

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1687 Session of
1999

INTRODUCED BY CLYMER, ARGALL, FREEMAN, GODSHALL, HALUSKA,
HARHAI, HERMAN, HERSHEY, MELIO, NICKOL, B. SMITH, STEIL,
STERN, TANGRETTI, E. Z. TAYLOR, WILT AND SEYFERT,
JUNE 16, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 2, 2000

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 digitized signature list AND FOR <—
12 NONBINDING ADVISORY QUESTIONS; further providing for
13 reimbursement of costs, for qualification to vote, for
14 residence of electors, FOR PETITIONS FOR CANDIDATES FOR <—
15 SCHOOL BOARD AND for examination and approval of electronic
16 voting systems; PROVIDING FOR OPTIONAL ELECTRONIC REPORTING <—
17 OF CAMPAIGN FINANCE REPORTS, FOR DEFINITIONS AND FOR
18 ENFORCEMENT; FURTHER PROVIDING for voter's certificates, for
19 duties of court of common pleas and for manner of applying to
20 vote; providing for procedures for voting following a change
21 in address and for records; and further providing for voting <—
22 checklists, for assistance in voting, for absentee ballots,
23 for independent audits and for unlawful assistance in voting; <—
24 AND MAKING AN APPROPRIATION.

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 Section 1. Section 102(e) of the act of June 3, 1937

1 (P.L.1333, No.320), known as the Pennsylvania Election Code,
2 amended August 1, 1941 (P.L.672, No.273), is amended and the
3 section is amended by adding a subsection to read:

4 Section 102. Definitions.--The following words, when used in
5 this act, shall have the following meanings, unless otherwise
6 clearly apparent from the context:

7 * * *

8 (e) The words "district register" shall mean the
9 registration cards or digitized signature list containing [all
10 or any part of] the [registry] list of qualified electors [of
11 the same election district] arranged alphabetically by the last
12 name of the registrant, as prepared by the registration
13 commissions.

14 * * *

15 (z-5) The words "digitized signature list" shall mean a
16 computer-generated list or computer-generated card file used by
17 a registration commission as a district register of electors
18 pursuant to section 702 of the act of June 30, 1995 (P.L.170,
19 No.25), known as the "Pennsylvania Voter Registration Act."

20 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

21 SECTION 302.1. NONBINDING ADVISORY QUESTIONS.--A COUNTY
22 BOARD OF ELECTIONS MAY CAUSE A NONBINDING ADVISORY QUESTION TO
23 BE PLACED ON THE BALLOT WHENEVER THE GOVERNING BODY OF A
24 MUNICIPALITY OR SCHOOL DISTRICT, WHICH PROPOSES TO MAKE AN
25 EXPENDITURE THE TOTAL COST OF WHICH IS EQUAL TO OR GREATER THAN
26 AN AMOUNT EQUAL TO TEN (10) PER CENTUM OF THE MUNICIPALITY'S OR
27 SCHOOL DISTRICT'S OPERATING BUDGET FOR THE IMMEDIATELY PRECEDING
28 FISCAL YEAR, ADOPTS, BY MAJORITY VOTE, A RESOLUTION ASKING THE
29 COUNTY BOARD TO PLACE ON THE BALLOT A QUESTION TO DETERMINE THE
30 WILL OF THE ELECTORATE OF THE MUNICIPALITY OR SCHOOL DISTRICT

1 WITH RESPECT TO SAID EXPENDITURE. THE GOVERNING BODY OF THE
2 MUNICIPALITY OR SCHOOL DISTRICT SHALL FILE A COPY OF THE
3 RESOLUTION WITH THE COUNTY BOARD. ANY SUCH QUESTION PLACED ON
4 THE BALLOT SHALL BE SUBMITTED TO THE ELECTORATE AT THE NEXT
5 GENERAL, MUNICIPAL OR PRIMARY ELECTION OCCURRING MORE THAN
6 THIRTY DAYS AFTER THE DATE OF THE FILING OF THE RESOLUTION.

7 Section ~~2~~ 3. Section 305(a) of the act, amended May 5, 1982 <—
8 (P.L.374, No.108), is amended to read:

9 Section 305. Expenses of County Boards and of Primaries and
10 Elections to Be Paid by County; Expenses of Special Elections;
11 Boards to Be Provided with Offices.--

12 (a) The county commissioners or other appropriating
13 authorities of the county shall appropriate annually, and from
14 time to time, to the county board of elections of such county,
15 the funds that shall be necessary for the maintenance and
16 operation of the board and for the conduct of primaries and
17 elections in such county, including the payment of the
18 compensation of the employes of the board, custodians, election
19 officers, and other assistants and employes herein provided for,
20 and the fees of witnesses as herein provided; for the purchase
21 or printing, under contracts made by the board, of all ballots
22 and other primary and election supplies required by this act, or
23 which the board shall consider necessary to carry out the
24 provisions of this act; for the purchase, under contracts made
25 by the board, and maintenance, of voting machines, when adopted
26 as herein provided, and of all other primary and election
27 equipment required by this act, or which the board shall
28 consider necessary to carry out the provisions of this act; for
29 the publication of notices authorized by this act, under
30 contracts made by the board, and for all other necessary

1 expenses hereunder: Provided, however, That bonds or other
2 evidences of indebtedness, payable not later than thirty years
3 from their dates of issuance, may be issued by the county
4 commissioners or other appropriating authorities of the county
5 in accordance with the provisions of law relating to the
6 increase of indebtedness of such county, to meet all or any part
7 of the cost of voting machines.

8 1. The county shall be liable for the expenses of holding
9 special elections for any city, borough, township, school
10 district or other municipality or incorporated district
11 contained therein, which is held on the day of any general,
12 municipal or primary election, and on any special question which
13 is required by law to be, or which is, at the discretion of the
14 county board, as hereinafter provided, printed on the regular
15 ballot after the list of the candidates, or on the same voting
16 machine as the list of candidates.

17 2. Any city, borough, township, school district or other
18 municipality or incorporated district contained in any county,
19 holding a special election, as authorized by law, on the
20 question of increase of indebtedness or any other question to be
21 voted on by the electors of such subdivision, which special
22 election is held on the day of any general, municipal or primary
23 election and which is required by law to be conducted or at the
24 discretion of the county board, as hereinafter provided, is
25 conducted by special ballots for such question, shall be liable
26 to the county for the expenses necessarily incurred in the
27 printing of such special ballots.

28 3. If any other day than the day of any general, municipal
29 or primary election be fixed by the corporate authorities of any
30 municipality, school district or incorporated district for the

1 holding of a special election on the question of increase of
2 indebtedness or any other question, as authorized by law, such
3 municipality, school district or incorporated district shall be
4 liable for and pay the entire expense of holding such election,
5 including the cost of printing ballots and supplies, pay of
6 election officers, the rental of polling places, and the cost of
7 canvassing and computing the votes cast.

8 4. The Department of State shall reimburse county boards of
9 election for those additional costs incurred by the county for
10 any special election held to fill a vacancy in the Pennsylvania
11 General Assembly. The county board of elections shall submit a
12 request for reimbursement to the Department of State on a form
13 prescribed by the Department of State no later than sixty days
14 after the special election. Only those costs which are
15 attributable solely to the special election shall be reimbursed.
16 Reimbursement shall not be denied because the special election
17 is held on the same day as a general, municipal or primary
18 election if the county can show that additional costs were
19 incurred attributable solely to the special election. The
20 Governor may, from time to time, allocate to the Department of
21 State as much money from the General Fund as he deems necessary
22 to permit the department to reimburse the counties for costs
23 incurred in the special elections.

24 * * *

25 Section ~~3~~ 4. Section 701 of the act, amended July 3, 1974 <—
26 (P.L.443, No.153), is amended to read:

27 Section 701. Qualifications [of Electors] to Vote at
28 General, Municipal or Special Elections.--Every citizen [of this
29 Commonwealth] eighteen years of age, possessing the following
30 qualifications, shall be entitled to vote at all general,

1 municipal or special elections, provided [he or she] the citizen
2 has complied with the [provisions of the] acts requiring and
3 regulating the registration of electors:

4 (1) [He or she] The citizen shall have been a citizen of the
5 United States at least one month.

6 (2) [He or she] The citizen shall have resided in the State
7 [ninety] thirty days immediately preceding the election.

8 (3) [He or she] The citizen shall have resided in the
9 election district where he or she shall offer to vote at least
10 thirty days immediately preceding the election, except that if
11 qualified to vote in an election district prior to removal of
12 residence, he or she may, if a [resident] citizen of
13 Pennsylvania, vote in the election district from which he or she
14 removed his or her residence within thirty days preceding the
15 election.

16 Section 4 5. Section 702 of the act is amended to read: <—

17 Section 702. Qualifications [of Electors] to Vote at
18 Primaries.--The qualifications of [electors] an elector entitled
19 to vote at primaries shall be the same as the qualifications of
20 [electors] an elector entitled to vote at general or municipal
21 elections within the election district where the primary is
22 held, provided that [no elector who is not registered and
23 enrolled as a member of a political party, in accordance with
24 the provisions of this act, shall be permitted to vote the
25 ballot of such party or any other party ballot at any primary.]
26 an elector must be a registered and enrolled member of such
27 party upon the records of the registration commission, which
28 enrollment shall be conclusive as to such elector's party
29 membership and shall not be subject to challenge on the day of
30 the primary.

