

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2407 Session of 2020

INTRODUCED BY EVERETT, RYAN, ZABEL, SCHMITT, ULLMAN, WEBSTER,
BOBACK, JAMES, MILLARD, PICKETT, STAATS, MENTZER, SCHWEYER,
DONATUCCI, DeLUCA AND ROZZI, APRIL 14, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 14, 2020

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 official absentee voters ballots; and, in
13 voting by qualified mail-in electors, further providing for
14 official mail-in elector ballots.

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

17 Section 1. Sections 1303(e) and 1303-D(e) of the act of June
18 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election
19 Code, amended March 27, 2020 (P.L. , No.12), are amended to
20 read:

21 Section 1303. Official Absentee Voters Ballots.--* * *

22 (e) The official absentee voter ballot shall state that an
23 elector who receives an absentee ballot pursuant to section 1301

1 and whose voted ballot is not timely received by the commission
2 and who, on election day, is capable of voting at the
3 appropriate polling place may only vote on election day by
4 provisional ballot unless the elector brings the elector's
5 absentee ballot to the elector's polling place, remits the
6 ballot and the envelope containing the declaration of the
7 elector to the judge of elections to be spoiled and signs a
8 statement subject to the penalties under 18 Pa.C.S. § 4904
9 (relating to unsworn falsification to authorities) to the same
10 effect. The Secretary of the Commonwealth shall prescribe the
11 text and the manner by which the notice under this subsection
12 shall be printed on a ballot.

13 Section 1303-D. Official mail-in elector ballots.

14 * * *

15 (e) Notice.--The official mail-in voter ballot shall state
16 that a voter who receives a mail-in ballot under section 1301-D
17 and whose voted mail-in ballot is not timely received may only
18 vote on election day by provisional ballot unless the elector
19 brings the elector's mail-in ballot to the elector's polling
20 place, remits the ballot and the envelope containing the
21 declaration of the elector to the judge of elections to be
22 spoiled and signs a statement subject to the penalties of 18
23 Pa.C.S. § 4904 (relating to unsworn falsification to
24 authorities) to the same effect. The Secretary of the
25 Commonwealth shall prescribe the text and the manner by which
26 the notice under this subsection shall be printed on a ballot.

27 Section 2. The amendment of sections 1303(e) and 1303-D(e)
28 of the act shall apply to elections held on or after November 3,
29 2020.

30 Section 3. This act shall take effect immediately.