

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 667 Session of 2019

INTRODUCED BY KAUFER, BRIGGS, BERNSTINE, McNEILL, KINSEY, KULIK, SCHLOSSBERG, BARRAR, JAMES, QUINN, T. DAVIS, NEILSON, MURT, FREEMAN, MILLARD, DeLUCA, WHEELAND, FRANKEL, SCHWEYER, HILL-EVANS, CIRESI, DAVIDSON, EVERETT, IRVIN, ZABEL, RADER, BOBACK, TOOHIL AND FRITZ, MARCH 1, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 1, 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 canvassing of official absentee ballots.

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

15 Section 1. Section 1308(g)(1) and (4) of the act of June 3,  
 16 1937 (P.L.1333, No.320), known as the Pennsylvania Election  
 17 Code, are amended to read:

18 Section 1308. Canvassing of Official Absentee Ballots.--\* \*

19 \*

20 (g) (1) (i) An absentee ballot cast by [any] an absentee  
 21 elector as defined in section 1301(a), (b), (c), (d), (e), (f),

1 (g) and (h) which is received in the office of the county board  
2 of elections after five o'clock P.M. on the Friday immediately  
3 preceding the election and no later than five o'clock P.M. on  
4 the seventh day following an election shall be canvassed in  
5 accordance with this subsection if the absentee ballot is  
6 postmarked no later than the day immediately preceding the  
7 election.

8 (ii) An absentee ballot cast by an absentee elector, other  
9 than an elector described in subparagraph (i), which is  
10 postmarked no later than the Monday immediately preceding the  
11 election and received in the office of the county board of  
12 elections after five o'clock P.M. on the Friday immediately  
13 preceding the election and before five o'clock P.M. on the  
14 Tuesday following the election shall be canvassed in accordance  
15 with this subsection.

16 \* \* \*

17 (4) All absentee ballots [not], except for ballots  
18 challenged for any of the reasons provided in paragraph (3) and  
19 ballots cast by electors who appear in person at the polling  
20 place on election day pursuant to section 1306(b), shall be  
21 counted and included with the returns of the applicable election  
22 district as follows[.]:

23 (i) The county board shall open the envelope of every  
24 unchallenged absentee elector in such manner as not to destroy  
25 the declaration executed thereon.

26 (ii) If any of the envelopes on which are printed, stamped  
27 or endorsed the words "Official Absentee Ballot" contain any  
28 extraneous marks or identifying symbols, the envelopes and the  
29 ballots contained therein shall be set aside and declared void.

30 (iii) The county board shall then break the seals of such

1 envelopes, remove the ballots and record the votes.

2 \* \* \*

3 Section 2. This act shall take effect in 120 days.