elector to appear before the Board of
25 Elections to complete the missing information or to provide an
26 electronic, facsimile or paper copy to the county board of
27 elections, including:

28 (I) proof of identification and an executed affirmation
29 attesting, under penalty of perjury, that the elector is the
30 same individual who personally remitted the absentee ballot or

1 mail-in ballot; or

2 (II) an executed affirmation attesting, under penalty of
3 perjury, that the elector is the same individual who personally
4 remitted the absentee ballot or mail-in ballot and that the
5 elector is indigent and unable to obtain proof of identification
6 without the payment of a fee.

7 (v) For absentee ballots or mail-in ballots with incurable
8 errors, including lacking a secrecy envelope, or the marking of
9 identifying information on the secrecy envelope, the county
10 board shall:

11 (A) attempt to notify the elector by mail, email, telephone
12 or text message that the elector's ballot cannot be counted due
13 to an incurable error; and

14 (B) direct the elector to vote on election day using a
15 provisional ballot; or

16 (C) if the elector is unable to appear at his or her polling
17 place on election day due to a reason listed under section 1301,
18 direct the elector to apply for an emergency absentee ballot.

19 (4) All absentee ballots which have not been challenged
20 under section 1302.2(c) and all mail-in ballots which have not
21 been challenged under section 1302.2-D(a)(2) and that have been
22 verified under paragraph (3) shall be counted and included with
23 the returns of the applicable election district as follows:

24 (i) The county board shall open the envelope of every
25 unchallenged absentee elector and mail-in elector in such manner
26 as not to destroy the declaration executed thereon.

27 (ii) If any of the envelopes on which are printed, stamped
28 or endorsed the words "Official Election Ballot" contain any
29 text, mark or symbol which reveals the identity of the elector,
30 the elector's political affiliation or the elector's candidate

1 preference, the envelopes and the ballots contained therein
2 shall be set aside and declared void.

3 (iii) The county board shall then break the seals of such
4 envelopes, remove the ballots and count, compute and tally the
5 votes.

6 (iv) Following the close of the polls, the county board
7 shall record and publish the votes reflected on the ballots.

8 (5) Ballots received whose applications have been challenged
9 and ballots which have been challenged shall be placed unopened
10 in a secure, safe and sealed container in the custody of the
11 county board until it shall fix a time and place for a formal
12 hearing of all such challenges, and notice shall be given where
13 possible to all absentee electors and mail-in electors thus
14 challenged and to every individual who made a challenge. The
15 time for the hearing shall not be later than seven (7) days
16 after the deadline for all challenges to be filed. On the day
17 fixed for said hearing, the county board shall proceed without
18 delay to hear said challenges, and, in hearing the testimony,
19 the county board shall not be bound by the Pennsylvania Rules of
20 Evidence. The testimony presented shall be stenographically
21 recorded and made part of the record of the hearing.

22 (6) The decision of the county board in upholding or
23 dismissing any challenge may be reviewed by the court of common
24 pleas of the county upon a petition filed by any person
25 aggrieved by the decision of the county board. The appeal shall
26 be taken, within two (2) days after the decision was made,
27 whether the decision was reduced to writing or not, to the court
28 of common pleas setting forth the objections to the county
29 board's decision and praying for an order reversing the
30 decision.

1 (7) Pending the final determination of all appeals, the
2 county board shall suspend any action in canvassing and
3 computing all challenged ballots received under this subsection
4 irrespective of whether or not appeal was taken from the county
5 board's decision. Upon completion of the computation of the
6 returns of the county, the votes cast upon the challenged
7 official absentee ballots that have been finally determined to
8 be valid shall be added to the other votes cast within the
9 county.

10 * * *

11 Section 1302-D. Applications for official mail-in ballots.

12 * * *

13 (b) Content.--The following shall apply:

14 (1) The qualified elector's application shall contain
15 the following information, without which the application
16 shall be rejected:

17 (i) Date of birth.

18 [(ii) Length of time a resident of voting district.

19 (iii) Voting district, if known.]

20 (iv) Party choice in case of primary.

21 (v) Name.

22 (vi) At least two of the following:

23 (A) Last four digits of the elector's Social
24 Security number.

25 (B) If the elector has a Pennsylvania driver's
26 license, the license number.

27 (C) The elector's voter registration number.

28 (1.1) The qualified elector's application shall contain
29 the following, but the application shall not be rejected if
30 this information is unknown or not provided:

1 (i) Voting district.

2 (ii) Length of time a resident of voting district.

3 (2) A qualified elector shall, in addition, [specify the
4 address to which the ballot is to be sent, the relationship
5 where necessary and other information as may be determined by
6 the Secretary of the Commonwealth.] specify his or her
7 registered address, or the mailing address associated with
8 his or her voter registration record, to which the ballot
9 must be delivered by mail.

10 (3) When an application is received by the Secretary of
11 the Commonwealth it shall be forwarded to the proper county
12 board of election.

13 * * *

14 (g) Permanent mail-in voting list.--

15 [(1) Any qualified registered elector may request to be
16 placed on a permanent mail-in ballot list file at any time
17 during the calendar year. A mail-in ballot application shall
18 be mailed to every person otherwise eligible to receive a
19 mail-in ballot application by the first Monday in February
20 each year or within 48 hours of receipt of the request,
21 whichever is later, so long as the person does not lose the
22 person's voting rights by failure to vote as otherwise
23 required by this act. A mail-in ballot application mailed to
24 an elector under this section, which is completed and timely
25 returned by the elector, shall serve as an application for
26 any and all primary, general or special elections to be held
27 in the remainder of that calendar year and for all special
28 elections to be held before the third Monday in February of
29 the succeeding year.]

30 (1) Neither the department nor the county shall maintain

1 a permanent mail-in voting list. A qualified elector must
2 separately request a mail-in ballot for each election in
3 which the qualified elector chooses to vote by mail,
4 including for each election held within the same calendar
5 year.

6 (2) The Secretary of the Commonwealth may develop an
7 electronic system through which all qualified electors may
8 apply for a mail-in ballot [and request permanent mail-in
9 voter status] under this section, provided the system is able
10 to capture a digitized or electronic signature of the
11 applicant. A county board of elections shall treat an
12 application or request received through the electronic system
13 as if the application or request had been submitted on a
14 paper form or any other format used by the county.

15 [(3) The transfer of a qualified registered elector on a
16 permanent mail-in voting list from one county to another
17 county shall only be permitted upon the request of the
18 qualified registered elector.]

19 Section 18. Section 1302.1-D(a) of the act is amended to
20 read:

21 Section 1302.1-D. Date of application for mail-in ballot.

22 (a) General rule.--Applications for mail-in ballots shall be
23 received in the office of the county board of elections not
24 earlier than 50 days before the primary or election, except that
25 if a county board of elections determines that it would be
26 appropriate to the county board of elections' operational needs,
27 any applications for mail-in ballots received more than 50 days
28 before the primary or election may be processed before that
29 time. Applications for mail-in ballots shall be processed if
30 received not later than five o'clock P.M. of the [first Tuesday]

1 fifteenth day prior to the day of any primary or election.

2 * * *

3 Section 19. Section 1305-D of the act, amended March 27,
4 2020 (P.L.41, No.12), is amended to read:

5 Section 1305-D. Delivering or mailing ballots.

6 The following apply:

7 (1) The county board of elections, upon receipt and
8 approval of an application filed by a qualified elector under
9 section 1301-D, shall commence to deliver or mail official
10 mail-in ballots [as soon as a ballot is certified and the
11 ballots are available.] on the day after the deadline for
12 registering to vote in an election. While any proceeding is
13 pending in a Federal or State court which would affect the
14 contents of any ballot, the county board of elections may
15 await a resolution of that proceeding but in any event, shall
16 commence to deliver or mail official mail-in ballots not
17 later than the second Tuesday prior to the primary or
18 election. For applicants whose proof of identification was
19 not provided with the application or could not be verified by
20 the board, the board shall send the notice required under
21 section 1302.2-D(c) with the mail-in ballot. As additional
22 applications are received and approved, the board shall
23 deliver or mail official mail-in ballots to the additional
24 electors within 48 hours.

25 (2) The county board of elections shall investigate the
26 circumstances of any mail-in ballot returned as undeliverable
27 by the United States Postal Service. The investigation shall
28 include contacting the mail-in elector, further attempts to
29 have his ballot delivered, and the correction or
30 reconsideration of his registration status and registered

1 address, if these are found to be incorrect.

2 Section 20. Section 1306-D(a) of the act, amended March 27,
3 2020 (P.L.41, No.12), is amended and the section is amended by
4 adding a subsection to read:

5 Section 1306-D. Voting by mail-in electors.

6 (a) General rule.--At any time after receiving an official
7 mail-in ballot, but on or before eight o'clock P.M. the day of
8 the primary or election, the mail-in elector shall, in secret,
9 proceed to mark the ballot only in black lead pencil, indelible
10 pencil or blue, black or blue-black ink, in fountain pen or ball
11 point pen, and then fold the ballot, enclose and securely seal
12 the same in the envelope on which is printed, stamped or
13 endorsed "Official Election Ballot." This envelope shall then be
14 placed in the second one, on which is printed the form of
15 declaration of the elector, and the address of the elector's
16 county board of election and the local election district of the
17 elector. The elector shall then fill out, date and sign the
18 declaration printed on such envelope. [Such envelope shall then
19 be securely sealed and the elector shall send same by mail,
20 postage prepaid, except where franked, or deliver it in person
21 to said county board of election.]

