

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 canvassing of official absentee ballots and
13 mail-in ballots.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 1308(g)(1)(ii) and (3) of the act of June
17 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election
18 Code, amended March 27, 2020 (P.L.41, No.12), are amended to
19 read:

20 Section 1308. Canvassing of Official Absentee Ballots and
21 Mail-in Ballots.--* * *

22 (g) (1) * * *

23 (ii) An absentee ballot cast by any absentee elector as

1 defined in section 1301(i), (j), (k), (l), (m) and (n), an
2 absentee ballot under section [~~1302(a.3)~~] 1302.1(a.3) or a mail-
3 in ballot cast by a mail-in elector shall be canvassed in
4 accordance with this subsection if the absentee ballot or mail-
5 in ballot is received in the office of the county board of
6 elections no later than eight o'clock P.M. on the day of the
7 primary or election.

8 * * *

9 (3) When the county board meets to pre-canvass or canvass
10 absentee ballots and mail-in ballots under paragraphs (1), (1.1)
11 and (2), the board shall examine the declaration on the envelope
12 of each ballot not set aside under subsection (d) and shall
13 compare the information thereon with that contained in the
14 "Registered Absentee and Mail-in Voters File," the absentee
15 voters' list and/or the "Military Veterans and Emergency
16 Civilians Absentee Voters File," whichever is applicable. If the
17 county board has verified the proof of identification as
18 required under this act and is satisfied that the declaration is
19 sufficient and the information contained in the "Registered
20 Absentee and Mail-in Voters File," the absentee voters' list
21 and/or the "Military Veterans and Emergency Civilians Absentee
22 Voters File" verifies his right to vote, the county board shall
23 provide a list of the names of electors whose absentee ballots
24 or mail-in ballots are to be pre-canvassed or canvassed. For
25 absentee ballots or mail-in ballots which the county board is
26 not satisfied that proof of identification has been provided due
27 to any inability to match the signature present on the ballot to
28 the signature on file, the county board shall:

29 (i) Notify the elector by mail, email, telephone or text
30 message that the signature on the elector's ballot does not

1 match the elector's signature in the registration books.

2 (ii) Direct the elector to appear before, or to provide an
3 electronic, facsimile or paper copy to, the county board of
4 elections within six calendar days with:

5 (A) proof of identification and an executed affirmation
6 affirming, under penalty of perjury, that the elector is the
7 same individual who personally remitted the absentee ballot or
8 mail-in ballot; or

9 (B) an executed affirmation affirming, under penalty of
10 perjury, that the elector is the same individual who personally
11 remitted the absentee ballot or mail-in ballot and that the
12 elector is indigent and unable to obtain proof of identification
13 without the payment of a fee.

14 (iii) Notify the elector that the absentee ballot or mail-in
15 ballot may not be counted if the elector fails to comply with
16 subparagraph (ii).

17 * * *

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