

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1558 Session of 2019

INTRODUCED BY O'MARA, DERMODY, A. DAVIS, McCLINTON, T. DAVIS, WARREN, HILL-EVANS, MURT, SCHLOSSBERG, SOLOMON, GOODMAN, MATZIE, BRIGGS, ISAACSON, FRANKEL, McNEILL, MULLINS, FREEMAN, DEASY, PASHINSKI, INNAMORATO, SIMS, SCHWEYER, DALEY, HANBIDGE, CIRESI, MADDEN, DAVIDSON, KINSEY, WEBSTER, FLYNN, ROZZI, YOUNGBLOOD, HOHENSTEIN, DELLOSO, KORTZ, RAVENSTAHL, MALAGARI AND HOWARD, JUNE 4, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 4, 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," providing for early voting in elections.

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

14 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known
 15 as the Pennsylvania Election Code, is amended by adding an
 16 article to read:

17 ARTICLE XII-A

18 EARLY VOTING IN ELECTIONS

19 Section 1201-A. Conduct of early voting.

20 (a) Authority to conduct.--Notwithstanding law or regulation

1 to the contrary, each county board shall provide for a period of
2 early voting in elections as provided for in this article.

3 (b) Issuance of ballots and voting booths.--The following
4 apply:

5 (1) If a request is made to vote early by a registered
6 elector, the county board shall issue a ballot to the
7 registered elector, except in districts where voting machines
8 are used in accordance with Article XI, for in-person early
9 voting. Except as otherwise provided in this article, all
10 ballots issued to registered electors for early voting must
11 be voted on the premises of the county board and returned to
12 the county board.

13 (2) On the dates for early voting prescribed in section
14 1203-A, each county board shall provide voting booths with
15 voting machines and other suitable equipment for voting on
16 the premises of the county board and at any other early
17 voting polling place designated by the county board for the
18 conduct of early voting in accordance with this article.

19 (c) Maintenance of list.--The county board shall maintain a
20 list of all registered electors in each election district who
21 vote during the early voting period. The list must be maintained
22 for each election district in the county. Before the opening of
23 the polls on election day, the county board shall deliver to the
24 judges of elections in each election district the list of
25 registered electors who have voted by early ballot.

26 Section 1202-A. Permanent polling places for early voting.

27 The following apply:

28 (1) A county board may establish permanent polling
29 places for in-person early voting at locations throughout the
30 county in which the county board has jurisdiction, including

1 but not limited to any school, county building or any other
2 office or building owned or maintained by the county. A
3 registered elector entitled to early voting may do so at any
4 polling place established by the county board for early
5 voting.

6 (2) During each election, the county board, in a county
7 with a population of over 250,000, shall establish at least
8 one permanent polling place for in-person early voting at a
9 location within each of the three largest municipalities
10 within the county board's jurisdiction. If the population of
11 any of the three largest municipalities in the county is over
12 80,000, the county board shall establish at least two
13 permanent polling places within the municipality. All
14 population figures shall be determined by the most recent
15 Federal decennial census.

16 (3) During each election, the county board in a county
17 with a municipality with a population of over 100,000, shall
18 establish at least three permanent polling places for in-
19 person early voting.

20 (4) During each election, the county board in a county
21 with a population of over 100,000 but under 250,000, shall
22 establish at least one permanent polling place for in-person
23 early voting.

24 (5) The location for early voting may be the county
25 board's main office or any other location designated by the
26 county board for early voting. The county board may designate
27 additional sites for in-person early voting as the county
28 board deems appropriate.

29 (6) No permanent polling place designated for early
30 voting in accordance with this section shall be located

1 within 1.5 miles of another permanent polling place required
2 under this section, unless the permanent polling place is
3 within a municipality with a population of 500,000 or more.

4 (7) All population figures enumerated in this section
5 shall be determined by the most recent Federal decennial
6 census.

7 Section 1203-A. Period for early voting.

8 (a) Commencement and end of early voting.--The period for
9 in-person early voting shall begin the 30th day preceding the
10 date of an election and extend through the end of the day before
11 election day.