22 * * *

23 (a.2) Return of completed mail-in ballots.--The elector
24 shall, prior to eight o'clock P.M. on election day, return his
25 or her completed mail-in ballot by one of the following methods
26 only:

27 (1) Delivery through the United States Postal Service to
28 the offices of his county board of elections.

29 (2) Delivery in person to the permanent offices of his
30 or her county board of elections during its regular hours of

1 operation.

2 (3) Delivery to a ballot return location established
3 under the following conditions:

4 (i) A ballot return location may only be operated
5 during the hours of seven o'clock A.M. to eight o'clock
6 P.M. during the seven days prior to an election.

7 (ii) Ballot return locations may be established by a
8 county board of elections as necessary, provided that:

9 (A) A county shall maintain at least one ballot
10 return location and may maintain an additional ballot
11 return location for each 100,000 residents of that
12 county as of the most recent census. A county board
13 of election office may serve as a ballot return
14 location.

15 (B) Ballot return locations must be monitored by
16 at least one inspector of elections from each of the
17 two parties with the highest number of registered
18 electors in this Commonwealth. If two such inspectors
19 of elections are unavailable to appear at a ballot
20 return location on any particular day, a county shall
21 not operate the ballot return location. Each
22 inspector of elections shall receive the same
23 compensation provided for an election under this act
24 for each day on which he monitors a ballot return
25 location.

26 (C) The inspectors of election monitoring any
27 ballot return location shall verify the
28 identification of each individual returning a ballot
29 consistent with the provisions of this act. The
30 inspectors of election shall also ensure review of

1 each ballot prior to the ballot's return to ensure
2 completeness of the declaration of the elector,
3 signature and date. IF, UPON INSPECTION AND REVIEW OF <--
4 A BALLOT BEING RETURNED, EITHER INSPECTOR OF ELECTION
5 BELIEVES THE BALLOT OR ITS METHOD OF RETURN TO BE IN
6 VIOLATION OF ANY PROVISION OF THIS ACT, THE BALLOT
7 SHALL BE SECURED SEPARATELY FROM ALL OTHER BALLOTS AT
8 THE BALLOT RETURN LOCATION, AND THE INSPECTORS OF
9 ELECTION SHALL RECORD THE DATE, TIME, IDENTITY OF THE
10 ELECTOR AND A RECORD OF EACH BALLOT BEING RETURNED IN
11 POTENTIAL VIOLATION OF THIS ACT. THE COUNTY BOARD OF
12 ELECTIONS SHALL DETERMINE WHETHER THE BALLOTS ARE IN
13 VIOLATION OF ANY PROVISION OF THIS ACT AND, ONLY IF
14 THE COUNTY BOARD OF ELECTIONS IS SATISFIED THAT A
15 BALLOT IS NOT IN VIOLATION, SHALL DIRECT THE BALLOT
16 TO BE PRE-CANVASSED OR CANVASSED.

17 (D) Ballot return locations must be monitored by
18 video recording during each hours of operation. The
19 recording shall be made available for public
20 inspection and retained for a period of two years.

21 (E) Ballots returned to a location established
22 under this section must be promptly collected and
23 secured each evening after eight o'clock P.M., or
24 immediately upon being closed for the day, whichever
25 is earlier.

26 (F) Each ballot return location must be
27 considered a polling place for all requirements of
28 this act, including accessibility, access of
29 observers and restriction of political activity.

30 (G) Ballot return locations must be established

1 at a fixed location for the duration of the seven
2 days prior to an election.

3 (H) Ballot return locations must be evenly
4 distributed throughout a county to ensure equal
5 access of voters.

6 (I) After the establishment of in-person early
7 voting under Article XIII-F, ballot return locations
8 may only be established at the same premises as early
9 voting locations in a county.

10 (J) No reimbursement shall be provided by the
11 department or the State Treasury for the costs that a
12 county incurs in operating ballot return locations.

13 (4) Nothing in this subsection shall be construed to
14 prohibit an elector from returning the completed ballot of
15 another member of his or her household, registered at the
16 same residential address and unit number. At any time that an
17 elector appears with the intent of returning more than one
18 completed ballot, the inspectors of election shall review the
19 ballots for compliance with this subsection. An elector
20 returning more than one completed ballot shall be informed of
21 the penalty provided under section 1855 for any unlawful
22 collection of ballots.

23 * * *

24 Section 21. Section 1302-E(c)(4) of the act is amended by
25 adding a subparagraph and the subsection is amended by adding
26 paragraphs to read:

27 Section 1302-E. Pennsylvania Election Law Advisory Board.

28 * * *

29 (c) Duties.--The board shall have the following duties:

30 * * *

1 (4) Evaluate and make recommendations on:

2 * * *

3 (iii) The rules prescribed in the official
4 instructions and procedures manual under this section
5 shall include regulations and restrictions governing any
6 vendors contracted by counties or the department for the
7 printing or mailing of ballots.

8 * * *

9 (6) To establish a working group with directors of
10 elections from a minimum of 10 counties, and together, to
11 prescribe rules to achieve and maintain the maximum degree of
12 correctness, impartiality, uniformity and efficiency on the
13 procedures for early voting and voting and of producing,
14 distributing, collecting, counting, tabulating and storing
15 ballots. The election law advisory board shall also adopt
16 rules regarding transmittal of unvoted ballots, ballot
17 requests, voted ballots and other election materials to and
18 from a qualified absentee military or overseas elector, as
19 defined by the Uniformed and Overseas Citizens Absentee
20 Voting Act (Public Law 99-410, 100 Stat. 924). The following
21 shall apply:

22 (i) The rules shall be prescribed in an official
23 instructions and procedures manual to be issued not later
24 than December 31 of each odd-numbered year immediately
25 preceding the general election. Before its issuance, the
26 manual shall be submitted to the President pro tempore of
27 the Senate, the Speaker of the House of Representatives,
28 the Majority Leader and Minority Leader of the Senate,
29 the Majority Leader and Minority Leader of the House of
30 Representatives, the chair and minority chair of the

1 State Government Committee of the Senate, the chair and
2 minority chair of the State Government Committee of the
3 House of Representatives and the Governor not later than
4 October 1 of the year before each general election.

5 (ii) Each rule included in the official instructions
6 and procedures manual must provide citations to relevant
7 provisions of this act.

8 (7) To establish standards for annual training
9 requirements for all county election officials, poll workers,
10 election observers, judges of elections and election
11 integrity officers. Training to fulfill the requirements must
12 be conducted by the department and must be made available on
13 all business days.

14 (8) To adopt rules prescribing minimum standards for
15 nonpartisan voter education. The standards shall, at a
16 minimum, address:

17 (i) voter registration;

18 (ii) balloting procedures, by mail and polling
19 place;

20 (iii) voter rights and responsibilities;

21 (iv) distribution of sample ballots; and

22 (v) public service announcements.

23 (9) To receive reports from county boards of elections
24 required under section 302, to reexamine the rules adopted
25 under paragraph (8), and to use the findings in the reports
26 as a basis for modifying the rules to incorporate successful
27 voter education programs and techniques, as necessary.

28 * * *

29 Section 22. The act is amended by adding an article to read:

30 ARTICLE XIII-F

1 EARLY VOTING BY QUALIFIED ELECTORS

2 Section 1301-F. In-person early voting.

3 Beginning with the 2025 primary election, and for each
4 election thereafter, each county board of elections must provide
5 electors with the opportunity to vote at an early voting center,
6 prior to election day.

7 Section 1302-F. Operation.

8 The following shall apply:

9 (1) Each early voting center shall be considered a
10 polling place for the purposes of this act.

11 (2) Early voting centers shall be established beginning
12 on the second Friday prior to an election and ending on the
13 first Wednesday prior to an election. A county shall operate
14 at least one early voting center, with an additional early
15 voting center for each 100,000 residents of the county at the
16 time of the most recent census, except that no county shall
17 be required to operate more than five early voting centers.

18 (3) Early voting centers shall be open from 7 A.M to 8
19 P.M. each day.

20 (4) The board shall provide at least 30 days notice
21 prior to the establishment of any early voting center,
22 including location and intended hours of operation. The
23 notice under this paragraph shall be published under section
24 106.

25 (4.1) Early voting centers may be established only at a
26 permanent building which provides the security required under
27 paragraph (9), and which is a public library facility, public
28 or private school, college or university building, courthouse
29 or a municipal, county or Commonwealth owned building.

30 (5) Early voting centers shall be established at

1 locations distributed throughout the county so as to ensure
2 equal access to all voters.

3 (6) An early voting center shall utilize electronic poll
4 books with the capability of scanning an elector's
5 identification and printing the appropriate ballot for that
6 elector.

7 (7) Each early voting center must be accessible under
8 the requirements of the Americans with Disabilities Act of
9 1990 (Public Law 101-336, 104 Stat. 327).

10 (8) Voting at early voting centers shall be conducted
11 using the same type of voting machines utilized by that
12 county on election day.