1 Section ~~5~~ 6. Section 703 of the act, amended September 9,
2 1959 (P.L.851, No.339), is amended to read:

3 Section 703. Residence of Electors.--[For the purpose of
4 registration and voting, no person shall be deemed to have
5 gained a residence by reason of his presence, or lost it by
6 reason of his absence, while employed in the service, either
7 civil or military, of this State or of the United States, nor
8 while engaged in the navigation of the waters of the State or of
9 the United States, or on the high seas, nor while a student of
10 any institution of learning, nor while kept in any poorhouse or
11 other asylum at public expense, nor while confined in public
12 prison, except that any veteran who resides in a home for
13 disabled and indigent soldiers and sailors, operated and
14 maintained by the Commonwealth of Pennsylvania, and who
15 possesses all the qualifications for voting, may gain a
16 residence for registration and voting at the home for disabled
17 and indigent soldiers and sailors. The provisions of this
18 amendment shall not be construed to affect the voting rights of
19 bedridden or hospitalized veterans who choose to vote as
20 absentee electors by the use of veteran's official ballots.] The
21 residence of an elector for the purpose of voting and the rules
22 for determining such residence shall be the same as prescribed
23 for voter registration by sections 501 and 502 of the act of
24 June 30, 1995 (P.L.170, No.25), known as the "Pennsylvania Voter
25 Registration Act."

26 Section ~~6~~ 7. Section 704 of the act is amended to read:

27 [Section 704. Rules for Determining Residence.--In
28 determining the residence of a person desiring to register or
29 vote, the following rules shall be followed so far as they may
30 be applicable:

1 (a) That place shall be considered the residence of a person
2 in which his habitation is fixed, and to which, whenever he is
3 absent, he has the intention of returning.

4 (b) A person shall not be considered to have lost his
5 residence who leaves his home and goes into another state or
6 another election district of this State for temporary purposes
7 only, with the intention of returning.

8 (c) A person shall not be considered to have gained a
9 residence in any election district of this State into which he
10 comes for temporary purposes only, without the intention of
11 making such election district his permanent place of abode.

12 (d) The place where the family of a married man or woman
13 resides shall be considered and held to be his or her place of
14 residence, except where the husband and wife have actually
15 separated and live apart, in which case the place where he or
16 she has resided for two months or more shall be considered and
17 held to be his or her place of residence.

18 (e) If a person removes to another state with the intention
19 of making such state his permanent residence, he shall be
20 considered to have lost his residence in this State.

21 (f) If a person removes to another state with the intention
22 of remaining there an indefinite time and making such state his
23 place of residence, he shall be considered to have lost his
24 residence in this State, notwithstanding he may entertain an
25 intention to return at some indefinite future period.

26 (g) If a person removes to the District of Columbia or other
27 Federal territory or foreign country to engage in the government
28 service, he shall not be considered to have lost his residence
29 in this State during the period of such service, and the place
30 where the person resided at the time of his removal shall be

1 considered and held to be his place of residence.

2 (h) If a person goes into another state and while there
3 exercises the right of a citizen by voting, he shall be
4 considered to have lost his residence in this State.]

5 SECTION 8. SECTION 909 OF THE ACT, AMENDED FEBRUARY 19, 1986 <—
6 (P.L.29, NO.11), IS AMENDED TO READ:

7 SECTION 909. PETITION MAY CONSIST OF SEVERAL SHEETS;
8 AFFIDAVIT OF CIRCULATOR.--SAID NOMINATION PETITION MAY BE ON ONE
9 OR MORE SHEETS, AND DIFFERENT SHEETS MUST BE USED FOR SIGNERS
10 RESIDENT IN DIFFERENT COUNTIES. IF MORE THAN ONE SHEET IS USED,
11 THEY SHALL BE BOUND TOGETHER WHEN OFFERED FOR FILING IF THEY ARE
12 INTENDED TO CONSTITUTE ONE PETITION, AND EACH SHEET SHALL BE
13 NUMBERED CONSECUTIVELY BEGINNING WITH NUMBER ONE, AT THE FOOT OF
14 EACH PAGE. IN CASES OF PETITIONS FOR DELEGATE OR ALTERNATE
15 DELEGATE TO NATIONAL CONVENTIONS, EACH SHEET SHALL CONTAIN A
16 NOTATION INDICATING THE PRESIDENTIAL CANDIDATE TO WHOM HE IS
17 COMMITTED OR THE TERM "UNCOMMITTED." EACH SHEET SHALL HAVE
18 APPENDED THERETO THE AFFIDAVIT OF THE CIRCULATOR OF EACH SHEET,
19 SETTING FORTH--(A) THAT HE OR SHE IS A QUALIFIED ELECTOR DULY
20 REGISTERED AND ENROLLED AS A MEMBER OF THE DESIGNATED PARTY OF
21 THE STATE, OR OF THE POLITICAL DISTRICT, AS THE CASE MAY BE,
22 REFERRED TO IN SAID PETITION, UNLESS SAID PETITION RELATES TO
23 THE NOMINATION OF A CANDIDATE FOR A COURT OF COMMON PLEAS, FOR
24 THE PHILADELPHIA MUNICIPAL COURT OR FOR THE TRAFFIC COURT OF
25 PHILADELPHIA OR [FOR JUSTICE OF THE PEACE,] THE OFFICE OF SCHOOL
26 DIRECTOR IN DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR THE
27 OFFICE OF DISTRICT JUSTICE IN WHICH EVENT THE CIRCULATOR NEED
28 NOT BE A DULY REGISTERED AND ENROLLED MEMBER OF THE DESIGNATED
29 PARTY; (B) HIS RESIDENCE, GIVING CITY, BOROUGH OR TOWNSHIP, WITH
30 STREET AND NUMBER, IF ANY; (C) THAT THE SIGNERS THERETO SIGNED

1 WITH FULL KNOWLEDGE OF THE CONTENTS OF THE PETITION; (D) THAT
2 THEIR RESPECTIVE RESIDENCES ARE CORRECTLY STATED THEREIN; (E)
3 THAT THEY ALL RESIDE IN THE COUNTY NAMED IN THE AFFIDAVIT; (F)
4 THAT EACH SIGNED ON THE DATE SET OPPOSITE HIS NAME; AND (G)
5 THAT, TO THE BEST OF AFFIANT'S KNOWLEDGE AND BELIEF, THE SIGNERS
6 ARE QUALIFIED ELECTORS AND DULY REGISTERED AND ENROLLED MEMBERS
7 OF THE DESIGNATED PARTY OF THE STATE, OR OF THE POLITICAL
8 DISTRICT, AS THE CASE MAY BE.

9 Section 7 9. Section 1105-A(a) and (f) of the act, added <—
10 July 11, 1980 (P.L.600, No.128), are amended to read:

11 Section 1105-A. Examination and Approval of Electronic
12 Voting Systems by the Secretary of the Commonwealth.--(a) Any
13 person or corporation owning, manufacturing or selling, or being
14 interested in the manufacture or sale of, any electronic voting
15 system, may request the Secretary of the Commonwealth to examine
16 or reexamine such system. Any [ten] one hundred or more persons,
17 being [qualified] registered qualified electors of [this
18 Commonwealth] the county, may, at any time, [request] file a
19 petition requesting the Secretary of the Commonwealth to
20 reexamine any electronic voting system theretofore examined and
21 approved by [him.] the secretary and used in the county in which
22 such electors are registered. The Secretary of the Commonwealth
23 shall prescribe a form and content of the petition. Before any
24 such examination or reexamination, the person, persons, or
25 corporation, requesting such examination or reexamination, shall
26 pay to the Treasurer of the Commonwealth an examination [fee]
27 deposit of [four hundred fifty dollars (\$450).] four thousand
28 dollars (\$4,000): Provided, however, That such examination
29 deposit may be changed by the secretary through the promulgation
30 of regulations at any time after December 31, 2002. The person,

1 persons or corporation shall assume all costs and expenses
2 associated with such examination or reexamination and shall make
3 final payment to the Treasurer of the Commonwealth, covering all
4 additional costs and expenses in excess of the original deposit,
5 before the results of such examination or reexamination shall be
6 revealed by the Secretary of the Commonwealth. If the costs and
7 expenses associated with such examination or reexamination do
8 not exceed the examination deposit, then the Secretary of the
9 Commonwealth shall cause the State Treasurer to refund the
10 remainder of the deposit to said person, persons or corporation.
11 The Secretary of the Commonwealth may, at any time, in [his] the
12 secretary's discretion, reexamine any such system [therefore]
13 previously examined and approved by [him] the secretary. The
14 Secretary of the Commonwealth may issue directives or
15 instructions for implementation of electronic voting procedures
16 and for the operation of electronic voting systems.

17 * * *

18 (f) Each examiner appointed hereunder shall receive [a]
19 compensation [of one hundred and fifty dollars (\$150) for each
20 type of electronic voting system examined by him.] at a rate to
21 be negotiated with the examiner by the Secretary of the
22 Commonwealth. The Secretary of the Commonwealth's selection and
23 compensation of an examiner shall be in accordance with
24 applicable Commonwealth guidelines for contracting for services.

25 SECTION 10. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ: <—

26 ARTICLE XI-B

27 ELECTRONIC REPORTING

28 SECTION 1101-B. DEFINITIONS.--AS USED IN THIS ARTICLE:

29 "DEPARTMENT" MEANS THE DEPARTMENT OF STATE OF THE
30 COMMONWEALTH.

1 "ELECTRONIC FORMAT" OR "FORMAT" MEANS THE CONFIGURATION BY
2 WHICH THE FILING PROGRAM ORGANIZES DATA. THE TERM INCLUDES, BUT
3 IS NOT LIMITED TO, THE TYPE OF COMPUTER OPERATING SYSTEM, ALSO
4 KNOWN AS "PLATFORM."

