

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1768 Session of  
1989

INTRODUCED BY VEON, HAYDEN, ROBINSON, TIGUE, PRESSMANN, NAHILL,  
PESCI, DeWEESE, KUKOVICH, CORRIGAN, WILLIAMS, KOSINSKI,  
HARPER, JOSEPHS, TRELLO, BLAUM, GIGLIOTTI, BELARDI,  
LASHINGER, MRKONIC, MICHLOVIC, VROON, DALEY, MELIO, McHALE,  
FREEMAN, HUGHES, D. W. SNYDER AND CAPPABIANCA, JUNE 27, 1989

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 27, 1989

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," providing for the modernization of election  
12 equipment upon the approval of the electors of counties; and  
13 providing for grants to counties for a portion of the cost.

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

16 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known  
17 as the Pennsylvania Election Code, is amended by adding an  
18 article to read:

19 ARTICLE XVII-A

20 Modernization of Election Equipment

21 Section 1701-A. Authorization of Modernizing Election

22 Equipment.--Any county may, by a majority vote of its qualified

1 registered electors voting thereon, cast at any primary or  
2 election, authorize and direct the county board of elections to  
3 modernize the election equipment of the county.

4 Section 1702-A. Placing Modernization Question on Ballot.--

5 (a) The county election board may, upon their own motion, or  
6 shall, upon the filing of a petition with them signed by  
7 qualified electors of the county equal in number to at least ten  
8 (10) per centum of the total number of electors who voted in the  
9 county at the preceding general or municipal election, submit to  
10 the qualified registered electors of the county, at the next  
11 primary or election, the question "Shall the election equipment  
12 of the county of \_\_\_\_\_ be modernized?"

13 (b) The county board shall cause the said question to be  
14 submitted at the primary or election, in accordance with the  
15 provisions of this act relating to elections.

16 (c) The election on said question shall be held at the  
17 places, during the hours, and under the regulations, provided by  
18 law for holding primaries and elections, and shall be conducted  
19 by the election officers provided by law to conduct such  
20 elections. The election officers shall count the votes cast at  
21 the elections on said question, and shall make return thereof to  
22 the county election board of the county, as required by law.  
23 Said returns shall be computed by the county election board, or  
24 other return board, and, when so computed, a certificate of the  
25 total number of electors voting "Yes" and of the total number of  
26 electors voting "No" on such question shall be filed in the  
27 office of the county election board, and copies thereof,  
28 certified by the county election board, shall forthwith be  
29 furnished to the Secretary of the Commonwealth and to the county  
30 commissioners or other appropriate authority of the county.

1     (d) If a majority of the electors of any county voting on  
2 such question shall vote against the modernization of election  
3 equipment, the question shall not again be submitted to the  
4 voters of such county within a period of one hundred three  
5 weeks.

6     (e) Whenever, under the provisions of this act, the question  
7 of the modernization of election equipment is to be submitted to  
8 the electors of any county, the county board of elections shall  
9 publicize and, to the best of its ability, inform the electors  
10 of the county of the need for and nature of the proposed  
11 modernization, and inform the electors that fifty (50) per  
12 centum of the approved cost thereof will be paid to the county  
13 by a grant from the Commonwealth.

14     Section 1703-A. Action on Approval by Electors.--If a  
15 majority of the qualified registered electors voting on the  
16 question in any county vote in favor of the modernization of  
17 election equipment, the county board of elections of that county  
18 shall prepare a plan describing the modernization of election  
19 equipment it proposes to undertake in such form and with such  
20 explanation as may be required by the Secretary of the  
21 Commonwealth and submit the plan together with an application  
22 for a grant for payment of a portion of the cost thereof to the  
23 Secretary of the Commonwealth. The application shall be made on  
24 a form prepared and furnished by the Secretary of the  
25 Commonwealth.

26     Section 1704-A. Grants.--Upon application from a county, the  
27 Secretary of the Commonwealth shall award to the county a grant  
28 in the amount of fifty (50) per centum of the cost of projects  
29 for modernization of election equipment set forth in the plan  
30 which is approved by the secretary.

1     Section 1705-A. Modernization.--Upon receipt of a grant as  
2 provided for in section 1704-A, the county board of elections  
3 shall promptly undertake the approved projects for modernization  
4 of election equipment. The portion of the cost of modernization  
5 of election equipment beyond the grant received from the  
6 Secretary of the Commonwealth shall be borne by the county.

7     Section 2. The sum of \$30,000,000, or as much thereof as may  
8 be necessary, is hereby appropriated to the Department of State  
9 for use by the Secretary of the Commonwealth in making grants  
10 authorized by this act.

11     Section 3. This act shall take effect in 60 days.