13 (9) An early voting center shall be continually secured,
14 monitored by staff and monitored by video recording from the
15 beginning of the period provided for early voting until the
16 end, including overnight. Video recording shall be retained
17 and made available publicly.

18 (10) During any early voting period, each county board
19 of elections shall make available the total number of
20 electors having cast a ballot at each early voting location
21 during the previous day. Each county board shall prepare an
22 electronic data file listing the individual electors who cast
23 a ballot during the early voting period. This information
24 shall be updated and made available no later than noon of
25 each day and shall be provided to the public upon request.

26 Section 1303-F. Reimbursement.

27 Counties shall be reimbursed by the department for half of
28 the costs incurred in the operation of early voting centers.

29 Section 23. Section 1402 of the act is amended by adding a
30 subsection to read:

1 Section 1402. Returns to Be Open to Public Inspection;
2 Exceptions.--* * *

3 (a.1) Each ballot cast in an election shall be open to
4 public inspection at the office of the county board as soon as
5 practicable after an election, and for as long as the ballots
6 are required to be retained under this act. Public inspection
7 shall be monitored to ensure the safety and integrity of each
8 ballot. The following shall apply:

9 (1) A county official and sheriff shall be present during a
10 public inspection of ballots.

11 (2) A ballot may not be altered, damaged, moved or destroyed
12 in the course of a public inspection.

13 (3) For the 2023 primary election, and for each election
14 thereafter, digital copies of each ballot shall be created,
15 retained and provided upon request, subject to the same
16 conditions as physical ballots.

17 * * *

18 Section 24. Section 1404(f) of the act is amended and the
19 section is amended by adding a subsection to read:

20 Section 1404. Computation of Returns by County Board;
21 Certification; Issuance of Certificates of Election.--

22 * * *

23 (c.1) It shall be the duty of each county board of
24 elections, before certification or the issuance of certificates
25 of election, to record the participation of each elector and the
26 article of this act by which the elector voted, in the voter
27 registration record established in 25 Pa.C.S. Ch. 12 Subch. B
28 (relating to Statewide Uniform Registry of Electors (SURE)). If
29 it appears that the total number of ballots cast in an election
30 district, or that the total number of votes returned for a

1 candidate for the same office or nomination at an election
2 exceeds the number of electors recorded as participating in that
3 election in that district, the excess shall be deemed a
4 discrepancy and palpable error, shall be investigated by the
5 return board and no votes shall be recorded from the district
6 until an investigation is conducted. The excess shall authorize
7 the following:

8 (1) The summoning of the election officers, overseers,
9 machine inspectors and clerks to appear with any election papers
10 in their possession.

11 (2) The production of the ballot box before the return
12 board, the examination and scrutiny of its contents and of the
13 registration and election documents relating to the district, in
14 the presence of representatives of each party and candidate
15 interested who are attending the canvass of such votes.

16 (2.1) The recount of the ballots contained in the ballot
17 box, either generally or respecting the particular office,
18 nomination, or question as to which the excess exists, in the
19 discretion of the return board.

20 (3) The correction of the returns in accordance with the
21 result of the recount.

22 (4) In the discretion of the return board, the exclusion of
23 the poll of the district, either as to all offices, candidates,
24 questions and parties, or as to a particular office, candidate,
25 question or party as to which the excess exists, if the ballot
26 box is found to contain more ballots:

27 (i) than there are electors registered or enrolled in the
28 election district;

29 (ii) of one party than there are electors registered or
30 enrolled in the district as members of that party;

1 (iii) than the number of voters who voted at the election;

2 or

3 (iv) of one party than the number of voters of the party who
4 voted at the election.

5 (5) A report of the facts of the case to the district
6 attorney where the action appears to be warranted.

7 * * *

8 (f) As the returns from each election district are read,
9 computed and found to be correct or corrected as aforesaid, they
10 shall be recorded on the blanks prepared for the purpose until
11 all the returns from the various election districts which are
12 entitled to be counted shall have been duly recorded, when they
13 shall be added together, announced and attested by the clerks
14 who made and computed the entries respectively and signed by the
15 members of the county board. Returns under this subsection shall
16 be considered unofficial for five (5) days. The county board
17 shall submit the unofficial returns to the Secretary of the
18 Commonwealth [by five o'clock P. M. on the Tuesday following the
19 election.] incrementally and as often as practicable until all
20 returns have been submitted. The submission shall be as directed
21 by the secretary for public office which appears on the ballot
22 in every election district in this Commonwealth or for a ballot
23 question which appears on the ballot in every election district
24 in this Commonwealth. The unofficial returns shall be posted to
25 the department's publicly accessible Internet website and to
26 each county board of elections' publicly accessible Internet
27 website. The secretary shall establish, for the use of each
28 website displaying unofficial returns, a consistent template and
29 interface which shall provide, in electronic spreadsheet form:

30 (1) The total number of ballots voted in this Commonwealth,

1 in each county and in each voting district.

2 (2) The total number of ballots voted by electors under each
3 article of this act.

4 (3) The votes recorded for each candidate or question, in
5 each voting district and each county, and the sum for the
6 Commonwealth, including the number of votes received by each
7 candidate or question under each article of this act.

8 (4) The percentage of voting districts having reported
9 results.

10 (5) The percentage of registered electors who are recorded
11 as having voted in this Commonwealth, each county and each
12 voting district.

13 (6) The total number of registered electors in this
14 Commonwealth, each county and each voting district.

15 (7) The total number of mail-in and absentee ballots sent by
16 each county and the sum for this Commonwealth.

17 (8) The total number of overseas and military ballots
18 mailed.

19 (9) A website displaying unofficial returns shall provide an
20 interactive map allowing the information under paragraphs (1),
21 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
22 election district, county and this Commonwealth. At any time
23 that unofficial results data previously posted to the department
24 or a county's publicly accessible Internet website is amended,
25 corrected, deleted or updated in a manner other than the
26 inclusion of additional results, the department and an affected
27 county shall post a disclosure to the unofficial returns website
28 explicitly noting the time such update occurred, the reason and
29 the impact on unofficial returns.

30 At the expiration of five (5) days after the completion of

1 the computation of votes, in case no petition for a recount or
2 recanvass has been filed in accordance with the provisions of
3 this act, or upon the completion of the recount or recanvass if
4 a petition therefor has been filed within five (5) days after
5 the completion of the computation of votes, the county board
6 shall certify the returns so computed in said county in the
7 manner required by this act, unless upon appeals taken from any
8 decision, the court of common pleas shall have directed any
9 returns to be revised, or unless in case of a recount, errors in
10 the said returns shall have been found, in which case said
11 returns shall be revised, corrected and certified accordingly.
12 The county board shall thereupon, in the case of elections,
13 issue certificates of election to the successful candidates for
14 all county, city, borough, township, ward, school district, poor
15 district and election offices, and local party offices to be
16 filled by the votes of the electors of said county, or of any
17 part thereof.

18 * * *

19 Section 25. The act is amended by adding sections to read:

20 Section 1778. Powers and Duties of the Attorney General
21 Relating to Elections.--(a) The Attorney General shall, at
22 least ninety days prior to each primary election, nominate an
23 independent prosecutor for confirmation by the Senate. The
24 independent prosecutor shall review election complaints received
25 by the department and the county boards of elections for
26 elections occurring during that calendar year. The independent
27 prosecutor shall have experience prosecuting election law
28 violations and shall coordinate efforts with each level of law
29 enforcement. The independent prosecutor shall publish a report
30 following each election including:

1 (1) The total number of complaints filed and to which entity
2 the complaint was filed.

3 (2) A summary of how each complaint was investigated by the
4 independent prosecutor.

5 (3) Recommendations to the General Assembly, the department,
6 and county boards of elections for reducing future complaints.

7 (b) The report under this section shall be a public record
8 under the act of February 14, 2008 (P.L.6, No.3), known as the
9 Right-to-Know Law.

10 Section 1779. Powers and Duties of District Attorneys
11 Relating to Elections.--The district attorney of each county in
12 this Commonwealth, or an appointee, shall serve as a county
13 election integrity officer for elections occurring in that
14 county. In an election year in which a district attorney is a
15 candidate in any election, the district attorney shall appoint
16 an independent prosecutor at least ninety days prior to a
17 primary election to serve as a county election integrity officer
18 for elections occurring during that calendar year.

19 Section 26. Sections 1801, 1802, 1802.1, 1803, 1804, 1805,
20 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815,
21 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824, 1825, 1826,
22 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836,
23 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847, 1848, 1849 and
24 1850 of the act are amended to read:

25 Section 1801. Disobeying Lawful Instructions.--Any person
26 who wilfully disobeys any lawful instruction or order of any
27 county board of elections, or who refuses to obey their subpoena
28 duly issued and served under the provisions of this act, shall
29 be guilty of a misdemeanor, and, upon conviction thereof, shall
30 be sentenced to pay a fine not exceeding [five hundred (\$500)]

1 one thousand (\$1,000) dollars, or to undergo an imprisonment not
2 exceeding [one (1) year] two (2) years, or both, in the
3 discretion of the court.

