

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 983 Session of  
1991

INTRODUCED BY VEON, DeWEESE, ROBINSON, STISH, ARMSTRONG,  
JOSEPHS, LAUGHLIN, CAPPABIANCA, LESCOVITZ, COLAIZZO,  
KRUSZEWSKI, ARGALL, SAURMAN, MELIO, KUKOVICH, MIHALICH,  
KOSINSKI, BELARDI, LEVDANSKY, MUNDY, OLASZ, RICHARDSON,  
LINTON, THOMAS, MAIALE, HUGHES, NAHILL, CIVERA, BILLOW,  
TELEK, VROON, HASAY, JAMES, BUNT, McNALLY AND GIGLIOTTI,  
APRIL 3, 1991

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 3, 1991

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 Electronic Voting System

1 Use.--Any county may, by a majority vote of its qualified  
2 registered electors voting thereon, cast at any primary or  
3 election, authorize and direct the county board of elections to  
4 use an electronic voting system approved and certified by the  
5 Secretary of the Commonwealth.

6 Section 1702-A. Placing Question on Ballot.--(a) The county  
7 election board may, upon their own motion, or shall, upon the  
8 filing of a petition with them signed by qualified electors of  
9 the county equal in number to at least ten (10) per centum of  
10 the total number of electors who voted in the county at the  
11 preceding general or municipal election, submit to the qualified  
12 registered electors of the county, at the next primary or  
13 election, the question "Shall an electronic voting system be  
14 used at polling places in the county of \_\_\_\_\_ ?"

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

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

1 furnished to the Secretary of the Commonwealth and to the county  
2 commissioners or other appropriate authority of the county.

3 (d) If a majority of the electors of any county voting on  
4 such question shall vote against the question, said question  
5 shall not again be submitted to the voters of such county within  
6 a period of one hundred three (103) weeks.

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

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

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

1 which is approved by the secretary.

2 Section 1705-A. Installation.--Upon receipt of a grant as  
3 provided for in section 1704-A, the county board of elections  
4 shall promptly undertake the approved projects for installation  
5 of an electronic voting system. The portion of the cost of the  
6 installation beyond the grant received from the Secretary of the  
7 Commonwealth shall be borne by the county.

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

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