12 (b) Schedules of early voting.--Except as provided under
13 subsection (c), the following apply:

14 (1) Except as provided under paragraphs (2) and (3), a
15 permanent polling place for early voting must remain open
16 beginning the 30th day before an election through the end of
17 the day before election day as follows:

18 (i) during the hours of 8:30 a.m. to 4:30 p.m. or
19 9:00 a.m. to 5:00 p.m. on weekdays; and

20 (ii) during the hours of 9:00 a.m. to 12:00 p.m. on
21 Saturdays and holidays and 10:00 a.m. to 4:00 p.m. on
22 Sundays.

23 (2) Eight days before election day a permanent polling
24 place for early voting must remain open during the hours of
25 8:30 a.m. to 7:00 p.m. or 9:00 a.m. to 7:00 p.m.

26 (3) In addition to the hours prescribed under paragraphs
27 (1) and (2), a permanent polling place designated by a county
28 board under section 1202-A must remain open for a total of at
29 least eight hours on any holiday during the early voting
30 period and a total of at least 14 hours on the final weekend

1 during the early voting period.

2 (c) Emergency closure of polling place.--Notwithstanding
3 subsection (b), a county board may close an early voting polling
4 place if the building in which the polling place is located has
5 been closed by a State, county or local agency in response to a
6 severe weather emergency or other emergency. The county board
7 shall notify the Secretary of the Commonwealth of any closure
8 and shall make reasonable efforts to provide notice to the
9 public of an alternative polling place for early voting.

10 Section 1204-A. Designation of temporary polling places.

11 (a) Temporary polling places.--In addition to permanent
12 polling places for early voting under section 1202-A, the county
13 board may establish temporary polling places for early voting.

14 (b) Applicability of schedule.--The following apply:

15 (1) The schedules for the conduct of early voting under
16 section 1203-A(b) shall not apply to temporary polling
17 places. Early voting at temporary polling places may be
18 conducted on any one or more days and during any hours within
19 the early voting period established for in-person early
20 voting under section 1203-A(b), as determined by the county
21 board.

22 (2) The schedules for the conduct of early voting at a
23 temporary polling place do not need to be uniform among the
24 temporary polling places.

25 Section 1205-A. Use of public building as polling places.

26 (a) Polling places in public buildings.--The following
27 apply:

28 (1) Upon request by a county board, the governing body
29 of a municipality shall make public buildings within the
30 county available as permanent or temporary early voting

1 polling places without charge. Any request to use a public
2 building shall include reasonably necessary time before and
3 after the period that early voting will be conducted at the
4 public building.

5 (2) A municipality making a public building available as
6 a permanent or temporary early voting polling place shall
7 ensure that any portion of the building made available is
8 accessible to voters with disabilities and elderly voters.

9 Section 1206-A. Publication of early voting locations and
10 schedules.

11 (a) Notice.--During the week immediately preceding the
12 commencement of early voting and at least once each week during
13 the period of early voting, the county board shall publish in a
14 newspaper of general circulation in the county a schedule
15 stating:

16 (1) the location of each permanent and temporary early
17 voting polling place and the election districts served by
18 each such polling place; and

19 (2) the dates and hours that early voting will be
20 conducted at each temporary early voting polling place.

21 (b) Posting requirements.--Each county board shall post a
22 copy of the schedule at an office or other location that is to
23 be used as a temporary early voting polling place. The schedule
24 must be posted continuously for a period beginning not later
25 than the 10th day before the commencement of early voting and
26 ending on the last day of the early voting period.

27 (c) Copies.--The county board must make copies of the
28 schedule available to the public in reasonable quantities
29 without charge during the period of posting.

30 (d) Electronic posting.--If the county board maintains a

1 publicly accessible Internet website, the county board shall
2 make the schedule available on the website.

3 (e) Prohibition and exception after schedule publication.--

4 The following apply:

5 (1) No additional permanent early voting polling places
6 may be established after the schedule is published under this
7 section.

8 (2) Additional temporary early voting polling places may
9 be established after the schedule is published if the
10 temporary early voting polling places are open to all
11 registered electors. The locations, dates and hours of all
12 additional temporary early voting polling places shall be
13 reported to the Secretary of the Commonwealth and posted on
14 the county board's publicly accessible Internet website.

15 Section 1207-A. List of polling places.

16 At least 10 days before the commencement of early voting,
17 each county board shall provide the Secretary of the
18 Commonwealth with a list of all permanent and temporary early
19 voting polling places and the hours each polling place will be
20 open for early voting.

21 Section 2. This act shall take effect immediately.