

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 43 Session of 2019

INTRODUCED BY SNYDER, A. DAVIS, OTTEN, KINSEY, SCHLOSSBERG, HARKINS, MULLERY, HILL-EVANS, D. MILLER, FREEMAN, WARREN, KORTZ, CIRESI, SCHWEYER, McNEILL, DERMODY, McCLINTON, MATZIE, FRANKEL AND GOODMAN, JANUARY 28, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 28, 2019

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," in preparation for and conduct of primaries and
 12 elections, further providing for notice of November
 13 elections, providing for early voting and further providing
 14 for duties of election officials; in voting by qualified
 15 absentee electors, further providing for application for
 16 absentee ballots; and repealing provisions of Title 25 of the
 17 Pennsylvania Consolidated Statutes relating to application
 18 for absentee ballots.

19 The General Assembly of the Commonwealth of Pennsylvania
 20 hereby enacts as follows:

21 Section 1. Section 1201 of the act of June 3, 1937
 22 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
 23 amended to read:

24 Section 1201. Notice of November Elections.--The county
 25 board of each county shall, not earlier than [ten] fifteen days

1 nor later than [three] nine days before each November election,
2 give notice of the same by newspaper publication in the county
3 in accordance with the provisions of section 106 of this act,
4 said notice to be published twice in counties of the first class
5 and once in all other counties. Such notice shall set forth--(a)
6 the officers to be elected in the State at large, or in said
7 county, or in any district of which said county or part thereof
8 forms a part, or in any city, borough, township, school
9 district, poor district, ward or other district which is
10 contained in such county; (b) the names of the candidates for
11 election to Federal, State, county and city offices, whose names
12 will appear upon the ballots or ballot labels; (c) the text of
13 all constitutional amendments and other questions to be
14 submitted at such election; (d) the places at which the election
15 is to be held in the various election districts of the county;
16 and (e) the date of the election and the hours during which the
17 polls will be open. Such notice may include a portion of the
18 form of ballot or diagram of the face of the voting machine in
19 reduced size.

20 Section 2. The act is amended by adding sections to read:

21 Section 1201.3. Early Voting Period.--Notwithstanding any
22 other provision of this act to the contrary, the county board of
23 each county shall provide for early voting to begin eight days
24 prior to the dates of elections established in accordance with
25 Article VI. The early voting period shall end seven days after
26 the early voting start date.

27 Section 1201.4. Early Voting Sites.--(a) The county board
28 of each county shall designate early voting sites where electors
29 may cast their ballots during the early voting period
30 established in accordance with section 1201.3.

1 (b) The early voting sites shall include the office of the
2 county board of elections and sites designated by the county
3 board within the election district. The early voting sites shall
4 be geographically located to provide electors in the election
5 district an equal opportunity to cast a ballot. Aside from the
6 office of the county board of elections, the county board is
7 prohibited from designating early voting sites outside the
8 geographical boundary of election districts within their county.
9 The county board shall make available at these sites the same
10 cards of instructions and supplies required under section 1202
11 of this act.

12 (c) During the early voting period, the county board shall
13 appoint, in the same manner, clerks of elections and machine
14 inspectors at each designated early voting polling place as
15 provided for under Article IV.

16 Section 1203.1. Meeting of Election Officers for Early
17 Voting; Voter's Certificates.--(a) The provisions of section
18 1208 regarding meeting of election officers shall apply to the
19 early voting period.

20 (b) At each early voting site, the county board shall
21 prepare a suitable number of voter's certificates as provided
22 for in section 1203. Each elector who appears to vote at an
23 early voting site shall complete a voter certificate and shall
24 present to an election officer one of the forms of photo
25 identification as established in section 1210, if such photo
26 identification is required.

27 Section 1205.1. Days and Times for Opening and Closing Polls
28 at Early Voting Sites.--The county board of each county shall
29 designate the early voting sites to be open from 8 A.M. to 7
30 P.M. each weekday during the early voting period and from 1 P.M.

1 to 5 P.M. on Saturday and Sunday during the early voting period.
2 Early voting sites shall allow any person in line at the closing
3 of an early voting site to cast a vote.

4 Section 1205.2. Extending Absentee Eligibility.--A qualified
5 elector, as defined in section 102, shall continue to be
6 eligible for an absentee ballot if the qualified elector is
7 expected to be absent from his election district during the
8 early voting period and on election day and meets the conditions
9 under section 102(w).

10 Section 3. Section 1225 of the act is amended by adding
11 subsections to read:

12 Section 1225. Signing and Disposition of Returns, District
13 Register and Voting Check List; Posting; Return of Ballot
14 Boxes.--* * *

15 (d) During early voting periods, each judge of elections
16 shall make the voter check list available no later than twelve
17 o'clock noon of each day and shall be contemporaneously provided
18 to the Secretary of the Commonwealth but shall not tabulate
19 votes prior to the close of the polls on election day. The
20 ballot of each elector voting early may be counted even if the
21 elector dies on or before election day. The county board shall
22 maintain a voting check list in such a way to ensure that
23 electors are prohibited from casting additional ballots at
24 either an early voting site or on election day in their
25 precinct.

26 (e) An early voting site designated by the county board
27 shall submit a detailed report of security procedures to secure
28 the ballots prior to the early voting period to the Secretary of
29 the Commonwealth.

30 Section 4. Section 1302(a) of the act is amended to read:

1 Section 1302. Applications for Official Absentee Ballots.--
2 (a) Any qualified elector defined in preceding section 1301,
3 subsections (a) to (h), inclusive, may apply at any time before
4 any primary or election for any official absentee ballot in
5 person, on any form supplied by the Federal Government, [or] on
6 any official county board of election form or on any other
7 signed document addressed to the Secretary of the Commonwealth
8 of Pennsylvania or the county board of election of the county in
9 which his voting residence is located.

10 * * *

11 Section 5. Repeals are as follows:

12 (1) The General Assembly finds and declares that the
13 repeal under paragraph (2) is necessary to effectuate the
14 amendment of section 1302(a) of the act.

15 (2) The provisions of 25 Pa.C.S. § 3302 are repealed.

16 Section 6. This act shall take effect in 60 days.