
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1706 Session of
2021

INTRODUCED BY SNYDER, LONGIETTI, SAPPEY, HILL-EVANS, HOHENSTEIN,
A. DAVIS, HARKINS, N. NELSON, GUENST AND DELLOSO,
JUNE 25, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 25, 2021

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 date of application for absentee ballot and for
13 canvassing of official absentee ballots and mail-in ballots;
14 and, in voting by qualified mail-in electors, further
15 providing for date of application for mail-in ballot.

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

18 Section 1. Section 1302.1(a) and (a.3)(1) and (2) of the act
19 of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
20 Election Code, are amended to read:

21 Section 1302.1. Date of Application for Absentee Ballot.--

22 (a) Except as provided in subsection (a.3), applications for
23 absentee ballots shall be received in the office of the county
24 board of elections not earlier than fifty (50) days before the

1 primary or election, except that if a county board of elections
2 determines that it would be appropriate to its operational
3 needs, any applications for absentee ballots received more than
4 fifty (50) days before the primary or election may be processed
5 before that time. Applications for absentee ballots shall be
6 processed if received not later than five o'clock P.M. of the
7 [first Tuesday] fifteenth day prior to the day of any primary or
8 election.

9 (a.3) (1) The following categories of electors may apply
10 for an absentee ballot under this subsection, if otherwise
11 qualified:

12 (i) An elector whose physical disability or illness
13 prevented the elector from applying for an absentee ballot
14 before five o'clock P.M. on the [first Tuesday] fifteenth day
15 prior to the day of the primary or election.

16 (ii) An elector who, because of the elector's business,
17 duties or occupation, was unable to apply for an absentee ballot
18 before five o'clock P.M. on the [first Tuesday] fifteenth day
19 prior to the day of the primary or election.

20 (iii) An elector who becomes so physically disabled or ill
21 after five o'clock P.M. on the [first Tuesday] fifteenth day
22 prior to the day of the primary or election that the elector is
23 unable to appear at the polling place on the day of the primary
24 or election.

25 (iv) An elector who, because of the conduct of the elector's
26 business, duties or occupation, will necessarily be absent from
27 the elector's municipality of residence on the day of the
28 primary or election, which fact was not and could not reasonably
29 be known to the elector on or before five o'clock P.M. on the
30 [first Tuesday] fifteenth day prior to the day of the primary or

1 election.

2 (2) An elector described in paragraph (1) may submit an
3 application for an absentee ballot at any time up until the time
4 of the closing of the polls on the day of the primary or
5 election. The application shall include a declaration describing
6 the circumstances that prevented the elector from applying for
7 an absentee ballot before five o'clock P.M. on the [first
8 Tuesday] fifteenth day prior to the day of the primary or
9 election or that prevent the elector from appearing at the
10 polling place on the day of the primary or election, and the
11 elector's qualifications under paragraph (1). The declaration
12 shall be made subject to the provisions of 18 Pa.C.S. § 4904
13 (relating to unsworn falsification to authorities).

14 * * *

15 Section 2. Section 1308(g)(1.1) of the act, amended March
16 27, 2020 (P.L.41, No.12), is amended to read:

17 Section 1308. Canvassing of Official Absentee Ballots and
18 Mail-in Ballots.--* * *

19 (g) * * *

20 (1.1) The county board of elections shall meet no earlier
21 than [seven o'clock A.M. on] twenty-one (21) days prior to
22 election day to pre-canvass all ballots received prior to the
23 meeting. A county board of elections shall provide at least
24 forty-eight hours' notice of a pre-canvass meeting by publicly
25 posting a notice of a pre-canvass meeting on its publicly
26 accessible Internet website. One authorized representative of
27 each candidate in an election and one representative from each
28 political party shall be permitted to remain in the room in
29 which the absentee ballots and mail-in ballots are pre-
30 canvassed. No person observing, attending or participating in a

1 pre-canvass meeting may disclose the results of any portion of
2 any pre-canvass meeting prior to the close of the polls.

3 * * *

4 Section 3. Section 1302.1-D(a) of the act is amended to
5 read:

6 Section 1302.1-D. Date of application for mail-in ballot.

7 (a) General rule.--Applications for mail-in ballots shall be
8 received in the office of the county board of elections not
9 earlier than 50 days before the primary or election, except that
10 if a county board of elections determines that it would be
11 appropriate to the county board of elections' operational needs,
12 any applications for mail-in ballots received more than 50 days
13 before the primary or election may be processed before that
14 time. Applications for mail-in ballots shall be processed if
15 received not later than five o'clock P.M. of the [first Tuesday]
16 fifteenth day prior to the day of any primary or election.

17 * * *

18 Section 4. This act shall take effect immediately.