THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 670 Session of 2019

INTRODUCED BY DALEY, DERMODY, McCLINTON, GOODMAN, FREEMAN, FRANKEL, KINSEY, A. DAVIS, OTTEN, SCHLOSSBERG, KIRKLAND, SAPPEY, KENYATTA, CIRESI, HILL-EVANS, MULLERY, WARREN, SCHWEYER, DONATUCCI, MATZIE, HOWARD, ZABEL, KORTZ, SHUSTERMAN, WEBSTER, FITZGERALD, O'MARA, FIEDLER, KIM AND MADDEN, MARCH 1, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 1, 2019

AN ACT

1 Amending Title 38 (Holidays and Observances) of the Pennsylvania
2   Consolidated Statutes, providing for election day and for
3   observance of Election Day as a legal holiday.

4   The General Assembly of the Commonwealth of Pennsylvania

5 hereby enacts as follows:

6   Section 1. Title 38 of the Pennsylvania Consolidated

7 Statutes is amended by adding a part to read:

8   PART I

9   PRELIMINARY PROVISIONS

10 Chapter

11   5. Election Day

12   CHAPTER 5

13   ELECTION DAY

14 Sec.

15 501. Definitions.

16 502. Observance of Election Day as a legal holiday.

§ 501. Definitions.

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

"Department." The Department of State of the Commonwealth.

"Election Day." The day of a general election, municipal election or primary election.

"General election." The election held biennially on the Tuesday next following the first Monday of November in each even-numbered year.

"Municipal corporation." A city, borough, incorporated town or township.

"Municipal election." The election held on the Tuesday next following the first Monday of November in each odd-numbered year.

"Primary election." An election for the nomination of candidates.

"Private employer." An employer that is engaged in business in this Commonwealth. The term does not include a public employer, school district or county.

"Public employer."

(1) Any of the following:

(i) The Commonwealth.

(ii) A municipal corporation.

(2) The term does not include a county or school district.

§ 502. Observance of Election Day as a legal holiday.

(a) General rule.--A public employer shall observe Election Day as a legal holiday.

(b) Other public entities.--A school district or county may

1 observe Election Day as a legal holiday.

2   (c) Private employers.--

3   (1) On Election Day, a private employer shall provide no

4 less than two hours of unpaid leave to its employees for the

5 purpose of voting.

6   (2) A private employer that violates paragraph (1) shall

7 pay a civil penalty of not less than $1,000 to the county

8 board of elections.

9   (d) Enforcement.--The department shall enforce the

10 provisions of this section and may promulgate regulations

11 necessary to enforce the provisions of this section.

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