

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 439 Session of 2019

INTRODUCED BY NESBIT, MURT, FREEMAN, SAINATO, KORTZ,
 SCHLOSSBERG, ISAACSON, T. DAVIS, McNEILL, KINSEY, MACKENZIE,
 ZIMMERMAN, WARREN, LONGIETTI, JOZWIAK, BERNSTINE, READSHAW,
 ULLMAN, MEHAFFIE, GABLER, SCHWEYER, MIZGORSKI, KEEFER,
 FRANKEL, HILL-EVANS, MATZIE, NEILSON, SOLOMON AND GILLEN,
 FEBRUARY 11, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 11, 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 voting by qualified absentee electors, further
 12 providing for applications for official absentee ballots.

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

15 Section 1. Section 1302(e.1) of the act of June 3, 1937
 16 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
 17 amended to read:

18 Section 1302. Applications for Official Absentee Ballots.--*

19 * *

20 (e.1) Any qualified registered elector, including any
 21 qualified bedridden or hospitalized veteran, who is unable

1 because of illness or physical disability to attend his polling
2 place on the day of any primary or election or operate a voting
3 machine and state distinctly and audibly that he is unable to do
4 so as required by section 1218 of this act may, with the
5 certification by his attending physician that he is permanently
6 disabled, and physically unable to attend the polls or operate a
7 voting machine and make the distinct and audible statement
8 required by section 1218 appended to the application
9 hereinbefore required, be placed on a permanently disabled
10 absentee ballot list file. An absentee ballot application shall
11 be mailed to every such person for each primary or election so
12 long as he does not lose his voting rights by failure to vote as
13 otherwise required by this act. Such person shall not be
14 required to file a physician's certificate of disability with
15 each application as required in subsection (e) of this section
16 [but such person must submit a written statement asserting
17 continuing disability every four years in order to maintain his
18 eligibility to vote under the provisions of this subsection].
19 Should any such person lose his disability he shall inform the
20 county board of elections of the county of his residence.

21 * * *

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