4 Section 1802. Perjury.--Any wilful false statement made
5 under oath or affirmation or in writing, stating that it is so
6 made, although such oath or affirmation may not have actually
7 been made, by any person regarding any material matter or thing
8 relating to any subject being investigated, heard, determined or
9 acted upon by any county board of elections, or member thereof,
10 or by any court or judge thereof, judge of election, inspector
11 of election, or overseer, in accordance with the terms of this
12 act, shall be perjury, a misdemeanor of the first degree, and
13 any person, upon conviction thereof, shall be sentenced to pay a
14 fine not exceeding [ten thousand (\$10,000)] twenty thousand
15 (\$20,000) dollars, or to undergo an imprisonment of not more
16 than [five (5)] ten (10) years, or both, in the discretion of
17 the court.

18 Section 1802.1. False Affidavits of Candidates.--Any
19 candidate for State, county, city, borough, incorporated town,
20 township or school district office or for the office of United
21 States Senator or Representative in Congress or any other
22 elective public office who knowingly makes a false statement
23 regarding his eligibility or qualifications for such office in
24 his candidate's affidavit shall, in litigation which results in
25 the removal of the candidate from the ballot, be liable for
26 court costs, including filing fees, attorney fees, investigation
27 fees and similar costs, in an amount up to [ten thousand
28 (\$10,000)] twenty thousand (\$20,000) dollars.

29 Section 1803. Refusal to Permit Inspection of Papers;
30 Destruction or Removal; Secretary of the Commonwealth.--Any

1 Secretary of the Commonwealth, deputy, or employe of his office,
2 who shall refuse to permit the public inspection or copying as
3 authorized, except when in use in his office, by this act, of
4 any return, nomination petition, certificate or paper, other
5 petition, account, contract, report or any other document or
6 record in his custody which, under the provisions of this act,
7 is required to be open to public inspection; or who shall
8 destroy or alter, or permit to be destroyed or altered, any such
9 document or record during the period for which the same is
10 required to be kept in his office; or who shall remove any such
11 document or record from his office during said period, or permit
12 the same to be removed, except pursuant to the direction of any
13 competent court or any committee required to determine any
14 contested primary or election, shall be guilty of a misdemeanor,
15 and, upon conviction thereof, shall be sentenced to pay a fine
16 not exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000)
17 dollars, or to undergo an imprisonment of not less than [~~one (1)~~
18 ~~month~~] two (2) months nor more than [~~two (2)~~] four (4) years, or
19 both, in the discretion of the court.

20 Section 1804. Refusal to Permit Inspection of Papers;
21 Destruction or Removal; County Boards of Elections.--Any member,
22 chief clerk or other employe of any county board of elections,
23 who shall refuse to permit the public inspection or copying, as
24 authorized by this act, of any general or duplicate return
25 sheet, tally paper, affidavit, nomination petition, certificate
26 or paper, other petition, witness list, account, contract,
27 report or any other document or record in the custody of such
28 county board which, under the provisions of this act, is
29 required to be open to public inspection; or who shall destroy
30 or alter, or permit to be destroyed or altered, any such

1 document or record during the period for which the same is
2 required to be kept in the office of such county board; or who
3 shall remove any such document or record from the office of such
4 county board during said period, or permit the same to be
5 removed, except pursuant to the direction of any competent court
6 or any committee required to determine any contested primary or
7 election, shall be guilty of a misdemeanor, and, upon conviction
8 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
9 ~~thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
10 an imprisonment of not less than [~~one (1) month]~~ two (2) months
11 nor more than [~~two (2)]~~ four (4) years, or both, in the
12 discretion of the court.~~

13 Section 1805. Insertion and Alteration of Entries in
14 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
15 or employe of any county board of elections or judge, inspector
16 or clerk of election, machine inspector, overseer, or other
17 person, who knowingly inserts or knowingly permits to be
18 inserted any fictitious name, false figure or other fraudulent
19 entry on or in any registration card, district register, voter's
20 certificate, list of voters, affidavit, tally paper, general or
21 duplicate return sheet, statement, certificate, oath, voucher,
22 account, ballot or other record or document authorized or
23 required to be made, used, signed, returned or preserved for any
24 public purpose in connection with any primary or election; or
25 who materially alters or intentionally destroys any entry which
26 has been lawfully made therein, except by order of the county
27 board of elections or court of competent jurisdiction, or who
28 takes or removes any such book, affidavit, return, account,
29 ballot or other document or record from the custody of any
30 person having lawful charge thereof, in order to prevent the

1 same from being used or inspected or copied as required or
2 permitted by this act, or who neglects or refuses, within the
3 time and in the manner required by this act, to deliver the same
4 into the custody of the officers who are required by this act to
5 use or keep the same, shall be guilty of a misdemeanor, and,
6 upon conviction thereof, shall be sentenced to pay a fine not
7 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
8 or to undergo an imprisonment of not less than [one (1) month]
9 two (2) months or more than [two (2)] four (4) years, or both,
10 in the discretion of the court.

11 Section 1806. Refusal to Permit Overseers, Watchers,
12 Attorneys or Candidates to Act.--Any member of a county board of
13 elections, judge of election or inspector of election who shall
14 refuse to permit any overseer or watcher, attorney or candidate
15 to be present, as authorized by this act, at any session of a
16 county board, computation and canvassing of returns of any
17 primary or election, recount of ballots or recanvass of voting
18 machines, as authorized by this act, or at any polling place
19 during the time the polls are open at any primary or election,
20 and after the close of the polls during the time the ballots are
21 counted or voting machine canvassed and until the returns of
22 such primary or election have been made up and signed, shall be
23 guilty of a misdemeanor, and, upon conviction thereof, shall be
24 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
25 two thousand (\$2,000) dollars, or to undergo an imprisonment not
26 exceeding [one (1) year] two (2) years, or both, in the
27 discretion of the court.

28 Section 1807. Driving away Watchers, Attorneys, Candidates
29 or Overseers.--Any person who by violence or intimidation shall
30 threaten or drive away any watcher, attorney, candidate or

1 overseer, or representative of the county board of elections, or
2 of the Secretary of the Commonwealth, required or permitted to
3 be present at any polling place, or who shall in any manner
4 prevent any overseer, or representative of the county board of
5 elections or of the Secretary of the Commonwealth from
6 performing his duty under this act, shall be guilty of a
7 misdemeanor, and, upon conviction thereof, shall be sentenced to
8 pay a fine not exceeding [one thousand (\$1,000)] two thousand
9 (\$2,000) dollars, or to undergo an imprisonment of not less than
10 [one (1) month] two (2) months nor more than [two (2)] four (4)
11 years, or both, in the discretion of the court.

12 Section 1808. Refusal to Permit Election Officers, Clerks
13 and Machine Inspectors to Act; Driving away Said Persons.--Any
14 person, including any election officer, who shall refuse to
15 permit any election officer, clerk or machine inspector, duly
16 elected or appointed and authorized to act, to perform the
17 duties imposed on him or to act as permitted by this act; or who
18 shall by violence or intimidation threaten or drive away, any
19 such election officer, clerk or machine inspector or who shall,
20 in any manner, prevent any such election officer, clerk or
21 machine inspector from performing his rights and duties under
22 this act, shall be guilty of a misdemeanor, and, upon conviction
23 thereof, shall be sentenced to pay a fine not exceeding [one
24 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
25 an imprisonment of not less than [one (1) month] two (2) months
26 or more than [two (2)] four (4) years, or both, in the
27 discretion of the court.

28 Section 1809. Refusal to Administer Oath; Acting Without
29 Being Sworn.--If any judge of election or minority inspector of
30 election refuses or fails to administer the oath to the officers

1 of election, in the manner required by this act, or if any judge
2 of election, inspector of election, clerk of election, or
3 machine inspector, shall act without being first duly sworn, or
4 if any such person shall sign the written form of oath without
5 being duly sworn, or if any judge of election or minority
6 inspector of election or any other person authorized to
7 administer oaths shall certify that any such person was sworn
8 when he was not, he shall be guilty of a misdemeanor, and, upon
9 conviction thereof, shall be sentenced to pay a fine not
10 exceeding [one hundred (\$100)] two hundred (\$200) dollars, or to
11 undergo an imprisonment not exceeding [six (6) months] one (1)
12 year, or both, in the discretion of the court.

13 Section 1810. Violation of Oath of Office by Election
14 Officers.--Any judge of election, inspector of election, clerk
15 of election, or machine inspector who shall wilfully violate any
16 of the provisions of his oath of office, shall be guilty of a
17 misdemeanor, and, upon conviction thereof, shall be sentenced to
18 pay a fine not exceeding [one thousand (\$1,000)] two thousand
19 (\$2,000) dollars, or to undergo an imprisonment not exceeding
20 [one (1) year] two (2) years, or both, in the discretion of the
21 court.

22 Section 1811. Peace Officers; Failure to Render Assistance;
23 Hindering or Delaying County Board Members and Others.--Any
24 sheriff, deputy sheriff, constable, deputy constable, police or
25 other peace officer, who shall fail upon demand of any member of
26 a county board of elections, judge or inspector of election, or
27 overseer to render such aid and assistance to him as he shall
28 request in the maintenance of peace and in the making of
29 arrests, as herein provided, or who shall wilfully hinder or
30 delay or attempt to hinder or delay any member of a county

1 board, judge or inspector of election, or overseer in the
2 performance of any duty under this act, shall be guilty of a
3 misdemeanor, and, upon conviction thereof, shall be sentenced to
4 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
5 (\$1,000) dollars, or to undergo an imprisonment of not less than
6 [~~three (3)~~] six (6) months nor more than [~~two (2)~~] four (4)
7 years, or both, in the discretion of the court.