5 "ELECTRONIC REPORTING" MEANS THE ELECTRONIC PROCESS BY WHICH
6 A CANDIDATE, COMMITTEE, LOBBYIST OR LOBBYING FIRM OR ANY OTHER
7 ENTITY REQUIRED TO SUBMIT REPORTS OF RECEIPTS AND EXPENDITURES
8 COMPILES AND TRANSMITS THESE REPORTS EITHER VIA DISKETTE OR ON-
9 LINE TO THE COMMONWEALTH AND THE ELECTRONIC PROCESS BY WHICH THE
10 COMMONWEALTH RETRIEVES, STORES, ANALYZES AND DISCLOSES THE
11 FINANCIAL REPORTS.

12 "ELECTRONIC REPORTING SYSTEM" INCLUDES BOTH FILER-SIDE
13 SOFTWARE AND GOVERNMENT-SIDE SOFTWARE.

14 "FILER" MEANS ANY CANDIDATE, COMMITTEE, LOBBYIST OR LOBBYING
15 FIRM AND ANY OTHER PERSON OR GROUP REQUIRED TO SUBMIT REPORTS OF
16 RECEIPTS AND EXPENDITURES TO THE COMMONWEALTH.

17 "FILER-SIDE SOFTWARE" MEANS SOFTWARE PROVIDED TO OR USED BY
18 THE FILER THAT ENABLES TRANSMITTAL OF REPORTS OF RECEIPTS AND
19 EXPENDITURES TO THE DEPARTMENT OF STATE.

20 "GOVERNMENT-SIDE SOFTWARE" MEANS SOFTWARE USED BY THE
21 COMMONWEALTH IN ORDER TO RECEIVE, STORE, ANALYZE AND DISCLOSE TO
22 THE PUBLIC INFORMATION CONTAINED ON THE REPORTS OF RECEIPTS AND
23 EXPENDITURES SUBMITTED BY FILERS.

24 "HOME PAGE" MEANS THE PRIMARY WORLD WIDE WEB SITE FROM WHICH
25 OTHER SECONDARY WEB SITES MAY BE DIRECTLY ACCESSED. THE HOME
26 PAGE FOR STATE GOVERNMENTS IS TYPICALLY REFERRED TO AS "THE
27 GOVERNMENT LOCATOR PAGE."

28 "STATE CANDIDATE" MEANS A CANDIDATE FOR THE PENNSYLVANIA
29 GENERAL ASSEMBLY, A COURT OF COMMON PLEAS AND THE PHILADELPHIA
30 MUNICIPAL COURT.

1 "STATEWIDE CANDIDATES" MEANS CANDIDATE FOR THE OFFICE OF
2 GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, AUDITOR
3 GENERAL, TREASURER, SUPREME COURT, SUPERIOR COURT AND
4 COMMONWEALTH COURT.

5 SECTION 1102-B. DEVELOPMENT OF ELECTRONIC REPORTING
6 SYSTEM.--(A) THE DEPARTMENT SHALL DEVELOP AND MAINTAIN AN
7 ELECTRONIC REPORTING SYSTEM FOR THE SUBMISSION, RETRIEVAL,
8 STORAGE AND PUBLIC DISCLOSURE OF REPORTS OF RECEIPTS AND
9 EXPENDITURES REQUIRED UNDER ARTICLE XVI OF THIS ACT.

10 (B) THE DEPARTMENT SHALL DETERMINE THE ELECTRONIC FORMAT IN
11 WHICH REPORTS OF RECEIPTS AND EXPENDITURES ARE TO BE SUBMITTED.

12 (C) IF THE DEPARTMENT CONTRACTS WITH A PRIVATE VENDOR TO
13 DEVELOP THE FILER-SIDE SOFTWARE, THE DEPARTMENT SHALL NOT, UNDER
14 ANY CIRCUMSTANCES, REQUIRE FILERS TO USE THAT SOFTWARE. THE
15 ELECTRONIC FORMAT OF THE ELECTRONIC REPORTING SYSTEM SHALL BE
16 PUBLIC INFORMATION IN ORDER THAT ADDITIONAL PRIVATE VENDORS HAVE
17 THE OPPORTUNITY TO DEVELOP AND TO MARKET COMPETITIVE FILER-SIDE
18 SOFTWARE PRODUCTS THAT ARE COMPATIBLE WITH THE COMMONWEALTH'S
19 ELECTRONIC REPORTING SYSTEM.

20 (D) THE DEPARTMENT SHALL FURTHER PROVIDE THE PUBLIC WITH
21 ELECTRONIC ACCESS TO ALL REPORTS OF RECEIPTS AND EXPENDITURES
22 SUBMITTED TO THE AGENCY, ELECTRONICALLY OR OTHERWISE, NO LATER
23 THAN SEVENTY-TWO HOURS AFTER THE FILING IS RECEIVED. THE
24 DEPARTMENT SHALL NOT CHARGE ANY FEE FOR ELECTRONIC ACCESS TO
25 FILE REPORTS OF RECEIPTS AND EXPENDITURES. THE AGENCY HAS THE
26 DISCRETION TO DETERMINE THE MOST EFFICIENT MEANS OF PROVIDING
27 ELECTRONIC ACCESS TO THE REPORTS OF RECEIPTS AND EXPENDITURES.
28 THE ACCESS SHALL INCLUDE ACCESS THROUGH THE INTERNET. ACCESS TO
29 REPORTS OF RECEIPTS AND EXPENDITURES SUBMITTED TO THE DEPARTMENT
30 SHALL BE MADE AVAILABLE VIA THE HOME PAGE OR GOVERNMENT LOCATOR

1 PAGE OF THE COMMONWEALTH.

2 (E) DATA REQUIRED TO BE POSTED SHALL REMAIN ELECTRONICALLY
3 ACCESSIBLE VIA THE INTERNET FOR A MINIMUM OF FIVE YEARS FROM THE
4 DATE OF POSTING.

5 (F) CAMPAIGN FINANCE DATA POSTED SHALL BE SEARCHABLE BY
6 CATEGORY OF INFORMATION ENTERED. THE DEPARTMENT SHALL PROVIDE A
7 SEARCH ENGINE CAPABLE OF ACCESSING DETAILED, CATEGORIZED
8 INFORMATION RELATING TO CAMPAIGN FINANCE DATA MAINTAINED FOR
9 REVIEW.

10 (G) THE SECRETARY OF THE COMMONWEALTH SHALL ISSUE RULES AND
11 REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS ARTICLE.

12 SECTION 1103-B. IMPLEMENTATION OF ELECTRONIC REPORTING
13 SYSTEM.--(A) BEGINNING JANUARY 1, 2000, ALL STATEWIDE
14 CANDIDATES AND POLITICAL COMMITTEES CREATED ON BEHALF OF
15 STATEWIDE CANDIDATES REQUIRED TO FILE CAMPAIGN FINANCE REPORTS
16 IN ANY CALENDAR YEAR MAY FILE ELECTRONICALLY.

17 (B) BEGINNING JANUARY 1, 2000, ALL STATE CANDIDATES AND
18 POLITICAL COMMITTEES CREATED ON BEHALF OF STATE CANDIDATES
19 REQUIRED TO FILE CAMPAIGN FINANCE REPORTS IN ANY CALENDAR YEAR
20 MAY FILE ELECTRONICALLY.

21 (C) BEGINNING JANUARY 1, 2001, ALL OTHER POLITICAL ACTION
22 COMMITTEES REQUIRED TO REGISTER AND FILE CAMPAIGN FINANCE
23 REPORTS WITH THE COMMONWEALTH MAY FILE ELECTRONIC REPORTS ON A
24 VOLUNTARY BASIS.

25 (D) FILERS SPECIFIED IN SUBSECTIONS (A), (B) AND (C) WHO DO
26 NOT FILE ELECTRONICALLY SHALL FILE PAPER-GENERATED REPORTS AND
27 STATEMENTS. ALL REPORTS FILED UNDER SUBSECTIONS (A), (B) AND (C)
28 AND THIS SUBSECTION SHALL BE POSTED ELECTRONICALLY BY THE
29 DEPARTMENT WITHIN THE TIME PERIOD SPECIFIED IN SECTION 1102-
30 B(D).

1 (E) LOCAL GOVERNMENT AGENCIES MAY ENACT THEIR OWN ELECTRONIC
2 FILING REQUIREMENTS, PROVIDED THE DATA ENTRY FORMAT IS
3 COMPATIBLE WITH THAT DEVELOPED BY THE COMMONWEALTH.

4 SECTION 1104-B. ENFORCEMENT.--(A) ANY ATTEMPT TO SUBMIT THE
5 REPORTS SUBJECT TO THIS ARTICLE UNDER A FALSE IDENTITY, OR TO
6 ALTER DATA IN TRANSMISSION TO THE DEPARTMENT OR RECEIVED BY THE
7 DEPARTMENT SHALL BE SUBJECT TO THE PENALTIES PRESCRIBED BY THE
8 PROVISIONS OF 18 PA.C.S. § 4903 (RELATING TO FALSE SWEARING) FOR
9 THE FALSIFICATION OR TAMPERING WITH FINANCIAL DISCLOSURE
10 RECORDS.

11 (B) THE REMEDIES PROVIDED IN SUBSECTION (A) SHALL ALSO APPLY
12 TO ANY PERSON WHO PURPOSELY CAUSES ANY OTHER PERSON TO VIOLATE
13 ANY PROVISION OF THIS ARTICLE OR WHO AIDS AND ABETS ANY OTHER
14 PERSON IN A VIOLATION.

