

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1255

PRINTER'S NO. 2170

AMOUNT

No Fiscal Impact

FUND

General

DATE INTRODUCED

September 20, 2011

PRIME SPONSOR

Senator Robbins

HISTORY OF BILL

Referred to STATE GOVERNMENT, Sept. 20, 2011

Reported as amended, May 8, 2012

First consideration, May 8, 2012

Second consideration, May 23, 2012

Re-referred to APPROPRIATIONS, May 23, 2012

Re-reported as committed, June 4, 2012

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 1255 amends the Pennsylvania Election Code to enact the Uniform Military and Overseas Voters Act (UMOVA) to simplify the process of absentee voting for United States military and overseas civilians in state elections conducted in Pennsylvania.

This legislation applies to federal and state primary, municipal, general and special elections. The Secretary of the Commonwealth is responsible for implementing the provisions of the act which include establishing an electronic transmission system through which a covered voter may apply for and receive voter registration materials and military-overseas ballots and developing standardized absentee-voting materials and their electronic equivalents.

The legislation allows a covered voter to use the Federal postcard application to register to vote and apply for a military-overseas ballot at the same time. It allows uniformed service members, their spouses and dependents, and bedridden veterans to use the Federal write-in absentee ballot to register to vote, apply for an absentee ballot and vote at the same time.

The legislation provides that an application for a military-overseas ballot for a primary election shall be considered a standing request for a military-overseas ballot for a special election, a general election, or a municipal election, occurring in the same calendar year as the primary.

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A county board of election shall provide an opportunity for each covered voter who registers to vote after the effective date of this section to furnish the county with an email address. The email address provided may only be used for official communication with the voter about the voting process, including the transmitting of overseas ballots and ballot materials, if the voter has requested electronic transmission.

A covered voter may request that a ballot and balloting materials be sent to the voter by mail or by Internet.

To be valid, a military-overseas ballot must be received by the appropriate county election board not later than the close of polls or the voter must submit the ballot for mailing no later than midnight at the place where the voter completed the ballot on the date immediately preceding the date of the election.

The Secretary of the Commonwealth is required to implement an electronic free-access system by which a covered voter may determine by telephone, email, or Internet website whether:

- The voter's Federal postcard application or other registration or military-overseas ballot application has been received and accepted; and
- The voter's military-overseas ballot has been received and the current status of the ballot.

Section 3514 requires county boards of elections to prepare election notices at least 90 days prior to an election, keep them updated, and make them available on their publicly accessible website if they have one.

The legislation prohibits invalidating a document by a covered voter because of the voter's mistake or omission as long as the mistake or omission does not prevent determining whether a covered voter is eligible to vote.

The act shall apply to elections which occur after January 1, 2013. Section 3514 shall apply to elections following a date to be determined by the Department of State and which shall be published in the Pennsylvania Bulletin.

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FISCAL IMPACT:

The Department of State has indicated that there will be no additional costs incurred to implement the provisions of this legislation, because most of these provisions are already being implemented due to the currently enacted requirements of the Federal Uniformed Overseas Citizens Absentee Voting Act (UOCAVA) and its amendment, the Federal Uniform Military and Overseas Voter Empowerment Act (MOVE). In 2010, the Uniform Law Commission approved a draft of a Uniform Military and Overseas Voters Act (UMOVA) for consideration by the states to essentially supplement the federal UOCAVA and MOVE Act and extend some of the more substantive accommodations made in the federal legislation to the military and overseas civilian voters in state elections. Senate Bill 1255 is a proposed version of the UMOVA, tailored specifically to the needs and challenges of Pennsylvania citizens who are abroad during an election cycle and our military personnel and their families. The Department of State anticipates counties would likely save on postage costs as absentee ballots would be submitted electronically.