8 Section 1812. Nomination Petitions and Papers; Offenses by
9 Signers.--If any person shall knowingly and wilfully sign any
10 nomination petition or nomination paper, without having the
11 qualifications prescribed by this act, or if any person shall
12 set opposite a signature on a nomination petition or paper, a
13 date other than the actual date such signature was affixed
14 thereto, or if any person shall set opposite the signature on a
15 nomination petition or nomination paper, a false statement of
16 the signer's place of residence or occupation, or if any person
17 shall sign more nomination petitions or nomination papers than
18 permitted by the provisions of this act, he shall be guilty of a
19 misdemeanor, and, upon conviction thereof, shall be sentenced to
20 pay a fine not exceeding [~~one hundred (\$100)~~] two hundred (\$200)
21 dollars, or to undergo an imprisonment of not less than [~~three~~
22 ~~(3)~~] six (6) months nor more than [~~two (2)~~] four (4) years, or
23 both, at the discretion of the court.

24 Section 1813. False Signatures and Statements in Nomination
25 Petitions and Papers.--If any person shall knowingly make a
26 false statement in any affidavit required by the provisions of
27 this act, to be appended to or to accompany a nomination
28 petition or a nomination paper, or if any person shall
29 fraudulently sign any name not his own to any nomination
30 petition or nomination paper, or if any person shall

1 fraudulently alter any nomination petition or nomination paper
2 without the consent of the signers, he shall be guilty of a
3 misdemeanor, and, upon conviction thereof, shall be sentenced to
4 pay a fine not exceeding [five hundred (\$500)] one thousand
5 (\$1,000) dollars, or to undergo imprisonment of not more than
6 [one (1) year] two (2) years, or both, in the discretion of the
7 court.

8 Section 1814. Nomination Petitions; Certificates and Papers;
9 Destruction; Fraudulent Filing; Suppression.--Any person who
10 shall falsely make any nomination certificate or who shall
11 wilfully deface or destroy any nomination petition, nomination
12 certificate or nomination paper, or any part thereof, or any
13 letter of withdrawal, or who shall file any nomination petition,
14 nomination certificate or nomination paper or letter of
15 withdrawal knowing the same, or any part thereof, to be falsely
16 made, or who shall suppress any nomination petition, nomination
17 certificate or nomination paper, or any part thereof, which has
18 been duly filed, shall be guilty of a misdemeanor, and, upon
19 conviction thereof, shall be sentenced to pay a fine not
20 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
21 or to undergo an imprisonment of not more than [one (1) year]
22 two (2) years, or both, in the discretion of the court.

23 Section 1815. Offenses by Printers of Ballots.--Any printer
24 employed by any county board of elections to print any official
25 ballots, or any person engaged in printing the same who shall
26 appropriate to himself or give or deliver or knowingly permit to
27 be taken any of said ballots by any other person than such
28 county board of election or their duly authorized agent, or who
29 shall wilfully print or cause to be printed any official ballot
30 in any form other than that prescribed by such county board or

1 with any other names or printing, or with the names spelled
2 otherwise than as directed by them or the names or printing
3 thereon arranged in any other way than that authorized and
4 directed by this act, shall be guilty of a misdemeanor, and,
5 upon conviction thereof, shall be sentenced to pay a fine not
6 exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000) dollars,
7 or to undergo an imprisonment of not less than [~~six (6) months~~]
8 one (1) year nor more than [~~five (5)~~] ten (10) years, or both,
9 in the discretion of the court.

10 Section 1816. Unlawful Possession of Ballots; Counterfeiting
11 Ballots.--Any person other than an officer charged by law with
12 the care of ballots, or a person entrusted by any such officer
13 with the care of the same for a purpose required by law, who
14 shall have in his possession outside the polling place any
15 official ballot, or any person who shall make or have in his
16 possession any counterfeit of an official ballot, shall be
17 guilty of a misdemeanor of the second degree, and, upon
18 conviction thereof, shall be sentenced to pay a fine not
19 exceeding [~~five thousand (\$5,000)~~] ten thousand (\$10,000)
20 dollars, or to undergo an imprisonment of not more than [~~two~~
21 ~~(2)~~] four (4) years, or both, in the discretion of the court.

22 Section 1817. Forging and Destroying Ballots.--Any person
23 who shall forge or falsely make the official endorsement on any
24 ballot or wilfully destroy or deface any ballot or wilfully
25 delay the delivery of any ballots shall be guilty of a
26 misdemeanor of the second degree, and, upon conviction thereof,
27 shall be sentenced to pay a fine not exceeding [~~five thousand~~
28 ~~(\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo an
29 imprisonment of not more than [~~two (2)~~] four (4) years, or both,
30 in the discretion of the court.

1 Section 1818. Tampering with Voting Machines.--Any election
2 officer or other person who shall unlawfully open or who shall
3 tamper with or injure or attempt to injure any voting machine to
4 be used or being used at any primary or election, or who shall
5 prevent or attempt to prevent the correct operation of such
6 machine, or any unauthorized person who shall make or have in
7 his possession a key to a voting machine to be used or being
8 used in any primary or election, shall be guilty of a
9 misdemeanor of the second degree, and, upon conviction thereof,
10 shall be sentenced to pay a fine not exceeding [five thousand
11 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
12 imprisonment of not more than [two (2)] four (4) years, or both,
13 in the discretion of the court.

14 Section 1819. Destroying, Defacing or Removing Notices, Et
15 Cetera.--Any person who shall, prior to any primary or election,
16 wilfully deface, remove or destroy any notice or list of
17 candidates posted in accordance with the provisions of this act,
18 or who, during any primary or election, shall wilfully deface,
19 tear down, remove or destroy any card of instructions, notice of
20 penalties, specimen ballot or diagram printed or posted for the
21 instruction of electors, or who shall, during any primary or
22 election, wilfully remove or destroy any of the supplies or
23 conveniences furnished by the county board of elections to any
24 polling place in order to enable electors to vote, or the
25 election officers to perform their duties, or who shall wilfully
26 hinder the voting of others, shall be guilty of a misdemeanor,
27 and, upon conviction thereof, shall be sentenced to pay a fine
28 not exceeding [one hundred (\$100)] two hundred (\$200) dollars,
29 or to undergo an imprisonment of not more than [three (3)] six
30 (6) months, or both, in the discretion of the court.

1 Section 1820. Police Officers at Polling Places.--Any police
2 officer in commission, whether in uniform or in citizen's
3 clothes, who shall be within one hundred (100) feet of a polling
4 place during the conduct of any primary or election, except in
5 the exercise of his privilege of voting or for the purpose of
6 serving warrants, or in accordance with the provisions of the
7 exception set forth in section 1207 of this act where the police
8 station or headquarters is located in the same building or on
9 the premises where the polling place is located or unless called
10 upon to preserve the peace, as provided by this act, shall be
11 guilty of a misdemeanor, and, upon conviction thereof, shall be
12 sentenced to pay a fine not exceeding [five hundred (\$500)] one
13 thousand (\$1,000) dollars, or to undergo an imprisonment of not
14 more than [one (1) year] two (2) years, or both, in the
15 discretion of the court.

16 Section 1821. Peace Officer; Failure to Quell Disturbances
17 at Polls; Hindering or Delaying Election Officers and Others.--
18 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
19 deputy constable, police officer or other peace officer who
20 shall neglect or refuse to clear an avenue to the door of any
21 polling place which is obstructed in such a way as to prevent
22 electors from approaching, or who shall neglect or refuse to
23 maintain order and quell any disturbance if such arises at any
24 polling place upon the day of any primary or election, when
25 called upon so to do by any election officer or any three
26 qualified electors of the election district, or who shall
27 wilfully hinder or delay, or attempt to hinder or delay, any
28 judge, inspector or clerk of election, machine inspector or
29 overseer in the performance of any duty under this act, shall be
30 guilty of a misdemeanor in office, and, upon conviction thereof,

1 shall be sentenced to pay a fine not exceeding [one thousand
2 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
3 imprisonment of not more than [one (1) year] two (2) years, or
4 both, in the discretion of the court.

5 Section 1823. Election Officers Permitting Unregistered
6 Electors to Vote; Challenges; Refusing to Permit Qualified
7 Electors to Vote.--Any judge or inspector of election who
8 permits any person to vote at any primary or election who is not
9 registered in accordance with law, except a person in actual
10 military service or a person as to whom a court of competent
11 jurisdiction has ordered that he shall be permitted to vote, or
12 who permits any registered elector to vote knowing that such
13 registered elector is not qualified to vote, whether or not such
14 person has been challenged, or who permits any person who has
15 been lawfully challenged to vote at any primary or election
16 without requiring the proof of the right of such person to vote
17 which is required by law, or who refuses to permit any duly
18 registered and qualified elector to vote at any primary or
19 election, with the knowledge that such elector is entitled to
20 vote, shall be guilty of a felony of the third degree, and, upon
21 conviction thereof, shall be sentenced to pay a fine not
22 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
23 dollars, and to undergo an imprisonment of not more than [seven
24 (7)] fourteen (14) years, or both.