15 (C) ANY PERSON RESIDING IN THIS COMMONWEALTH MAY SUE FOR
16 INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS OR TO COMPEL COMPLIANCE
17 WITH THE PROVISIONS OF THIS ARTICLE. IF A JUDGMENT IS ENTERED
18 AGAINST THE DEFENDANT OR DEFENDANTS IN AN ACTION BROUGHT UNDER
19 THIS SECTION, THE PLAINTIFF SHALL RECEIVE FIFTY (50) PER CENTUM
20 OF THE AMOUNT RECOVERED. THE REMAINING FIFTY (50) PER CENTUM
21 SHALL BE DEPOSITED IN THE GENERAL FUND OF THE COMMONWEALTH. IN
22 AN ACTION BROUGHT BY A LOCAL CIVIL PROSECUTOR, FIFTY (50) PER
23 CENTUM SHALL BE DEPOSITED IN THE ACCOUNT OF THE AGENCY BRINGING
24 THE ACTION AND FIFTY (50) PER CENTUM SHALL BE PAID TO THE
25 GENERAL FUND OF THE COMMONWEALTH.

26 Section & 11. Section 1203 of the act is amended to read: <—

27 Section 1203. Voter's Certificates.--At each primary and
28 election each county board shall prepare a suitable number of
29 voter's certificates which shall be in form approved by the
30 Secretary of the Commonwealth substantially as follows:

Voter's Certificate

(Primary) (Election).....19...

I hereby certify that I am qualified to vote at this
(primary) (election)

Signature

Address

.....Pa.

Approved.....

Number of stub of ballot issued or number of admission to
voting machines (and party, at primary).....

The voter's certificate shall be [so prepared as to be] in a
form capable of being inserted by the election officers in a
suitable file or binder [to be furnished by the county board.
One such] or shall be printed on a computer-generated list. In
the case of counties utilizing digitized signature lists as
district registers, voter's certificates may be printed on the
same such lists. Except in counties utilizing digitized
signature lists with voter's certificates thereon or computer-
generated lists, a file or binder shall be furnished by the
county board for each election district for each primary and
election, and shall have printed or written thereon the words
"Voting Check List," together with the number of the district
and ward, if any, and the date of the primary or election.

Section 9 12. Section 1206 of the act, amended July 13, 1961 <—
(P.L.603, No.303), is amended to read:

Section 1206. Duties of Common Pleas Court on Days of
Primaries and Elections.--The court of common pleas of each
county of the Commonwealth or a judge or judges thereof, shall
be in continuous session at the courthouse of said county, or,
in judicial districts composed of more than one county, at the

1 courthouse of the county in which such judge or judges reside,
2 on the day of each primary and election from 7 o'clock A. M.
3 until 10 o'clock P. M. and so long thereafter as it may appear
4 that the process of said court will be necessary to secure a
5 free, fair and correct computation and canvass of the votes cast
6 at said election. In judicial districts having but one judge of
7 the court of common pleas, such judge shall not be required to
8 be in session, as aforesaid, between the hours of 12 o'clock
9 noon and 2 o'clock P. M., nor between the hours of 5:30 o'clock
10 P. M. and 7 o'clock P. M. During such period said court shall
11 act as a committing magistrate for any violation of the election
12 laws; shall settle summarily controversies that may arise with
13 respect to the conduct of the election; shall issue process, if
14 necessary, to enforce and secure compliance with the election
15 laws; and shall decide such other matters pertaining to the
16 election as may be necessary to carry out the intent of this act
17 and the act of June 30, 1995 (P.L.170, No.25), known as the
18 "Pennsylvania Voter Registration Act"; and [in counties of the
19 third class] shall have power to appoint additional clerks at
20 the polling places where needed and requested by the election
21 board: Provided, That for each clerk appointed from the majority
22 political party, a clerk from the minority political party must
23 also be appointed. In addition, said court shall hear and
24 determine the petition of any qualified elector who has
25 heretofore been duly registered as an elector of said county but
26 who, due to circumstances beyond his control, has failed to file
27 a removal notice or reinstatement card in order to insure the
28 inclusion of the elector's registration card in the district
29 register of the election district of the elector's residence;
30 the petition of any qualified registered elector who has

1 suffered a physical disability which renders the elector unable
2 to see or mark the ballot or operate the voting machine or to
3 enter the voting machine compartment or voting booth without
4 assistance and, due to circumstances beyond the elector's
5 control, was unable to make application personally at the office
6 of the registration commission within the time prescribed by law
7 in order to have such fact entered on the elector's registration
8 card; the petition of any qualified elector who is a duly
9 discharged veteran and who, by reason of the elector's service
10 in the armed forces, was unable to register within the time
11 fixed by law; and the petition of any commissioner, chief clerk,
12 registrar or clerk, setting forth that an elector's right to
13 vote has been denied by reason of an error by the registration
14 commission.

15 Section ~~10~~ 13. Section 1210(a) and (d), amended June 10, <—
16 1982 (P.L.458, No.135), are amended and the section is amended
17 by adding subsections to read:

18 Section 1210. Manner of Applying to Vote; Persons Entitled
19 to Vote; Voter's Certificates; Entries to Be Made in District
20 Register; Numbered Lists of Voters; Challenges.--(a) At every
21 primary and election each elector who desires to vote shall
22 first sign a voter's certificate, and, unless [he] the elector
23 is a State or Federal employe who has registered under any
24 registration act without declaring [his] a residence by street
25 and number, [he] the elector shall insert his address therein,
26 unless the commission shall have it printed on the voter's
27 certificate, and hand the same to the election officer in charge
28 of the district register. Such election officer shall thereupon
29 announce the elector's name so that it may be heard by all
30 members of the election board and by all watchers present in the

1 polling place and shall compare the elector's signature on [his]
2 the elector's voter's certificate with [his] the elector's
3 signature in the district register. If, upon such comparison,
4 the signature upon the voter's certificate appears to be
5 genuine, the elector who has signed the certificate shall, if
6 otherwise qualified, be permitted to vote: Provided, That if the
7 signature on the voter's certificate, as compared with the
8 signature as recorded in the district register, shall not be
9 deemed authentic by any of the election officers, such elector
10 shall not be denied the right to vote for that reason, but shall
11 be considered challenged as to identity and required to make the
12 affidavit and produce the evidence as provided in subsection (d)
13 of this section. When an elector has been found entitled to
14 vote, the election officer who examined [his] the voter's
15 certificate and compared [his] the elector's signature shall
16 sign [his] the officer's name or initials on the voter's
17 certificate, and shall, if the elector's signature is not
18 readily legible, print such elector's name over [his] the
19 elector's signature, and the number of the stub of the ballot
20 issued to [him or his] the elector's number in the order of
21 admission to the voting machines, and at primaries a letter or
22 abbreviation designating the party in whose primary [he] the
23 elector votes shall also be entered by one of the election
24 officers or clerks. As each [voter] elector is found to be
25 qualified and votes, the election officer in charge of the
26 district register shall write or stamp the date of the election
27 or primary, the number of the stub of the ballot issued to [him]
28 the elector or [his] the elector's number in the order of
29 admission to the voting machines, and at primaries a letter or
30 abbreviation designating the party in whose primary [he] the

1 elector votes, and shall sign [his] the election officer's name
2 or initials in the proper space on the registration card of such
3 [voter] elector contained in the district register or next to
4 the elector's signature on a computer-generated list or
5 digitized signature list with voter's certificates thereon, if
6 either is utilized by the county.

7 As each [voter] elector votes, [his] the elector's name in
8 the order of voting shall be recorded in two (2) numbered lists
9 of [voters] electors provided for that purpose, with the
10 addition of a note of each [voter's] elector's party enrollment
11 after [his] the elector's name at primaries.

12 * * *

13 (d) No person, except a qualified elector who is in actual
14 military or naval service under a requisition of the President
15 of the United States or by the authority of this Commonwealth,
16 and who votes under the provisions of Article XIII of this act,
17 shall be entitled or permitted to vote at any primary or
18 election at any polling place outside the election district in
19 which [he] the person resides, nor shall [he] the person be
20 permitted to vote in the election district in which [he] the
21 person resides, unless [he] the person has been personally
22 registered as an elector and [his] the elector's registration
23 card appears in the district register of such election district,
24 except by order of the court of common pleas as provided in this
25 act, and any person, although personally registered as an
26 elector, may be challenged by any qualified elector, election
27 officer, overseer, or watcher at any primary or election as to
28 [his] the person's identity, [as to his] continued residence in
29 the election district or [as to] any alleged violation of the
30 provisions of section 1210 of this act, and if challenged as to

1 identity or residence, [he] the person shall produce at least
2 one qualified elector of the election district as a witness, who
3 shall make affidavit of [his] the challenged elector's identity
4 or continued residence in the election district[: Provided,
5 however, That no person shall be entitled to vote as a member of
6 a party at any primary, unless he is registered and enrolled as
7 a member of such party upon the district register, which
8 enrollment shall be conclusive as to his party membership and
9 shall not be subject to challenge on the day of the primary].

10 (e) An elector who is registered and enrolled as a member of
11 a political party, and who, upon applying to vote, shall have
12 established his identity by signing his name and address, or
13 otherwise, as herein required at elections, and is otherwise
14 qualified, may vote as a member of such party at any primary
15 succeeding the elector's registration without being subject to
16 any challenge regarding the elector's party membership. No
17 elector registered and enrolled as a member of a political party
18 shall be allowed to receive or vote the ballot of any other
19 political party at any primary election.

20 (f) A registered qualified elector, although not enrolled as
21 a member of a political party, shall be permitted to vote at a
22 primary on questions and other matters not involving the
23 nomination of political party candidates or the election of
24 political party officers or delegates.

25 (g) If an elector's registration record indicates that the
26 elector is in an inactive status, the elector shall be entitled
27 to vote as provided by section 1902 of the act of June 30, 1995
28 (P.L.170, No.25), known as the "Pennsylvania Voter Registration
29 Act."

