

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2502 Session of  
2020

INTRODUCED BY MIHALEK, MAY 12, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 12, 2020

## AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; providing for judicial administration; and  
18 prescribing the manner in which the number and compensation  
19 of the deputies and all other assistants and employes of  
20 certain departments, boards and commissions shall be  
21 determined," in powers and duties of the Department of State  
22 and its departmental administrative board, providing for  
23 report on implementation of 2020 general primary election.

24 The General Assembly of the Commonwealth of Pennsylvania  
25 hereby enacts as follows:

26 Section 1. The act of April 9, 1929 (P.L.177, No.175), known  
27 as The Administrative Code of 1929, is amended by adding a  
28 section to read:

29 Section 815. Report on Implementation of 2020 General

1 Primary Election.--(a) No later than thirty days after the 2020  
2 general primary election under Article XVIII-B of the act of  
3 June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania  
4 Election Code, the Department of State shall issue a report to  
5 the chairperson and minority chairperson of the State Government  
6 Committee of the Senate and the chairperson and minority  
7 chairperson of the State Government Committee of the House of  
8 Representatives. A copy of the report shall also be made  
9 available on the Department of State's publicly accessible  
10 Internet website.

11 (b) The report under subsection (a) shall include all of the  
12 following relating to the administration of the 2020 general  
13 primary election by the Department of State, a county board of  
14 elections under Article III of the Pennsylvania Election Code or  
15 a registration commission established under 25 Pa.C.S. § 1203  
16 (relating to commissions).

17 (1) For each county and the sum for this Commonwealth, the  
18 number of applications for an absentee ballot which were  
19 received by the county board of elections.

20 (2) For each county and the sum for this Commonwealth, the  
21 number of applications for a mail-in ballot which were received  
22 by the county board of elections.

23 (3) For each county and the sum for this Commonwealth, the  
24 number of applications for an absentee ballot which were  
25 approved by the county board of elections.

26 (4) For each county and the sum for this Commonwealth, the  
27 number of applications for a mail-in ballot which were approved  
28 by the county board of elections.

29 (5) For each county and the sum for this Commonwealth, the  
30 number of absentee ballots which were voted by the electors.

1 (6) For each county and the sum for this Commonwealth, the  
2 number of mail-in ballots which were voted by the electors.

3 (7) For each county and the sum for this Commonwealth, the  
4 number of qualified electors voting by a provisional ballot  
5 under section 1306(b)(2) of the Pennsylvania Election Code.

6 (8) For each county and the sum for this Commonwealth, the  
7 number of qualified electors voting by provisional ballot under  
8 section 1306-D(b)(2) of the Pennsylvania Election Code.

9 (9) For each county and the sum for this Commonwealth, the  
10 number of applications for an absentee ballot by an individual  
11 who was not a registered elector at the time of the application  
12 and for whom a voter registration application was timely  
13 received after the application for an absentee ballot was  
14 received.

15 (10) For each county and the sum for this Commonwealth, the  
16 number of applications for a mail-in ballot by an individual who  
17 was not a registered elector at the time of the application and  
18 for whom a voter registration application was timely received.

19 (11) For each county and the sum for this Commonwealth, the  
20 number of voter registration applications under section 1231 of  
21 the Pennsylvania Election Code and 25 Pa.C.S. Pt. IV (relating  
22 to voter registration) which were received:

23 (i) Fewer than thirty days before the 2020 general primary  
24 election.

25 (ii) Fewer than fifteen days before the 2020 general primary  
26 election.

27 (12) For each county and the sum for this Commonwealth, the  
28 number of election officers appointed under section 1801-B of  
29 the Pennsylvania Election Code.

30 (13) For each county and the sum for this Commonwealth, the

1 number of polling places consolidated under section 1802-B of  
2 the Pennsylvania Election Code.

3 (14) For each county and the sum for this Commonwealth, the  
4 number of polling places consolidated under section 1802-B of  
5 the Pennsylvania Election Code which required approval of the  
6 Department of State under section 1802-b(a)(3) of the  
7 Pennsylvania Election Code.

8 (15) For each county and the sum for this Commonwealth, the  
9 number of polling places located in a location permitted under  
10 section 1803-B of the Pennsylvania Election Code.

11 (16) For each county and the sum for this Commonwealth, the  
12 number of polling places in school buildings.

13 (17) For each county, the date and time that the county  
14 board of elections began pre-canvassing absentee ballots and  
15 mail-in ballots under section 1308(g)(2) of the Pennsylvania  
16 Election Code.

17 (18) For each county, the date and time that the county  
18 board of elections began canvassing absentee ballots and mail-in  
19 ballots under section 1308(g)(2) of the Pennsylvania Election  
20 Code.

21 (19) For each county and the sum for this Commonwealth, the  
22 number of absentee ballots which were challenged under section  
23 1302.2(c) of the Pennsylvania Election Code.

24 (20) For each county and the sum for this Commonwealth, the  
25 number of mail-in ballots which were challenged under section  
26 1302.2-D(a)(2) of the Pennsylvania Election Code.

27 (21) For each county and the sum for this Commonwealth, the  
28 number of absentee ballots subject to challenges under paragraph  
29 (19) which were not canvassed.

30 (22) For each county and the sum for this Commonwealth, the

1 number of mail-in ballots subject to challenges under paragraph  
2 (20) which were not canvassed.

3 (23) The number of incidents known to the Department of  
4 State, county board of elections or registration commission  
5 relating to each of the following categories:

6 (i) An absentee ballot or mail-in ballot which was sent to  
7 the wrong individual or wrong address.

8 (ii) An absentee ballot or mail-in ballot which was voted by  
9 an individual other than the individual who applied for the  
10 absentee ballot or mail-in ballot.

11 (iii) An absentee ballot or mail-in ballot which was  
12 returned to the county board of elections by a means other than  
13 the elector sending the absentee ballot or mail-in ballot by  
14 mail or delivery in person.

15 (24) To the extent consistent with Federal and State law, a  
16 review of any action taken by the Department of State, county  
17 board of elections or registration commission in response to an  
18 incident under paragraph (22), including determinations made on  
19 the incident, legal actions filed and referrals to law  
20 enforcement.

21 (25) A review of issues or incidents encountered with an  
22 electronic voting system that received the approval of the  
23 Secretary of the Commonwealth under section 1105-A of the  
24 Pennsylvania Election Code, including any technical issues  
25 encountered in polling places.

26 (c) The Department of State shall develop a process to  
27 collect data required to be included in the report under  
28 subsection (b) from each county board of elections under Article  
29 III of the Pennsylvania Election Code or registration commission  
30 under 25 Pa.C.S. Pt. IV, as applicable. A county board of

1 elections or registration commission shall timely comply with  
2 the process for submission of data under this subsection.

3 Section 2. This act shall take effect immediately.