

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 436 Session of 2013

INTRODUCED BY SMUCKER, FEBRUARY 6, 2013

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 9, 2013

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," further providing for Voting Standards
12 Development Board.

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

15 Section 1. Section 204(h) of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code,
17 amended May 13, 2011 (P.L.13, No.3), is amended to read:

18 Section 204. Voting Standards Development Board.--* * *

19 (h) (1) The board shall have the power and duty to develop
20 uniform and nondiscriminatory standards that define what
21 constitutes a valid vote cast through a paper ballot and what
22 constitutes a valid vote through each type of electronic voting

1 system used in the Commonwealth. On or before July 1, 2003, the
2 board shall adopt standards for paper ballots and each type of
3 electronic voting system. The department shall cause these
4 standards to be published as a notice in the Pennsylvania
5 Bulletin.

6 (2) The standards adopted by the board and published by the
7 Department of State in the Pennsylvania Bulletin Volume 33
8 Number 31 on August 2, 2003, shall[, for the general election in
9 2004 and any primary, municipal, special and general election in
10 2006, 2007, 2009 and, 2010, 2011 and 2012,] have the force and
11 effect of law[.] UNTIL SUCH TIME AS A CATEGORY OF VOTING SYSTEM, <--
12 OTHER THAN THE PAPER BALLOT OR ELECTRONIC VOTING SYSTEM AS
13 DEFINED IN SECTION 1101-A, IS APPROVED BY THE SECRETARY FOR USE
14 IN THIS COMMONWEALTH UNDER SECTION 201(B). THE SECRETARY SHALL
15 PUBLISH THE APPROVAL AS A NOTICE IN THE PENNSYLVANIA BULLETIN.

16 Section 2. This act shall take effect immediately.