30 Section ~~11~~ 14. The act is amended by adding sections to

<—

1 read:

2 Section 1210.1. Procedure for Voting Following Failure to
3 Return Notification Card.--(a) A registered elector who has
4 moved to an address within the same election district where the
5 elector is registered shall, notwithstanding failure to notify
6 the commission prior to the date of an election, be permitted to
7 vote in that election district upon written affirmation by the
8 elector of the change of address before an election official at
9 the election district polling place.

10 (b) A registered elector who has moved to an address within
11 a different election district of the county where the elector is
12 registered and who has failed to notify the commission of the
13 change of address prior to the date of an election shall be
14 permitted to notify the registration commission of the address
15 change and vote at the elector's former polling place upon
16 written affirmation by the elector of the new address before an
17 election official at the former polling place.

18 (c) A registered elector who has moved to another county and
19 who has failed to notify any commission of the change of address
20 prior to the date of the election shall be permitted to notify
21 the registration commission of the address change and vote at
22 the elector's former polling place upon written affirmation by
23 the elector of the new address before an election official at
24 the former polling place.

25 Section 1210.2. Incorrect Records.--If voter registration
26 records incorrectly indicate that an elector has moved from an
27 address in the election district where the elector is
28 registered, the elector shall, upon written affirmation of the
29 error before an election official at the polling place within
30 said election district, be permitted to vote at that polling

1 place.

2 Section ~~12~~ 15. Section 1212 of the act is amended to read: <—

3 Section 1212. Voting Check List.--[After each elector has
4 been admitted to vote, his voter's certificate shall be inserted
5 in the file or binder provided therefor by the county board, and
6 known as the "Voting Check List," and the said voter's
7 certificate so bound] The "Voting Check List" shall consist of
8 the collection of the voter's certificates of those electors
9 whose admission to vote is evidenced on said certificates by the
10 signature or initials of a district election official. The
11 Voting Check List shall constitute the official list of electors
12 voting at [such] each primary or election. [All] If the county
13 uses digitized signature lists containing voter's certificates
14 thereon as a district register or computer-generated lists, said
15 lists shall constitute the Voting Check List for said county. If
16 the voter's certificates do not appear on digitized signature
17 lists used as district registers or on computer-generated lists,
18 the electors' voter's certificates shall be inserted in the file
19 or binder provided therefor by the county board after each
20 elector has been admitted to vote. The voter's certificates
21 [prepared by persons applying to vote] of electors whose
22 applications to vote are refused by the election officer shall
23 be carefully preserved and returned by the election officer to
24 the county board with the other papers.

25 Section ~~13~~ 16. Section 1218 of the act, amended February 13, <—
26 1989 (P.L.1, No.1), is amended to read:

27 Section 1218. Assistance in Voting.--

28 (a) No [voter] elector shall be permitted to receive any
29 assistance in voting at any primary or election, unless there is
30 recorded upon [his] such elector's registration card [his

1 declaration] a declaration, or unless the elector declares in
2 writing at the polling place, that, by reason of blindness,
3 disability, or inability to read or write, [he] the elector is
4 unable to read the names on the ballot or on the voting machine
5 labels, or that [he] the elector has a physical disability which
6 renders [him] such elector unable to see or mark the ballot or
7 operate the voting machine, or to enter the voting compartment
8 or voting machine booth without assistance, the exact nature of
9 such condition being recorded on such registration card or
10 declaration, and unless the election officers are satisfied that
11 [he] the elector still suffers from the same condition. The
12 declaration completed in the polling place shall be in a form
13 approved by the Secretary of the Commonwealth substantially as
14 follows:

15 I,
16 (Name and address of elector requiring assistance)
17 by reason of
18 (Reason for need of assistance)
19 am unable to vote without the assistance of
20
21 (Name and address of person rendering assistance)
22 (Date)
23 Witnessed by
24 (Signature of Judge of Election)

25 (b) Any elector who is entitled to receive assistance in
26 voting under the provisions of this section shall be permitted
27 by the judge of election to select a person of the elector's
28 choice to enter the voting compartment or voting machine booth
29 with [him] the elector to assist [him] the elector in voting,
30 such assistance to be rendered inside the voting compartment or

1 voting machine booth except that the elector's employer or an
2 agent of the employer or an officer or agent of the elector's
3 union shall not be eligible to assist the elector.

4 (c) In every case of assistance under the provisions of this
5 section, the judge of election shall forthwith enter in writing
6 in a book to be furnished by the county board of elections, to
7 be known as the record of assisted voters--(1) the [voter's]
8 elector's name; (2) a statement of the facts which entitle [him]
9 the elector to receive assistance; and (3) the name of the
10 person furnishing the assistance. The record of assisted voters
11 shall be returned by the judge of election to the county board
12 of elections with the other papers, as hereinafter provided, and
13 said county board shall permit the same to be examined only upon
14 the written order of a judge of the court of common pleas:
15 Provided, however, That such record shall be subject to subpoena
16 to the same extent to which other election records may be
17 subpoenaed: And provided further, That the county election board
18 shall permit any registration commission to examine any records
19 of assisted voters without a court order, in order that the
20 registration commission may ascertain whether electors, who have
21 declared, at the time of registration, their need for
22 assistance, actually did receive assistance when voting at any
23 election or primary.

24 (d) Subsequent to the election or primary, the county board
25 of elections shall record or cause to be recorded the facts of
26 the declaration completed in the polling place as prescribed by
27 subsection (a) onto the elector's registration card including
28 the reason the elector requires assistance.

29 Section ~~14~~ 17. Section 1302.1 of the act, amended February
30 13, 1998 (P.L.72, No.18), is amended to read:

<—

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

2 (a) Applications for absentee ballots unless otherwise

3 specified shall be received in the office of the county board of

4 elections not earlier than fifty (50) days before the primary or

5 election and not later than [five o'clock P.M. of] THE CLOSE OF <—

6 BUSINESS ON the first Tuesday prior to the day of any primary or

7 election: Provided, however, THAT IN THE EVENT ANY ELECTOR <—

8 OTHERWISE QUALIFIED TO VOTE BY ABSENTEE BALLOT DELIVERS AN

9 APPLICATION FOR ABSENTEE BALLOT TO THE COUNTY BOARD OF ELECTIONS

10 IN PERSON BETWEEN THE CLOSE OF BUSINESS ON THE FIRST TUESDAY

11 PRIOR TO THE DAY OF ANY PRIMARY OR ELECTION AND THE CLOSE OF

12 BUSINESS ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION

13 THE ELECTOR SHALL BE ENTITLED TO AN ABSENTEE BALLOT AT THE TIME

14 THE ELECTOR DELIVERS THE APPLICATION TO THE COUNTY BOARD OF

15 ELECTIONS: AND FURTHER PROVIDED, HOWEVER, That in the event any

16 elector otherwise qualified who is so physically disabled or ill

17 on or before the first Tuesday prior to any primary or election

18 that [he] the elector is unable to file [his] an application or

19 who becomes physically disabled or ill after the first Tuesday

20 prior to any primary or election and is unable to appear at

21 [his] the elector's polling place or any elector otherwise

22 qualified who because of the conduct of [his] the elector's

23 business, duties or occupation will necessarily be absent from

24 the municipality of [his] the elector's residence on the day of

25 the primary or election, which fact was not and could not

26 reasonably be known to said elector on or before the first

27 Tuesday prior to any primary or election, shall be entitled to

28 an absentee ballot at any time prior to [five o'clock P.M. on

29 the first Friday] the close of business on the first Monday

30 immediately preceding any primary or election upon execution of

1 an Emergency Application in such form prescribed by the
2 Secretary of the Commonwealth.

3 **(b)** In the case of an elector who is physically disabled or
4 ill on or before the first Tuesday prior to a primary or
5 election or becomes physically disabled or ill after the first
6 Tuesday prior to a primary or election, such Emergency
7 Application shall contain a supporting affidavit from [his] the
8 elector's attending physician stating that due to physical
9 disability or illness said elector was unable to apply for an
10 absentee ballot on or before the first Tuesday prior to the
11 primary or election or became physically disabled or ill after
12 that period.

13 **(c)** In the case of an elector who is necessarily absent
14 because of the conduct of his business, duties or occupation
15 under the unforeseen circumstances specified in this subsection,
16 such Emergency Application shall contain a supporting affidavit
17 from such elector stating that because of the conduct of [his]
18 the elector's business, duties or occupation said elector will
19 necessarily be absent from the municipality of [his] the
20 elector's residence on the day of the primary or election which
21 fact was not and could not reasonably be known to said elector
22 on or before the first Tuesday prior to the primary or election.