25 Section 1824. Election Officers Refusing to Permit Elector
26 to Vote in Proper Party at Primaries.--Any judge, inspector or
27 clerk of election who refuses to permit an elector at any
28 primary at which ballots are used to receive the ballot of the
29 party with which he is enrolled, or who gives to any such
30 elector the ballot of any party in which he is not enrolled, or

1 any judge, or inspector of election, or machine inspector who,
2 at any primary at which voting machines are used, adjusts any
3 voting machine about to be used by an elector so as not to
4 permit him to vote for the candidates of the party in which he
5 is enrolled, or so as to permit him to vote for the candidates
6 of any party in which he is not enrolled, shall be guilty of a
7 misdemeanor of the first degree, and, upon conviction thereof,
8 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
9 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars, or to undergo an
10 imprisonment of not more than [~~five (5)~~] ten (10) years, or
11 both, in the discretion of the court.

12 Section 1825. Frauds by Election Officers.--Any judge,
13 inspector or clerk of election or machine inspector who shall be
14 guilty of any wilful fraud in the conduct of his duties at a
15 primary or election, and any person who shall make a false
16 return of the votes cast at any primary or election, or who
17 shall deposit fraudulent ballots in the ballot box or certify as
18 correct a return of ballots in the ballot box which he knows to
19 be fraudulent, or who shall register fraudulent votes upon any
20 voting machine or certify as correct a return of votes cast upon
21 any voting machine which he knows to be fraudulently registered
22 thereon, or who shall make any false entries in the district
23 register, or who shall fail to insert in the voting check list
24 the voter's certificate of any elector actually voting at any
25 primary or election, or who shall fail to record voting
26 information as required herein, or who shall fail to insert in
27 the numbered lists of voters the name of any person actually
28 voting, or who shall wilfully destroy or alter any ballot,
29 voter's certificate, or registration card contained in any
30 district register, or who shall wilfully tamper with any voting

1 machine, or who shall prepare or insert in the voting check list
2 any false voter's certificates not prepared by or for an elector
3 actually voting at such primary or election, for the purpose of
4 concealing the destruction or removal of any voter's
5 certificate, or for the purpose of concealing the deposit of
6 fraudulent ballots in the ballot box, or the registering of
7 fraudulent votes upon any voting machine or of aiding in the
8 perpetration of any such fraud, or who shall fail to return to
9 the county board of election following any primary or election
10 any keys of a voting machine, ballot box, general or duplicate
11 return sheet, tally paper, oaths of election officers,
12 affidavits of electors and others, record of assisted voters,
13 numbered list of voters, district register, voting check list,
14 unused, spoiled and cancelled ballots, ballots deposited,
15 written or affixed in or upon a voting machine, or any
16 certificate, or any other paper or record required to be
17 returned under the provisions of this act; or who shall conspire
18 with others to commit any of the offenses herein mentioned, or
19 in any manner to prevent a free and fair primary or election,
20 shall be guilty of a felony of the third degree, and, upon
21 conviction thereof, shall be sentenced to pay a fine not
22 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
23 dollars, or to undergo an imprisonment of not more than [seven
24 (7)] fourteen (14) years, or both, in the discretion of the
25 court.

26 Section 1826. Prying into Ballots.--Any judge, inspector or
27 clerk of election, or other person, who, before any ballot is
28 deposited in the ballot box as provided by this act, shall
29 unfold, open or pry into any such ballot, with the intent to
30 discover the manner in which the same has been marked, shall be

1 guilty of a misdemeanor, and upon conviction thereof, shall be
2 sentenced to pay a fine not exceeding [five hundred (\$500)] one
3 thousand (\$1,000) dollars, or to undergo an imprisonment of not
4 more than [one (1) year] two (2) years, or both, in the
5 discretion of the court.

6 Section 1827. Interference with Primaries and Elections;
7 Frauds; Conspiracy.--If any person shall prevent or attempt to
8 prevent any election officers from holding any primary or
9 election, under the provisions of this act, or shall use or
10 threaten any violence to any such officer; or shall interrupt or
11 improperly interfere with him in the execution of his duty; or
12 shall block up or attempt to block up the avenue to the door of
13 any polling place; or shall use or practice any intimidation,
14 threats, force or violence with design to influence unduly or
15 overawe any elector, or to prevent him from voting or restrain
16 his freedom of choice; or shall prepare or present to any
17 election officer a fraudulent voter's certificate not signed in
18 the polling place by the elector whose certificate it purports
19 to be; or shall deposit fraudulent ballots in the ballot box; or
20 shall register fraudulent votes upon any voting machine; or
21 shall tamper with any district register, voting check list,
22 numbered lists of voters, ballot box or voting machine; or shall
23 conspire with others to commit any of the offenses herein
24 mentioned, or in any manner to prevent a free and fair primary
25 or election, he shall be guilty of a felony of the third degree,
26 and, upon conviction thereof, shall be sentenced to pay a fine
27 not exceeding [fifteen thousand (\$15,000)] thirty thousand
28 (\$30,000) dollars, or to undergo an imprisonment of not more
29 than [seven (7)] fourteen (14) years, or both, in the discretion
30 of the court.

1 Section 1828. Persons Interfering in Other Districts.--Any
2 person who shall on the day of any primary or election visit any
3 polling place at which he is not entitled to vote and at which
4 he is not entitled to be present under any provision of this
5 act, and shall use any intimidation or violence for the purpose
6 of preventing any election officer from performing the duties
7 required of him by this act, or for the purpose of preventing
8 any qualified elector from exercising his right to vote or from
9 exercising his right to challenge any person offering to vote,
10 or for the purpose of influencing the vote of any elector, he
11 shall be guilty of a felony of the third degree, and, upon
12 conviction thereof, shall be sentenced to pay a fine not
13 exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand (\$30,000)
14 dollars, or to undergo an imprisonment of not more than [~~seven~~
15 ~~(7)~~] fourteen (14) years, or both, in the discretion of the
16 court.

17 Section 1829. Assault and Battery at Polls.--Any person who
18 shall unlawfully strike, wound or commit an assault and battery
19 upon the person of any elector at or near the polling place
20 during the time of any primary or election shall be guilty of a
21 misdemeanor of the first degree, and, upon conviction thereof,
22 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
23 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars, or to undergo an
24 imprisonment of not more than [~~five (5)~~] ten (10) years, or
25 both, in the discretion of the court.

26 Section 1830. Unlawful Assistance in Voting.--Any elector at
27 any primary or election who shall allow his ballot or the face
28 of the voting machine voted by him to be seen by any person with
29 the apparent intention of letting it be known how he is about to
30 vote; or in districts in which ballots are used, shall cast or

1 attempt to cast any other than the official ballot which has
2 been given to him by the proper election officer; or who,
3 without having made the declaration under oath or affirmation
4 required by section 1218 of this act, or when the disability
5 which he declared before any registration commission no longer
6 exists, shall permit another to accompany him into the voting
7 compartment or voting machine booth, or to mark his ballot or
8 prepare the voting machine for voting by him; or who shall mark
9 his ballot or prepare the voting machine for voting while
10 another is unlawfully present in the voting machine compartment
11 or voting machine booth with him; or who shall state falsely to
12 any election officer that because of illiteracy he is unable to
13 read the names on the ballot or ballot labels or that by reason
14 of physical disability he cannot see or mark the ballot or enter
15 the voting compartment without assistance or that he cannot see
16 or operate the voting machine or enter the voting machine booth
17 without assistance; or who shall state, as his reason for
18 requiring assistance, a disability from which he does not
19 suffer; or any person who shall go into the voting compartment
20 or voting machine booth with another while voting or be present
21 therein while another is voting, or mark the ballot of another
22 or prepare the voting machine for voting with another, except in
23 strict accordance with the provisions of this act; or any person
24 who shall interfere with any elector when inside the enclosed
25 space or when marking his ballot, or preparing the voting
26 machine for voting, or who shall endeavor to induce any elector
27 before depositing his ballot to show how he marks or has marked
28 his ballot; or any person giving assistance who shall attempt to
29 influence the vote of the elector whom he is assisting or who
30 shall mark a ballot or prepare a voting machine for voting in

1 any other way than that requested by the voter whom he is
2 assisting, or who shall disclose to anyone the contents of any
3 ballot which has been marked or any voting machine which has
4 been prepared for voting with his assistance, except when
5 required to do so in any legal proceeding, shall be guilty of a
6 misdemeanor, and, upon conviction thereof, shall be sentenced to
7 pay a fine not exceeding [one thousand (\$1,000)] two thousand
8 (\$2,000) dollars, or to undergo an imprisonment of not more than
9 [one (1) year] two (2) years, or both, in the discretion of the
10 court.

11 Section 1831. Election Officers Permitting Unlawful
12 Assistance.--Any election officer who shall permit a voter to be
13 accompanied by another into the voting compartment or voting
14 machine booth when the registration card of such person contains
15 no declaration that such person requires assistance, or when
16 such person has not made, under oath or affirmation, the
17 statement required by section 1218 of this act, or when such
18 election officer knows that the disability which the elector
19 declared before any registration commission no longer exists, or
20 who shall permit any person to accompany an elector into the
21 voting compartment or voting machine booth, except as provided
22 by this act, shall be guilty of a misdemeanor, and, upon
23 conviction thereof, shall be sentenced to pay a fine not
24 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
25 or to undergo an imprisonment of not more than [one (1) year]
26 two (2) years, or both, in the discretion of the court.

