

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 305 Session of
2005

INTRODUCED BY BEBKO-JONES, YOUNGBLOOD, JOSEPHS, HARHAI, FREEMAN,
BELFANTI, CALTAGIRONE AND CURRY, FEBRUARY 8, 2005

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 8, 2005

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 absence from employment to vote.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known
15 as the Pennsylvania Election Code, is amended by adding a
16 section to read:

17 Section 705. Absence from Employment to Vote.--(a) A
18 citizen of this Commonwealth who is qualified to vote under this
19 act and is employed on the date of an election shall be
20 permitted by his employer to absent himself from employment for
21 the sole purpose of voting for a one and one-half hour period
22 during the times the polls are open without loss of pay. No

1 employer may deny an employee's absence under this section or
2 impose any disciplinary action or penalty against the employee
3 for exercising his right under this section: Provided, however,
4 That the employer may specify the hours during which the employee
5 may be absent for voting and the employee makes a request for
6 absence prior to the day of the election consistent with the
7 employer's policy, practice or custom for requesting leaves of
8 absence.

9 (b) This section shall be inapplicable to any employee who is
10 able to vote one and one-half hour either between the opening of
11 the polls and the beginning of the employee's regular work hours
12 on the day of the election or between the end of those work
13 hours and the closing of the polls.

14 (c) This section shall apply to any employer that has an
15 employee who works in this Commonwealth, including, but not
16 limited to, the Commonwealth and its political subdivisions.

17 (d) Any employer that violates this section commits a
18 summary offense and shall be subject to a fine of two hundred
19 fifty dollars (\$250).

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