



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 34

PRINTERS NO. 3506

PRIME SPONSOR: Day

### COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
General Fund	\$0	\$0
County Funds	\$0	\$0

**SUMMARY:** Establishes ballot security procedures for county boards of elections to observe in the transportation, storage, and delivery of ballots cast in an election. This legislation would take effect in 60 days.

**ANALYSIS:** This legislation amends Act No. 320 of 1937, known as the Pennsylvania Election Code, to establish ballot security procedures for county boards of elections to observe in the transportation, storage, and delivery of ballots cast in an election.

Each county board would be required to adopt ballot security procedures to ensure that ballots cast in an election are not tampered with or counted erroneously. Ballots cast in an election would be required to be secured in a transportation container during any point in which the ballots are not at a voting precinct or county board of elections, unless in custody of the United States Postal Service. The transportation container shall possess a numbered security tag that seals the transportation container and includes an individually identifiable number.

The ballot security procedure shall include a bill of lading sealed within each transportation container, which would be required to accompany the ballots cast in the election:

- at the location that the ballots are initially collected.
- while the ballots are in transit.
- at any storage location for the ballots until the ballots are precanvassed or canvassed.

The bill of lading would be required to include the location, date, and time that the ballots cast in the election were collected, along with the numbered security tag number.

Any bills of lading that are not sealed in a transportation or storage container shall be kept in accordance with the county's ballot security procedures and shall be available for inspection by a poll watcher.

If the numbered security tag is broken, it shall be stored with the bill of lading and the bill of lading would be required to be marked with the following:

- location, date, and time regarding the incident.
- reason for the incident.
- broken numbered security tag number.
- newly affixed numbered security tag number.

If a transportation container containing ballots is moved, documentation shall be kept with the container, including the name of the individual who handled or had custody of the transportation container. The individual shall record the location, date, time, and numbered security tag number regarding the ballots cast in the election. Storage and maintenance of chain of custody of documents shall be prescribed in the county's ballot security procedures.

A poll watcher would be entitled to know the number of transportation and storage containers containing ballots in a given election, which are waiting to be counted or stored after counting.

**FISCAL IMPACT:** This legislation would have no adverse fiscal impact on Commonwealth or county funds.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** September 20, 2022

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*