27 Section 1832. Failure to Keep and Return Record of Assisted
28 Voters.--Any judge of election who shall fail to record, as
29 required by section 1218 (c) of this act, the name of each
30 elector who received assistance or who is accompanied by another

1 into the voting compartment or voting machine booth; or who
2 shall insert in the record of assisted voters the name of any
3 elector who does not receive assistance or is not accompanied by
4 another into the voting compartment or voting machine booth; or
5 who shall fail to record the exact disability of any assisted
6 elector which makes the assistance necessary, or shall record in
7 respect of any assisted elector a disability, other than that
8 stated by the elector; or who shall fail to record the name of
9 each person rendering assistance to an elector as prescribed by
10 this act; or who shall knowingly record as the name of such
11 person giving assistance a name which is not the name of such
12 person; or who shall fail or neglect to return the record of
13 assisted voters to the county board of elections as required by
14 this act, shall be guilty of a misdemeanor, and, upon conviction
15 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
16 ~~thousand (\$1,000)~~] two thousand (\$2,000) dollars, or to undergo
17 an imprisonment of not less than [~~two (2)~~] four (4) months nor
18 more than [~~two (2)~~] four (4) years, or both, in the discretion
19 of the court.

20 Section 1833. Unlawful Voting.--Any person who votes or
21 attempts to vote at any primary or election, knowing that he
22 does not possess all the qualifications of an elector at such
23 primary or election, as set forth in this act, shall be guilty
24 of a misdemeanor of the first degree, and, upon conviction
25 thereof, shall be sentenced to pay a fine not exceeding [~~ten~~
26 ~~thousand (\$10,000)~~] twenty thousand (\$20,000) dollars, or to
27 undergo an imprisonment of not more than [~~five (5)~~] ten (10)
28 years, or both, in the discretion of the court.

29 Section 1834. Elector Voting Ballot of Wrong Party at
30 Primary.--Any elector who shall wilfully vote at any primary the

1 ballot of a party in which he is not enrolled, in violation of
2 the provisions of this act, shall be guilty of a misdemeanor of
3 the second degree, and, upon conviction thereof, shall be
4 sentenced to pay a fine not exceeding [five thousand (\$5,000)]
5 ten thousand (\$10,000) dollars, or to undergo an imprisonment of
6 not more than [two (2)] four (4) years, or both, in the
7 discretion of the court.

8 Section 1835. Repeat Voting at Elections.--If any person
9 shall vote in more than one election district, or otherwise
10 fraudulently vote more than once at the same primary or
11 election, or shall vote a ballot other than the ballot issued to
12 him by the election officers, or shall advise or procure another
13 so to do, he shall be guilty of a felony of the third degree,
14 and, upon conviction thereof, shall be sentenced to pay a fine
15 not exceeding [fifteen thousand (\$15,000)] thirty thousand
16 (\$30,000) dollars, or to undergo an imprisonment of not more
17 than [seven (7)] fourteen (14) years, or both, in the discretion
18 of the court.

19 Section 1836. Removing Ballots.--Any person removing any
20 ballot from any book of official ballots, except in the manner
21 provided by this act, shall be guilty of a misdemeanor of the
22 second degree, and, upon conviction thereof, shall be sentenced
23 to pay a fine not exceeding [five thousand (\$5,000)] ten
24 thousand (\$10,000) dollars, or to undergo an imprisonment of not
25 more than [two (2)] four (4) years, or both, in the discretion
26 of the court.

27 Section 1837. Commissioners to Take Soldiers' Votes.--Any
28 commissioner appointed by or under the provisions of Article
29 XIII of this act who shall knowingly violate his duty or
30 knowingly omit or fail to do his duty thereunder or violate any

1 part of his oath, shall be guilty of perjury, and, upon
2 conviction thereof, shall be sentenced to pay a fine not
3 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
4 or to undergo an imprisonment of not more than [one (1) year]
5 two (2) years, or both, in the discretion of the court.

6 Section 1838. Fraudulent Voting by Soldiers.--Any person who
7 shall vote or attempt to vote at any election by electors in
8 military service under the provisions of Article XIII of this
9 act, not being qualified to vote at such election, shall be
10 guilty of a misdemeanor, and, upon conviction thereof, shall be
11 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
12 two thousand (\$2,000) dollars, or to undergo an imprisonment of
13 not more than [one (1) year] two (2) years, or both, in the
14 discretion of the court.

15 Section 1839. Bribery at Elections.--Any person who shall,
16 directly or indirectly, give or promise or offer to give any
17 gift or reward in money, goods or other valuable thing to any
18 person, with intent to induce him to vote or refrain from voting
19 for any particular candidate or candidates or for or against any
20 constitutional amendment or other question at any primary or
21 election; or who shall, directly or indirectly, procure for or
22 offer or promise to procure for such person any such gift or
23 reward with the intent aforesaid; or, who with the intent to
24 influence or intimidate such person to give his vote or to
25 refrain from giving his vote for any particular candidate or
26 candidates or for or against any constitutional amendment or
27 other question at any primary or election, shall give to or
28 obtain for or assist in obtaining for or offer or promise to
29 give to or obtain for or assist in obtaining for such person any
30 office, place, appointment or employment, public or private, or

1 threaten such person with dismissal or discharge from any
2 office, place, appointment or employment, public or private,
3 then held by him, shall be guilty of a felony of the third
4 degree, and, upon conviction thereof, shall be sentenced to pay
5 a fine not exceeding [~~fifteen thousand (\$15,000)] thirty
6 thousand (\$30,000) dollars, or to undergo an imprisonment of not
7 more than [~~seven (7)] fourteen (14) years, or both, in the
8 discretion of the court.~~~~

9 Section 1840. Receipts and Disbursements of Primary and
10 Election Expenses by Persons Other Than Candidates and
11 Treasurers.--Any member of a political committee who shall
12 receive or disburse any money or incur any liability for primary
13 or election expenses, except through the treasurer of such
14 political committee, and any person not a candidate or member of
15 a political committee who shall receive or disburse any money or
16 incur any liability for primary or election expenses, shall be
17 guilty of a misdemeanor, and, upon conviction thereof, shall be
18 sentenced to pay a fine not exceeding [~~one thousand (\$1,000)]
19 two thousand (\$2,000) dollars, or to undergo an imprisonment of
20 not less than [~~one (1) month] two (2) months nor more than [~~two~~
21 ~~(2)] four (4) years, or both, in the discretion of the court.~~~~~~

22 Section 1841. Receipts of Primary and Election Expenses by
23 Unauthorized Persons.--Any person or any political committee who
24 receives money on behalf of any candidate without being
25 authorized to do so under the provisions of section 1623, shall
26 be guilty of a misdemeanor, and, upon conviction thereof, shall
27 be sentenced to pay a fine not exceeding [~~five thousand dollars~~
28 ~~(\$5,000)] ten thousand dollars (\$10,000), or to undergo an
29 imprisonment of not less than [~~one (1) month] two (2) months nor
30 more than [~~two (2)] four (4) years, or both, in the discretion~~~~~~

1 of the court.

2 Section 1843. Contributions by Corporations or
3 Unincorporated Associations.--Any corporation or unincorporated
4 association, which shall pay, give or lend or agree to pay, give
5 or lend any money belonging to such corporation or
6 unincorporated association or in its custody or control, in
7 violation of the provisions of section 1633, shall be guilty of
8 a misdemeanor, and, upon conviction thereof, shall be sentenced
9 to pay a fine of not less than [~~one thousand dollars (\$1,000)~~]
10 two thousand dollars (\$2,000) nor more than [~~ten thousand~~
11 ~~dollars (\$10,000)~~] twenty thousand dollars (\$20,000). Any
12 director, officer, agent or employe of any corporation or
13 unincorporated association who shall on behalf of such
14 corporation or unincorporated association pay, give or lend or
15 authorize to be paid, given or lent any money belonging to such
16 corporation or unincorporated association or in its custody or
17 control in violation of the provisions of section 1633, shall be
18 guilty of a misdemeanor, and, upon conviction thereof, shall be
19 sentenced to pay a fine not exceeding [~~ten thousand dollars~~
20 ~~(\$10,000)~~] twenty thousand dollars (\$20,000), or to undergo an
21 imprisonment of not less than [~~one (1) month~~] two (2) months nor
22 more than [~~two (2)~~] four (4) years, or both, in the discretion
23 of the court.