23 Section ~~15~~ 18. Sections 1302.2(c) and (e) and 1302.3 of the <—
24 act, amended December 11, 1968 (P.L.1183, No.375), are amended
25 to read:

26 Section 1302.2. Approval of Application for Absentee
27 Ballot.--

28 * * *

29 (c) The county board of elections, upon receipt of any
30 application of a qualified elector required to be registered

1 under the provisions of preceding section 1301, shall determine
2 the qualifications of such applicant by comparing the
3 information set forth on such application with the information
4 contained on the applicant's permanent registration card. If the
5 board is satisfied that the applicant is qualified to receive an
6 official absentee ballot, the application shall be marked
7 "approved." Such approval decision shall be final and binding,
8 except that challenges may be made only on the ground that the
9 applicant did not possess the qualifications of an absentee
10 elector. Such challenges must be made to the county board of
11 elections within twenty-four hours of the deadline for filing
12 said applications prior to [5:00 o'clock P. M. on the first
13 Friday prior to] the election. When so approved, the
14 registration commission shall cause an absentee [voter's]
15 elector's temporary registration card to be inserted in the
16 district register on top of and along with the permanent
17 registration card. The absentee [voter's] elector's temporary
18 registration card shall be in the color and form prescribed in
19 subsection (e) of this section:

20 Provided, however, That the duties of the county boards of
21 elections and the registration commissions with respect to the
22 insertion of the absentee [voter's] elector's temporary
23 registration card of any elector from the district register as
24 set forth in section 1302.2 shall include only such applications
25 and emergency applications as are received on or before the
26 first Tuesday prior to the primary or election. In all cases
27 where applications are received after the first Tuesday prior to
28 the primary or election and before [five o'clock P. M. on the
29 first Friday] the close of business on the first Monday
30 immediately prior to the primary or election, the county board

1 of elections shall determine the qualifications of such
2 applicant by comparing the information set forth on such
3 application with the information contained on the applicant's
4 [duplicate] registration card on file in the General Register
5 (also referred to as the Master File) in the office of the
6 Registration Commission and shall cause the name and residence
7 (and at primaries, the party enrollment) to be inserted in the
8 Military, Veterans and Emergency Civilian Absentee Voters File
9 as provided in section 1302.3, subsection (b). In addition, the
10 local district boards of elections shall, upon canvassing the
11 official absentee ballots under section 1308, examine the voting
12 check list of the election district of said elector's residence
13 and satisfy itself that such elector did not cast any ballot
14 other than the one properly issued to [him] the elector under
15 [his] the elector's absentee ballot application. In all cases
16 where the examination of the local district board of elections
17 discloses that an elector did vote a ballot other than the one
18 properly issued to [him] the elector under the absentee ballot
19 application, the local district board of elections shall
20 thereupon cancel said absentee ballot and said elector shall be
21 subject to the penalties as hereinafter set forth.

22 * * *

23 (e) The absentee [voter's] elector's temporary registration
24 card shall be in duplicate and the same size as the permanent
25 registration card, in a different and contrasting color to the
26 permanent registration card and shall contain the absentee
27 [voter's] elector's name and address and shall conspicuously
28 contain the words "Absentee [Voter] Elector." Such card shall
29 also contain the affidavit required by subsection (b) of section
30 1306[.]: Provided, however, That counties utilizing digitized

1 signature lists as district registers shall utilize such lists
2 or computer-generated forms as temporary registration cards.
3 Such lists or printouts shall contain the same information and
4 affidavit as required by this section. The elector's signature
5 in the district register shall void an absentee ballot
6 previously filed by the elector in that election.

7 Section 1302.3. Absentee Electors Files and Lists.--(a) The
8 county board of elections shall maintain at its office a file
9 containing the duplicate absentee voter's temporary registration
10 cards of every registered elector to whom an absentee ballot has
11 been sent. Such duplicate absentee voter's temporary
12 registration cards shall be filed by election districts and
13 within each election district in exact alphabetical order and
14 indexed. The registration cards so filed shall constitute the
15 Registered Absentee Voters File for the Primary or Election of
16 (date of primary or election) and shall be kept on file for a
17 period commencing the Tuesday prior to the day of the primary or
18 election until the day following the primary or election or the
19 day the county board of elections certifies the returns of the
20 primary or election, whichever date is later. Such file shall be
21 open to public inspection, upon written request and at all times
22 subject to reasonable safeguards, rules and regulations.

23 (b) The county board of elections shall [post in a
24 conspicuous public place at its office] make available upon
25 written request a master list arranged in alphabetical order by
26 election districts setting forth the name and residence, and at
27 primaries, the party enrollment, of (1) every military elector
28 to whom an absentee ballot is being sent, each such name to be
29 prefixed with an "M"; (2) every bedridden or hospitalized
30 veteran outside the county of his residence who is not

1 registered and to whom an absentee ballot is being sent, each
2 such name to be prefixed with a "V"; and (3) every registered
3 elector who has filed his application for an absentee ballot too
4 late for the extraction of his original registration card and to
5 whom a ballot is being sent and every qualified elector who has
6 filed his application for an absentee ballot and is entitled,
7 under provisions of the Permanent Registration Law as now or
8 hereinafter enacted by the General Assembly, to absentee
9 registration prior to or concurrently with the time of voting,
10 each such name to be prefixed with a "C." This list shall be
11 known as the Military, Veterans and Emergency Civilians Absentee
12 Voters File for the Primary or Election of (date of primary or
13 election) and shall be [posted] made available upon written
14 request for a period commencing the Tuesday prior to the day of
15 the primary or election until the day following the primary or
16 election or the day on which the county board of elections
17 certifies the returns of the primary or election, whichever date
18 is later. Such file shall be open to public inspection upon
19 written request and at all times subject to reasonable
20 safeguards, rules and regulations. This [posted] list shall not
21 contain any military address or references to any military
22 organization. Upon written request, the county board shall
23 furnish a copy of such list to any candidate or party county
24 chairman.

25 (c) Not less than five days preceding the election, the chief
26 clerk shall prepare a list for each election district showing
27 the names and post office addresses of all voting residents
28 thereof to whom official absentee ballots shall have been
29 issued. Each such list shall be prepared in duplicate, shall be
30 headed "Persons in (give identity of election district) to whom

1 absentee ballots have been issued for the election of (date of
2 election)," and shall be signed by him not less than four days
3 preceding the election. He shall [post] make available upon
4 written request the original of each such list [in a conspicuous
5 place in the office of the county election board and see that it
6 is kept so posted] until the close of the polls on election day.
7 He shall cause the duplicate of each such list to be delivered
8 to the judge of election in the election district in the same
9 manner and at the same time as are provided in this act for the
10 delivery of other election supplies, and it shall be the duty of
11 such judge of election to post such duplicate list in a
12 conspicuous place within the polling place of his district and
13 see that it is kept so posted throughout the time that the polls
14 are open. Upon written request, he shall furnish a copy of such
15 list to any candidate or party county chairman.

16 SECTION 19. SECTION 1305 OF THE ACT, AMENDED AUGUST 13, 1963 <—
17 (P.L.707, NO.379) AND DECEMBER 7, 1990 (P.L.681, NO.169), IS
18 AMENDED TO READ:

19 SECTION 1305. DELIVERING OR MAILING BALLOTS.--

20 (A) THE COUNTY BOARD OF ELECTIONS UPON RECEIPT AND APPROVAL
21 OF AN APPLICATION FILED BY ANY ELECTOR QUALIFIED IN ACCORDANCE
22 WITH THE PROVISIONS OF SECTION 1301, SUBSECTIONS (A) TO (H),
23 INCLUSIVE, SHALL NOT LATER THAN FIFTY DAYS PRIOR TO THE DAY OF
24 THE PRIMARY OR NOT LATER THAN SEVENTY DAYS PRIOR TO THE DAY OF
25 THE ELECTION COMMENCE TO DELIVER OR MAIL TO SUCH ELECTOR WHO HAS
26 INCLUDED WITH SAID APPLICATION A STATEMENT THAT HE OR SHE IS
27 UNABLE TO VOTE DURING THE REGULAR ABSENTEE BALLOTING PERIOD BY
28 REASON OF LIVING OR PERFORMING MILITARY SERVICE IN AN EXTREMELY
29 REMOTE OR ISOLATED AREA OF THE WORLD, AND NOT LATER THAN FORTY-
30 FIVE DAYS PRIOR TO THE DAY OF THE PRIMARY OR ELECTION COMMENCE

1 TO DELIVER OR MAIL TO ALL OTHER SUCH ELECTORS AS PROVIDED FOR IN
2 SECTION 1301, SUBSECTIONS (A) TO (H), INCLUSIVE, OFFICIAL
3 ABSENTEE BALLOTS OR SPECIAL WRITE-IN ABSENTEE BALLOTS AS
4 PRESCRIBED BY SUBSECTION (D) OF SECTION 1303 WHEN OFFICIAL
5 ABSENTEE BALLOTS ARE NOT YET PRINTED; AS ADDITIONAL APPLICATIONS
6 OF SUCH ELECTORS ARE RECEIVED, THE BOARD SHALL DELIVER OR MAIL
7 OFFICIAL ABSENTEE BALLOTS OR SPECIAL WRITE-IN ABSENTEE BALLOTS
8 WHEN OFFICIAL ABSENTEE BALLOTS ARE NOT YET PRINTED TO SUCH
9 ADDITIONAL ELECTORS WITHIN FORTY-EIGHT HOURS AFTER APPROVAL OF
10 THEIR APPLICATION. IF THE CALLING OF A SPECIAL ELECTION WOULD
11 MAKE IT IMPOSSIBLE TO COMPLY WITH THE FORTY-FIVE DAY DELIVERY OR
12 MAILING REQUIREMENT OF THIS SECTION, THEN THE COUNTY BOARD OF
13 ELECTIONS SHALL MAIL ABSENTEE BALLOTS OR SPECIAL WRITE-IN
14 ABSENTEE BALLOTS WITHIN FIVE DAYS OF THE COUNTY BOARD'S RECEIPT
15 OF THE INFORMATION NECESSARY TO PREPARE SAID BALLOTS.

