

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in voting by qualified absentee electors, further providing for official absentee voters ballots, for delivering or mailing ballots and for canvassing of official absentee ballots and mail-in ballots; and, in voting by qualified mail-in electors, further providing for official mail-in elector ballots and for delivering or mailing ballots.

INTRODUCED May 25 2021

By DAN MAUL **District NO.** 91

By _____ **District NO.** _____

By _____ **District NO.** _____

By _____ **District NO.** _____

See next page for additional co-sponsors.

Prior Session _____

Referred to Committee on

Date _____ 20____

Reported _____ 20____

As Committed-Amended

Recommendation

By Hon. _____

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 voting by qualified absentee electors, further
12 providing for official absentee voters ballots, for
13 delivering or mailing ballots and for canvassing of official
14 absentee ballots and mail-in ballots; and, in voting by
15 qualified mail-in electors, further providing for official
16 mail-in elector ballots and for delivering or mailing
17 ballots.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 1303 of the act of June 3, 1937
21 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
22 amended by adding a subsection to read:

23 Section 1303. Official Absentee Voters Ballots.--* * *

24 (f) The official absentee voter ballot shall contain a
25 scannable identification number unique to each individual

1 ballot.

2 Section 2. Section 1305(b) of the act is amended by adding a
3 paragraph to read:

4 Section 1305. Delivering or Mailing Ballots.--

5 * * *

6 (b) * * *

7 (3) A county board of elections shall scan and retain record
8 of each unique ballot number prior to the issuance or
9 association of the ballot with an individual voter's application
10 or mailing envelope.

11 * * *

12 Section 3. Section 1308(g)(4)(iii) of the act, amended March
13 27, 2020 (P.L.41, No.12), is amended to read:

14 Section 1308. Canvassing of Official Absentee Ballots and
15 Mail-in Ballots.--* * *

16 (g) * * *

17 (4) All absentee ballots which have not been challenged
18 under section 1302.2(c) and all mail-in ballots which have not
19 been challenged under section 1302.2-D(a)(2) and that have been
20 verified under paragraph (3) shall be counted and included with
21 the returns of the applicable election district as follows:

22 * * *

23 (iii) The county board shall then break the seals of such
24 envelopes, remove the ballots and scan each ballot's unique
25 identification number. Any ballot with an identification number
26 that has already been scanned, with an identification number not
27 recorded as having been issued by the county or with an invalid
28 identification number shall be set aside and declared void. The
29 county board shall then count, compute and tally the votes.

30 * * *

1 Section 4. Section 1303-D of the act is amended by adding a
2 subsection to read:

3 Section 1303-D. Official mail-in elector ballots.

4 * * *

5 (f) Unique identification number.--The official mail-in
6 ballot shall contain a scannable identification number unique to
7 each individual ballot.

8 Section 5. Section 1305-D of the act, amended March 27, 2020
9 (P.L.41, No.12), is amended to read:

10 Section 1305-D. Delivering or mailing ballots.

11 (a) General rule.--The county board of elections, upon
12 receipt and approval of an application filed by a qualified
13 elector under section 1301-D, shall commence to deliver or mail
14 official mail-in ballots as soon as a ballot is certified and
15 the ballots are available. While any proceeding is pending in a
16 Federal or State court which would affect the contents of any
17 ballot, the county board of elections may await a resolution of
18 that proceeding but in any event, shall commence to deliver or
19 mail official mail-in ballots not later than the second Tuesday
20 prior to the primary or election. For applicants whose proof of
21 identification was not provided with the application or could
22 not be verified by the board, the board shall send the notice
23 required under section 1302.2-D(c) with the mail-in ballot. As
24 additional applications are received and approved, the board
25 shall deliver or mail official mail-in ballots to the additional
26 electors within 48 hours.

27 (b) Unique ballot number.--A county board of elections shall
28 scan and retain record of each unique ballot number prior to the
29 issuance or association of the mail-in ballot with an individual
30 voter's application or mailing envelope.

1 Section 6. This act shall take effect in 60 days.