

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in preparation for and conduct of primaries and
12 elections, further providing for manner of applying to vote,
13 persons entitled to vote, voter's certificates, entries to be
14 made in district register, numbered lists of voters and
15 challenges.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 1210(a.4)(5) of the act of June 3, 1937
19 (P.L.1333, No.320), known as the Pennsylvania Election Code,
20 amended March 14, 2012 (P.L.195, No.18), is amended and the
21 subsection is amended by adding a clause to read:

22 Section 1210. Manner of Applying to Vote; Persons Entitled
23 to Vote; Voter's Certificates; Entries to Be Made in District
24 Register; Numbered Lists of Voters; Challenges.--* * *

25 (a.4) * * *

1 (2.1) If an elector is unable to produce proof of
2 identification pursuant to subsection (a) and casts a
3 provisional ballot under subsection (a.2)(1), the elector may,
4 if the elector has been issued a Social Security number, record
5 the last four digits of the elector's Social Security number on
6 the affidavit.

7 * * *

8 (5) (i) Except as provided in subclause (ii), if it is
9 determined that the individual was registered and entitled to
10 vote at the election district where the ballot was cast, the
11 county board of elections shall compare the signature on the
12 provisional ballot envelope with the signature on the elector's
13 registration form and, if the signatures are determined to be
14 genuine, shall count the ballot if the county board of elections
15 confirms that the individual did not cast any other ballot,
16 including an absentee ballot, in the election.

17 (ii) A provisional ballot shall not be counted if:

18 (A) either the provisional ballot envelope under clause (3)
19 or the affidavit under clause (2) is not signed by the
20 individual;

21 (B) the signature required under clause (3) and the
22 signature required under clause (2) are either not genuine or
23 are not executed by the same individual;

24 (C) a provisional ballot envelope does not contain a secrecy
25 envelope;

26 (C.1) the county board of elections determines that the last
27 four digits of the elector's Social Security number recorded on
28 the affidavit under clause (2.1) are invalid;

29 (D) in the case of a provisional ballot that was cast under
30 subsection (a.2)(1)(i) and did not contain the last four digits

1 of the elector's Social Security number under clause (2.1),
2 within six calendar days following the election the elector
3 fails to appear before the county board of elections to execute
4 an affirmation or the county board of elections does not receive
5 an electronic, facsimile or paper copy of an affirmation
6 affirming, under penalty of perjury, that the elector is the
7 same individual who personally appeared before the district
8 election board on the day of the election and cast a provisional
9 ballot and that the elector is indigent and unable to obtain
10 proof of identification without the payment of a fee; or

11 (E) in the case of a provisional ballot that was cast under
12 subsection (a.2)(1)(ii) and did not contain the last four digits
13 of the elector's Social Security number under clause (2.1),
14 within six calendar days following the election, the elector
15 fails to appear before the county board of elections to present
16 proof of identification and execute an affirmation or the county
17 board of elections does not receive an electronic, facsimile or
18 paper copy of the proof of identification and an affirmation
19 affirming, under penalty of perjury, that the elector is the
20 same individual who personally appeared before the district
21 election board on the day of the election and cast a provisional
22 ballot.

23 (iii) One authorized representative of each candidate in an
24 election and one representative from each party shall be
25 permitted to remain in the room in which deliberation or
26 determination of subclause (ii) is being made.

27 * * *

28 Section 2. This act shall take effect in 60 days.