16 (B) THE COUNTY BOARD OF ELECTIONS UPON RECEIPT AND APPROVAL
17 OF AN APPLICATION FILED BY ANY ELECTOR QUALIFIED IN ACCORDANCE
18 WITH THE PROVISIONS OF SECTION 1301, SUBSECTIONS (I) TO (L),
19 INCLUSIVE, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL ABSENTEE
20 BALLOTS ON THE SECOND TUESDAY PRIOR TO THE PRIMARY OR ELECTION.
21 AS ADDITIONAL APPLICATIONS ARE RECEIVED AND APPROVED, THE BOARD
22 SHALL DELIVER OR MAIL OFFICIAL ABSENTEE BALLOTS TO SUCH
23 ADDITIONAL ELECTORS WITHIN FORTY-EIGHT HOURS; PROVIDED, HOWEVER,
24 THAT IN THE EVENT ANY ELECTOR DELIVERS AN APPLICATION FOR AN
25 ABSENTEE BALLOT TO THE COUNTY BOARD OF ELECTIONS IN PERSON
26 BETWEEN THE CLOSE OF BUSINESS ON THE FIRST TUESDAY PRIOR TO THE
27 DAY OF ANY PRIMARY OR ELECTION AND THE CLOSE OF BUSINESS ON THE
28 FIRST FRIDAY IMMEDIATELY PRECEDING THE PRIMARY OR ELECTION, THE
29 ELECTOR SHALL BE PROVIDED WITH AN ABSENTEE BALLOT AT THE TIME
30 THE ELECTOR DELIVERS THE APPLICATION TO THE COUNTY BOARD OF

1 ELECTIONS.

2 SECTION 20. SECTION 1306 OF THE ACT, AMENDED FEBRUARY 13,
3 1998 (P.L.72, NO.18), IS AMENDED TO READ:

4 SECTION 1306. VOTING BY ABSENTEE ELECTORS.--(A) AT ANY TIME
5 AFTER RECEIVING AN OFFICIAL ABSENTEE BALLOT, BUT ON OR BEFORE
6 [FIVE O'CLOCK P. M.] THE CLOSE OF BUSINESS ON THE FRIDAY PRIOR
7 TO THE PRIMARY OR ELECTION, THE ELECTOR SHALL, IN SECRET,
8 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
9 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
10 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL
11 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR
12 ENDORSED "OFFICIAL ABSENTEE [BALLOT."] BALLOT": PROVIDED,
13 HOWEVER, THAT ANY ELECTOR WHO SUBMITS AN EMERGENCY APPLICATION
14 AND RECEIVES AN ABSENTEE BALLOT IN ACCORDANCE WITH SECTION
15 1302.1(A) SHALL MARK THE BALLOT ON OR BEFORE THE CLOSE OF
16 BUSINESS ON THE FIRST MONDAY PRECEDING THE PRIMARY OR ELECTION.

17 THIS ENVELOPE SHALL THEN BE PLACED IN THE SECOND ONE, ON WHICH
18 IS PRINTED THE FORM OF DECLARATION OF THE ELECTOR, AND THE
19 ADDRESS OF THE ELECTOR'S COUNTY BOARD OF ELECTION AND THE LOCAL
20 ELECTION DISTRICT OF THE ELECTOR. THE ELECTOR SHALL THEN FILL
21 OUT, DATE AND SIGN THE DECLARATION PRINTED ON SUCH ENVELOPE.
22 SUCH ENVELOPE SHALL THEN BE SECURELY SEALED AND THE ELECTOR
23 SHALL SEND SAME BY MAIL, POSTAGE PREPAID, EXCEPT WHERE FRANKED,
24 OR DELIVER IT IN PERSON TO SAID COUNTY BOARD OF ELECTION:

25 PROVIDED, HOWEVER, THAT ANY ELECTOR, SPOUSE OF THE ELECTOR OR
26 DEPENDENT OF THE ELECTOR, QUALIFIED IN ACCORDANCE WITH THE
27 PROVISIONS OF SECTION 1301, SUBSECTIONS (E), (F), (G) AND (H) TO
28 VOTE BY ABSENTEE BALLOT AS HEREIN PROVIDED, SHALL BE REQUIRED TO
29 INCLUDE ON THE FORM OF DECLARATION A SUPPORTING DECLARATION IN
30 FORM PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH, TO BE

1 SIGNED BY THE HEAD OF THE DEPARTMENT OR CHIEF OF DIVISION OR
2 BUREAU IN WHICH THE ELECTOR IS EMPLOYED, SETTING FORTH THE
3 IDENTITY OF THE ELECTOR, SPOUSE OF THE ELECTOR OR DEPENDENT OF
4 THE ELECTOR:

5 PROVIDED FURTHER, THAT ANY ELECTOR WHO HAS FILED HIS
6 APPLICATION IN ACCORDANCE WITH SECTION 1302 SUBSECTION (E) (2),
7 AND IS UNABLE TO SIGN HIS DECLARATION BECAUSE OF ILLNESS OR
8 PHYSICAL DISABILITY, SHALL BE EXCUSED FROM SIGNING UPON MAKING A
9 DECLARATION WHICH SHALL BE WITNESSED BY ONE ADULT PERSON IN
10 SUBSTANTIALLY THE FOLLOWING FORM: I HEREBY DECLARE THAT I AM
11 UNABLE TO SIGN MY DECLARATION FOR VOTING MY ABSENTEE BALLOT
12 WITHOUT ASSISTANCE BECAUSE I AM UNABLE TO WRITE BY REASON OF MY
13 ILLNESS OR PHYSICAL DISABILITY. I HAVE MADE OR RECEIVED
14 ASSISTANCE IN MAKING MY MARK IN LIEU OF MY SIGNATURE.

15 (MARK)

16

17 (DATE)

18

19 (SIGNATURE OF WITNESS)

20

21 (COMPLETE ADDRESS OF WITNESS)

22 (B) IN THE EVENT THAT ANY SUCH ELECTOR, EXCEPTING AN ELECTOR
23 IN MILITARY SERVICE OR ANY ELECTOR UNABLE TO GO TO HIS POLLING
24 PLACE BECAUSE OF ILLNESS OR PHYSICAL DISABILITY, ENTITLED TO
25 VOTE AN OFFICIAL ABSENTEE BALLOT SHALL BE IN THE MUNICIPALITY OF
26 HIS RESIDENCE ON THE DAY FOR HOLDING THE PRIMARY OR ELECTION FOR
27 WHICH THE BALLOT WAS ISSUED, OR IN THE EVENT ANY SUCH ELECTOR
28 SHALL HAVE RECOVERED FROM HIS ILLNESS OR PHYSICAL DISABILITY
29 SUFFICIENTLY TO PERMIT HIM TO PRESENT HIMSELF AT THE PROPER
30 POLLING PLACE FOR THE PURPOSE OF CASTING HIS BALLOT, SUCH

1 ABSENTEE BALLOT CAST BY SUCH ELECTOR SHALL, BE DECLARED VOID.

2 ANY SUCH ELECTOR REFERRED TO IN THIS SUBSECTION, WHO IS
3 WITHIN THE MUNICIPALITY OF HIS RESIDENCE, MUST PRESENT HIMSELF
4 AT HIS POLLING PLACE AND SHALL BE PERMITTED TO VOTE UPON
5 PRESENTING HIMSELF AT HIS REGULAR POLLING PLACE IN THE SAME
6 MANNER AS HE COULD HAVE VOTED HAD HE NOT RECEIVED AN ABSENTEE
7 BALLOT: PROVIDED, THAT SUCH ELECTOR HAS FIRST PRESENTED HIMSELF
8 TO THE JUDGE OF ELECTIONS IN HIS LOCAL ELECTION DISTRICT AND
9 SHALL HAVE SIGNED THE AFFIDAVIT ON THE ABSENTEE VOTER'S
10 TEMPORARY REGISTRATION CARD, WHICH AFFIDAVIT SHALL BE IN
11 SUBSTANTIALLY THE FOLLOWING FORM:

12 I HEREBY SWEAR THAT I AM A QUALIFIED REGISTERED ELECTOR WHO
13 HAS OBTAINED AN ABSENTEE BALLOT, HOWEVER, I AM PRESENT IN THE
14 MUNICIPALITY OF MY RESIDENCE AND PHYSICALLY ABLE TO PRESENT
15 MYSELF AT MY POLLING PLACE AND THEREFORE REQUEST THAT MY
16 ABSENTEE BALLOT BE VOIDED.

17

18 (DATE) (SIGNATURE OF ELECTOR)

19

20 (LOCAL JUDGE OF ELECTIONS)

21 AN ELECTOR WHO HAS RECEIVED AN ABSENTEE BALLOT UNDER THE
22 EMERGENCY APPLICATION PROVISIONS OF SECTION 1302.1, AND FOR
23 WHOM, THEREFORE, NO TEMPORARY ABSENTEE VOTER'S REGISTRATION CARD
24 IS IN THE DISTRICT REGISTER, SHALL SIGN THE AFOREMENTIONED
25 AFFIDAVIT IN ANY CASE, WHICH THE LOCAL JUDGE OF ELECTIONS SHALL
26 THEN CAUSE TO BE INSERTED IN THE DISTRICT REGISTER WITH THE
27 ELECTOR'S PERMANENT REGISTRATION CARD.

28 Section ~~16~~ 21. Section 1306.1 of the act, added August 13,
29 1963 (P.L.707, No.379), is amended to read:

30 Section 1306.1. Assistance in Voting by Certain Absentee

1 Electors.--

2 Any elector qualified to vote an official absentee ballot in
3 accordance with the provisions of section 1301, subsection (k),
4 may receive assistance in voting (1) if there is recorded on
5 [his] the elector's registration card [his] a declaration that
6 [he] the elector has a physical disability which renders [him]
7 the elector unable to see or mark the official absentee ballot,
8 the exact nature of such disability being recorded on such
9 registration card; (2) if such elector requiring assistance
10 submits with [his] the elector's application for an official
11 absentee ballot, a [statement] declaration setting forth the
12 precise nature of the disability which renders [him] the elector
13 unable to see or mark the official absentee ballot and that to
14 the best of [his] the elector's knowledge and belief [he] the
15 elector will still suffer from the said physical disability at
16 the time of voting [his] the elector's official absentee ballot.
17 [He] The elector shall acknowledge the same before an officer
18 qualified to take acknowledgement of deeds. Such statement shall
19 be in substantially the following form:

20 Statement of Absentee Elector Requiring Assistance

21 I,, hereby state

22 (Name of voter requiring assistance)

23 that I require assistance in marking the official absentee
24 ballot for the primary or election held,

25 (Date)

26 19..., that will be issued to me for the following reason:

27

28 (Insert nature of disability)

29

30 (Signature or mark of elector)

1

2 (Date of signature or mark)

3 Commonwealth of Pennsylvania:

4 ss

5 County of:

6 On this.....day of....., 19...., before me,
7, the undersigned officer personally
8 appeared....., known to me (or satisfactorily
9 proven) to be the person whose signature or mark appears on the
10 within instrument and acknowledged the same for the purposes
11 therein contained.

