

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 976 Session of 2013

INTRODUCED BY SMITH, TEPLITZ, STACK, WASHINGTON, FONTANA, SMUCKER, RAFFERTY, YUDICHAK, GREENLEAF, VULAKOVICH, WAUGH, COSTA, HUTCHINSON, BREWSTER, HUGHES, VANCE, SCHWANK, KASUNIC, WOZNIAK, SOLOBAY, TARTAGLIONE, BAKER, BROWNE, FARNESE, WILLIAMS AND BLAKE, MAY 30, 2013

SENATOR SMUCKER, STATE GOVERNMENT, AS AMENDED, JUNE 11, 2013

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in uniform military and overseas voters, further
3 providing for definitions, for duties and responsibilities of
4 secretary and for registering to vote.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "military-overseas ballot" in
8 section 3502 of Title 25 of the Pennsylvania Consolidated
9 Statutes, added October 24, 2012 (P.L.1490, No.189), is amended
10 and the section is amended by adding a definition to read:

11 § 3502. Definitions.

12 The following words and phrases when used in this chapter
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 \* \* \*

16 "Electronic vote." A vote cast and transmitted through
17 electronic means which includes, but is not limited to, e-mail

1 or fax.

2 \* \* \*

3 "Military-overseas ballot." All of the following:

4 (1) A Federal write-in absentee ballot.

5 (2) A ballot specifically prepared or distributed for  
6 use by a covered voter in accordance with this chapter.

7 (3) A ballot cast by a covered voter in accordance with  
8 this chapter.

9 (4) An electronic ballot.

10 \* \* \*

11 Section 2. Sections 3503(c) and 3505(c) of Title 25, added  
12 October 24, 2012 (P.L.1490, No.189), are amended to read:

13 § 3503. Duties and responsibilities of secretary.

14 \* \* \*

15 (c) Other duties.--The secretary shall do all of the  
16 following:

17 (1) Establish an electronic transmission system through  
18 which a covered voter may apply for and receive voter  
19 registration materials, military-overseas ballots and other  
20 information under this chapter.

21 (2) Develop standardized absentee-voting materials and  
22 their electronic equivalents, authentication materials and  
23 voting instructions to be used with the military-overseas  
24 ballot of a voter authorized to vote in any jurisdiction in  
25 this Commonwealth.

26 (3) To the extent reasonably possible, coordinate with  
27 other states to carry out the provisions of this subsection.

28 (4) Prescribe the form and content of a declaration for  
29 use by a covered voter who does not use the Federal write-in  
30 absentee ballot in accordance with the following:

1 (i) The declaration shall require the covered voter  
2 to swear or affirm, under penalty of perjury, specific  
3 representations pertaining to the voter's:

4 (A) identity;

5 (B) eligibility to vote;

6 (C) status as a covered voter; and

7 (D) timely and proper completion of a military-  
8 overseas ballot.

9 (ii) The declaration shall be based on the FWAB  
10 declaration, as modified to be consistent with this  
11 chapter.

12 (iii) The secretary shall ensure that a form for the  
13 execution of the declaration, including an indication of  
14 the date of execution of the declaration, is a prominent  
15 part of all balloting materials for which the declaration  
16 is required.

17 (5) Establish an electronic transmission system in which  
18 a covered voter under this chapter may cast an electronic  
19 vote. THE ELECTRONIC TRANSMISSION SYSTEM SHALL BE OPERATIONAL <--  
20 BY JANUARY 1, 2015.

21 § 3505. Registering to vote.

22 \* \* \*

23 (c) Electronic transmission system.--The secretary shall  
24 ensure that the electronic transmission system described in  
25 section 3503(c) (relating to duties and responsibilities of  
26 secretary) is capable of accepting a Federal postcard  
27 application, military-overseas ballot and any other approved  
28 electronic registration application sent to the appropriate  
29 county election board. The voter may use the electronic  
30 transmission system or any other approved method to register to

1 vote.

2 \* \* \*

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