24 Section 1845. Failure to File Expense Account.--Any
25 candidate or treasurer of a political committee or person acting
26 as such treasurer who shall fail to file an account of primary
27 or election expenses, as required by this act, shall be guilty
28 of a misdemeanor, and, upon conviction thereof, shall be
29 sentenced to pay a fine not exceeding [~~five thousand dollars~~
30 ~~(\$5,000)~~] ten thousand dollars (\$10,000), or to undergo an

1 imprisonment of not less than [~~one (1) month~~] two (2) months nor
2 more than [~~two (2)] four (4) years, or both, in the discretion
3 of the court.~~

4 Section 1847. Prohibiting Duress and Intimidation of Voters
5 and Interference with the Free Exercise of the Elective
6 Franchise.--Any person or corporation who, directly or
7 indirectly--(a) uses or threatens to use any force, violence or
8 restraint, or inflicts or threatens to inflict any injury,
9 damage, harm or loss, or in any other manner practices
10 intimidation or coercion upon or against any person, in order to
11 induce or compel such person to vote or refrain from voting at
12 any election, or to vote or refrain from voting for or against
13 any particular person, or for or against any question submitted
14 to voters at such election, or to place or cause to be placed or
15 refrain from placing or causing to be placed his name upon a
16 register of voters, or on account of such person having voted or
17 refrained from voting at such election, or having voted or
18 refrained from voting for or against any particular person or
19 persons or for or against any question submitted to voters at
20 such election, or having registered or refrained from
21 registering as a voter; or (b) by abduction, duress or coercion,
22 or any forcible or fraudulent device or contrivance, whatever,
23 impedes, prevents, or otherwise interferes with the free
24 exercise of the elective franchise by any voter, or compels,
25 induces, or prevails upon any voter to give or refrain from
26 giving his vote for or against any particular person at any
27 election; or (c) being an employer, pays his employes the salary
28 or wages due in "pay envelopes" upon which or in which there is
29 written or printed any political motto, device, statement or
30 argument containing threats, express or implied, intended or

1 calculated to influence the political opinions or actions of
2 such employes, or within ninety days of any election or primary
3 puts or otherwise exhibits in the establishment or place where
4 his employes are engaged in labor, any handbill or placard
5 containing any threat, notice, or information that if any
6 particular ticket or candidate is elected or defeated work in
7 his place or establishment will cease, in whole or in part, his
8 establishment be closed up, or the wages of his employes
9 reduced, or other threats, express or implied, intended or
10 calculated to influence the political opinions or actions of his
11 employes, shall be guilty of a misdemeanor of the second degree.
12 Any person or corporation, convicted of a violation of any of
13 the provisions of this section, shall be sentenced to pay a fine
14 not exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
15 dollars, or such person or the officers, directors or agents of
16 such corporation responsible for the violation of this section,
17 shall be sentenced to undergo an imprisonment of not more than
18 [two (2)] four (4) years, or both, in the discretion of the
19 court.

20 Section 1848. Failure to Perform Duty.--Any Secretary of the
21 Commonwealth, member of a county board of elections, chief
22 clerk, employe, overseer, judge of election, inspector of
23 election, clerk of election, machine inspector or custodian or
24 deputy custodian of voting machines on whom a duty is laid by
25 this act who shall wilfully neglect or refuse to perform his
26 duty, shall be guilty of a misdemeanor, and, upon conviction
27 thereof, shall be sentenced to pay a fine not exceeding [one
28 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
29 an imprisonment of not more than [two (2)] four (4) years, or
30 both, in the discretion of the court.

1 Section 1849. Hindering or Delaying Performance of Duty.--
2 Any person who intentionally interferes with, hinders or delays
3 or attempts to interfere with, hinder or delay any other person
4 in the performance of any act or duty authorized or imposed by
5 this act, shall be guilty of a misdemeanor, and, upon conviction
6 thereof, shall be sentenced to pay a fine not exceeding [five
7 hundred (\$500)] one thousand (\$1,000) dollars, or to undergo an
8 imprisonment of not more than [one (1) year] two (2) years, or
9 both, in the discretion of the court.

10 Section 1850. Violation of Any Provision of Act.--Any person
11 who shall violate any of the provisions of this act, for which a
12 penalty is not herein specifically provided, shall be guilty of
13 a misdemeanor, and, upon conviction thereof, shall be sentenced
14 to pay a fine not exceeding [one thousand (\$1,000)] two thousand
15 (\$2,000) dollars, or to undergo an imprisonment of not more than
16 [one (1) year] two (2) years, or both, in the discretion of the
17 court.

18 Section 27. Section 1853 of the act, amended March 27, 2020
19 (P.L.41, No.12), is amended to read:

20 Section 1853. Violations of Provisions Relating to Absentee
21 and Mail-in Ballots.--If any person shall sign an application
22 for absentee ballot, mail-in ballot or declaration of elector on
23 the forms prescribed knowing any matter declared therein to be
24 false, or shall vote any ballot other than one properly issued
25 to the person, or vote or attempt to vote more than once in any
26 election for which an absentee ballot or mail-in ballot shall
27 have been issued to the person, or shall disclose results of a
28 pre-canvassing meeting under section 1308(g)(1.1), or shall
29 violate any other provisions of Article XIII or Article XIII-D
30 of this act, the person shall be guilty of a misdemeanor of the

1 third degree, and, upon conviction, shall be sentenced to pay a
2 fine not exceeding [two thousand five hundred dollars (\$2,500)]
3 five thousand dollars (\$5,000), or be imprisoned for a term not
4 exceeding [two (2)] four (4) years, or both, at the discretion
5 of the court.

6 If any chief clerk or member of a board of elections, member
7 of a return board or member of a board of registration
8 commissioners, shall neglect or refuse to perform any of the
9 duties prescribed by Article XIII or Article XIII-D of this act,
10 or shall reveal or divulge any of the details of any ballot cast
11 in accordance with the provisions of Article XIII or Article
12 XIII-D of this act, or shall disclose results of a pre-
13 canvassing meeting under section 1308(g)(1.1), or shall count an
14 absentee ballot or mail-in ballot knowing the same to be
15 contrary to Article XIII or Article XIII-D, or shall reject an
16 absentee ballot or mail-in ballot without reason to believe that
17 the same is contrary to Article XIII or Article XIII-D, or shall
18 permit an elector to cast the elector's ballot other than a
19 provisional ballot at a polling place knowing that there has
20 been issued to the elector an absentee ballot or mail-in ballot,
21 the [elector] individual shall be guilty of a felony of the
22 third degree, and, upon conviction, shall be punished by a fine
23 not exceeding [fifteen thousand dollars (\$15,000)] thirty
24 thousand dollars (\$30,000), or be imprisoned for a term not
25 exceeding [seven (7)] fourteen (14) years, or both, at the
26 discretion of the court.

27 Section 28. The act is amended by adding sections to read:

28 Section 1855. Unlawful Collection of Ballots.--A person who
29 willfully collects or returns absentee or mail-in ballots in
30 violation of this act commits a felony of the third degree and,

1 upon conviction, shall be punished by a fine not exceeding
2 thirty thousand dollars (\$30,000), or be imprisoned for a term
3 not exceeding fourteen (14) years, or both, at the discretion of
4 the court.

5 Section 1856. Prohibiting Duress and Intimidation of
6 Elections Officials.--Any person who directly or indirectly uses
7 or threatens to use any force, violence or restraint, or
8 inflicts or threatens to inflict any injury, damage, harm or
9 loss, or in any other manner practices intimidation or coercion
10 upon or against any election official, administrator, judge of
11 elections or poll worker in the course of their duties in
12 administering an election shall be guilty of a misdemeanor of
13 the second degree. Any person convicted of a violation of this
14 section shall be fined ten thousand (\$10,000) dollars, sentenced
15 to undergo an imprisonment of not more than four (4) years, or
16 both, in the discretion of the court.

17 Section 29. The act is amended by adding an article to read:

18 ARTICLE XX

19 REIMBURSEMENTS AND WITHHOLDING

20 Section 2001. General Rule ~~RULE.~~ <--

21 ~~The following shall apply:~~ <--

22 ~~(1) The State Treasurer shall reimburse counties for 50%~~
23 ~~of the cost of replacing voting machines, ballot processing~~
24 ~~machines or electronic poll books, not more than once every~~
25 ~~10 years, except that:~~

26 ~~(i) The State Treasurer shall reimburse counties for~~
27 ~~50% of the cost of replacing equipment at any time if the~~
28 ~~equipment previously used by the county was decertified~~
29 ~~by the department.~~

30 ~~(ii) The State Treasurer shall reimburse counties~~

1 ~~for 100% of the cost of purchasing ballot processing~~
2 ~~machines or electronic poll books within one year after~~
3 ~~the effective date of this section.~~

4 ~~(2)~~ The State Treasurer shall reimburse counties for
5 100% of the cost of issuing registration cards required under
6 section 302(s), within one year of the effective date of this
7 section.

8 Section 2002. Withholding.

9 The State Treasurer shall withhold all reimbursements and
10 election funding provided for under this act from any county
11 which is in violation of this act or for which an audit or
12 recount has identified violations or irregularities in voting,
13 until the issue has been successfully resolved, as certified by
14 the Auditor General.

15 Section 29.1. The sum of \$3,100,000 is hereby appropriated
16 to the Auditor General for the purpose of establishing and
17 operating a Bureau of Election Audits.

18 Section 30. The provisions of this act are nonseverable. If
19 any provision of this act or its application to any person or
20 circumstance is held invalid, the remaining provisions or
21 applications of this act are void.

22 Section 31. This act shall apply to elections held on or
23 after the effective date of this section.

24 Section 32. Repeals are as follows:

25 (1) The General Assembly declares that the repeal under
26 paragraph (2) is necessary to effectuate the addition of
27 Article VII-A of the act.

28 (2) 25 Pa.C.S. Ch. 13 is repealed.

29 Section 33. This act shall take effect immediately.