
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1809 Session of
2019

INTRODUCED BY RIGBY, RYAN, ULLMAN, FREEMAN, DUNBAR, ZABEL,
JAMES, HELM, BERNSTINE, SCHMITT AND CIRESI,
SEPTEMBER 16, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 16, 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 assistance in voting by certain absentee
13 electors.

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

16 Section 1. Section 1306.1 of the act of June 3, 1937
17 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
18 amended to read:

19 Section 1306.1. Assistance in Voting by Certain Absentee
20 Electors.--

21 Any elector qualified to vote an official absentee ballot in
22 accordance with the provisions of section 1301, subsection (k),
23 may receive assistance in voting (1) if there is recorded on his

1 registration card his declaration that he has a physical
2 disability which renders him unable to see or mark the official
3 absentee ballot, the exact nature of such disability being
4 recorded on such registration card; (2) if such elector
5 requiring assistance submits with his application for an
6 official absentee ballot, a statement setting forth the precise
7 nature of the disability which renders him unable to see or mark
8 the official absentee ballot and that to the best of his
9 knowledge and belief he will still suffer from the said physical
10 disability at the time of voting his official absentee ballot.

11 [He shall acknowledge the same before an officer qualified to
12 take acknowledgment of deeds. Such statement shall be in
13 substantially the following form:

14 Statement of Absentee Elector Requiring Assistance

15 I,, hereby state

16 (Name of voter requiring assistance)

17 that I require assistance in marking the official absentee
18 ballot for the primary or election held,

19 (Date)

20 19..., that will be issued to me for the following reason:

21
22

23 (Insert nature of disability)

24
25

26 (Signature or mark of elector)

27
28

29 (Date of signature or mark)

30 Commonwealth of Pennsylvania:

1 [redacted] ss

2 County of:

3 On this.....day of....., 19...., before me,
4, the undersigned officer personally
5 appeared....., known to me (or satisfactorily
6 proven) to be the person whose signature or mark appears on the
7 within instrument and acknowledged the same for the purposes
8 therein contained.

9 In witness whereof, I have hereunto set my hand and official
10 seal

11 [redacted]
12 [redacted] (Title of Officer)]

13 The elector's statement must be made on a form approved by the
14 Secretary of the Commonwealth and subject to the penalties under
15 18 Pa.C.S. § 4904 (relating to unsworn falsification to
16 authorities).

17 Upon receipt of the official absentee ballot, such elector
18 requiring assistance may select a person to assist him in
19 voting, such assistance to be rendered in secret: Provided,
20 however, That the person rendering assistance may not be the
21 elector's employer or an agent of the employer or an officer or
22 agent of the elector's union. The person rendering the
23 assistance in voting shall complete, date and sign the
24 declaration in such form approved by the Secretary of the
25 Commonwealth, or substantially in the form as set forth below,
26 that the person has caused the elector's ballot to be marked in
27 accordance with such elector's desires and instruction. Such
28 declaration form shall be returned to the county board of
29 elections in the mailing envelope addressed to the county board
30 of elections within which the small "official absentee ballot"

1 is returned.

2 Declaration of Person Rendering Assistance

3 I,,

4 (Name of Person rendering assistance)

5 hereby declare that I have witnessed the aforesaid elector's
6 signature or mark and that I have caused the aforesaid elector's
7 ballot to be marked in accordance with the desires and
8 instructions of the aforesaid elector.

9

10 (Signature of Person Rendering Assistance)

11

12 (Address)

13 Section 2. The amendment of section 1306.1 of the act shall
14 apply to any primary or election held 60 days after the
15 effective date of this act.

16 Section 3. This act shall take effect immediately.