12 In witness whereof, I have hereunto set my hand and official
13 seal

14

15 (Title of Officer)

16 Upon receipt of the official absentee ballot, such elector
17 requiring assistance may select [an adult] a person to assist
18 him in voting, such assistance to be rendered in secret[.]:
19 Provided, however, That the person rendering assistance may not
20 be the elector's employer or an agent of the employer or an
21 officer or agent of the elector's union. The [adult] person
22 rendering the assistance in voting [should be required to fill
23 out,] shall complete, date and sign the declaration in such form
24 approved by the Secretary of the Commonwealth, or substantially
25 in the form as set forth below, [as he] that the person has
26 caused the elector's ballot to be marked in accordance with such
27 elector's desires and instruction. Such declaration form shall
28 be returned to the county board of elections in the mailing
29 envelope addressed to the county board of elections within which
30 the small "official absentee ballot" is returned.

1 Declaration of Person Rendering Assistance

2 I,, [an adult person]

3 (Name of Person rendering assistance)

4 hereby declare that I have witnessed the aforesaid elector's

5 signature or mark and that I have caused the aforesaid

6 elector's ballot to be marked in accordance with the desires

7 and instructions of the aforesaid elector.

8

9 (Signature of Person Rendering Assistance)

10

11 (Address)

12 SECTION 22. SECTION 1632(A) OF THE ACT, AMENDED JULY 11, <—

13 1980 (P.L.591, NO.127), IS AMENDED TO READ:

14 SECTION 1632. LATE FILING FEE; CERTIFICATE OF FILING.--

15 (A) A LATE FILING FEE FOR EACH REPORT OR STATEMENT OF

16 EXPENDITURES AND CONTRIBUTIONS WHICH IS NOT FILED WITHIN THE

17 PRESCRIBED PERIOD SHALL BE IMPOSED AS FOLLOWS. SUCH FEE SHALL BE

18 [TEN DOLLARS (\$10)] TWENTY DOLLARS (\$20) FOR EACH [DAY] OF THE

19 FIRST TWO DAYS OR PART OF A DAY EXCLUDING SATURDAYS, SUNDAYS AND

20 HOLIDAYS THAT A REPORT IS OVERDUE. AN ADDITIONAL FEE OF [TEN

21 DOLLARS (\$10)] FIFTY DOLLARS (\$50) IS DUE FOR EACH [OF THE FIRST

22 SIX (6) DAYS] ADDITIONAL DAY THAT A REPORT IS OVERDUE. THE

23 MAXIMUM FEE PAYABLE WITH RESPECT TO A SINGLE REPORT [IS TWO

24 HUNDRED FIFTY DOLLARS (\$250)] SHALL NOT EXCEED THE AMOUNT OF

25 CONTRIBUTIONS RECEIVED DURING THE PRESCRIBED REPORTING PERIOD. A

26 SUPERVISOR SHALL RECEIVE AN OVERDUE REPORT OR STATEMENT EVEN IF

27 ANY LATE FILING FEE DUE HAS NOT BEEN PAID BUT THE REPORT OR

28 STATEMENT SHALL NOT BE CONSIDERED FILED UNTIL ALL FEES HAVE BEEN

29 PAID UPON THE RECEIPT BY THE SUPERVISOR OF AN OVERDUE REPORT. NO

30 FURTHER LATE FILING FEES SHALL BE INCURRED ONCE THE REPORT OR

1 STATEMENT IS FILED NOTWITHSTANDING THE FACT THAT THE REPORT OR
2 STATEMENT IS NOT CONSIDERED FILED. THE LATE FILING FEE IS THE
3 [PERSONAL] LIABILITY OF THE CANDIDATE OR TREASURER OF A
4 POLITICAL COMMITTEE [AND CANNOT BE PAID FROM CONTRIBUTIONS TO
5 THE CANDIDATE OR COMMITTEE, NOR MAY SUCH FEE BE CONSIDERED AN
6 EXPENDITURE]. A REPORT OR STATEMENT OF EXPENDITURES AND
7 CONTRIBUTIONS SHALL BE DEEMED TO HAVE BEEN FILED WITHIN THE
8 PRESCRIBED TIME IF THE LETTER TRANSMITTING THE REPORT OR
9 STATEMENT WHICH IS RECEIVED BY THE SUPERVISOR IS TRANSMITTED BY
10 FIRST CLASS MAIL AND IS POSTMARKED BY THE UNITED STATES POSTAL
11 SERVICE ON THE DAY PRIOR TO THE FINAL DAY ON WHICH THE REPORT OR
12 STATEMENT IS TO BE RECEIVED: PROVIDED, THAT THIS SENTENCE SHALL
13 NOT BE APPLICABLE TO THE REPORTING REQUIREMENTS CONTAINED IN
14 SECTION 1628.

15 * * *

16 Section ~~17~~ 23. Section 1635(a) of the act, added October 4, <—
17 1978 (P.L.893, No.171), is amended to read:

18 Section 1635. Independent Audit.--

19 (a) Every [two (2)] four (4) years, the Secretary of the
20 Commonwealth shall contract for the services of a certified
21 public accountant or certified public accounting firm. Such
22 contract shall be awarded on a bid basis and no certified public
23 accountant or certified public accounting firm shall be eligible
24 to obtain such a contract for two (2) successive contract
25 periods.

26 * * *

27 Section ~~18~~ 24. Sections 1830 and 1831 of the act are amended <—
28 to read:

29 Section 1830. Unlawful Assistance in Voting.--Any elector at
30 any primary or election who shall allow [his] the elector's

1 ballot or the face of the voting machine voted by [him] the
2 elector to be seen by any person with the apparent intention of
3 letting it be known how [he] the elector is about to vote; or in
4 districts in which ballots are used, shall cast or attempt to
5 cast any other than the official ballot which has been given to
6 [him] the elector by the proper election officer; or who,
7 without having made the declaration [under oath or affirmation]
8 required by section 1218 of this act, or when the disability
9 which [he] the elector declared [before any registration
10 commission] no longer exists, shall permit another to accompany
11 [him] the elector into the voting compartment or voting machine
12 booth, or to mark [his] the elector's ballot or prepare the
13 voting machine for voting by [him] the elector; or who shall
14 mark [his] the ballot or prepare the voting machine for voting
15 while another is unlawfully present in the voting machine
16 compartment or voting machine booth with [him] the elector; or
17 who shall state falsely to any election officer that because of
18 illiteracy [he] the elector is unable to read the names on the
19 ballot or ballot labels or that by reason of physical disability
20 [he] the elector cannot see or mark the ballot or enter the
21 voting compartment without assistance or that [he] the elector
22 cannot see or operate the voting machine or enter the voting
23 machine booth without assistance; or who shall state, as [his]
24 the reason for requiring assistance, a disability from which
25 [he] the elector does not suffer; or any person who shall go
26 into the voting compartment or voting machine booth with another
27 while voting or be present therein while another is voting, or
28 mark the ballot of another or prepare the voting machine for
29 voting with another, except in strict accordance with the
30 provisions of this act; or any person who shall interfere with

1 any elector when inside the enclosed space or when marking [his]
2 the elector's ballot, or preparing the voting machine for
3 voting, or who shall endeavor to induce any elector before
4 depositing [his] the elector's ballot to show how [he] the
5 elector marks or has marked [his] the ballot; or any person
6 giving assistance who shall attempt to influence the vote of the
7 elector whom [he] the person is assisting or who shall mark a
8 ballot or prepare a voting machine for voting in any other way
9 than that requested by the [voter] elector whom [he] the person
10 is assisting, or who shall disclose to anyone the contents of
11 any ballot which has been marked or any voting machine which has
12 been prepared for voting with [his] the person's assistance,
13 except when required to do so in any legal proceeding, shall be
14 guilty of a misdemeanor, and, upon conviction thereof, shall be
15 sentenced to pay a fine not exceeding one thousand (\$1,000)
16 dollars, or to undergo an imprisonment of not more than one (1)
17 year, or both, in the discretion of the court.

18 Section 1831. Election Officers Permitting Unlawful
19 Assistance.--Any election officer who shall permit [a voter] an
20 elector to be accompanied by another into the voting compartment
21 or voting machine booth when the registration card of such
22 person contains no declaration that such person requires
23 assistance, or [when such person has not made, under oath or
24 affirmation, the statement] without a signed and witnessed
25 declaration as required by section 1218 of this act, or when
26 such election officer knows that the disability which the
27 elector declared before any registration commission no longer
28 exists, or who shall permit any person to accompany an elector
29 into the voting compartment or voting machine booth, except as
30 provided by this act, shall be guilty of a misdemeanor, and,

1 upon conviction thereof, shall be sentenced to pay a fine not
2 exceeding one thousand (\$1,000) dollars, or to undergo an
3 imprisonment of not more than one (1) year, or both, in the
4 discretion of the court.

5 ~~Section 19. This act shall take effect in 60 days.~~

<—

6 SECTION 25. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

<—