
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2757 Session of
2020

INTRODUCED BY PASHINSKI, READSHAW, BURGOS, KINSEY, DeLUCA,
CIRESI, WEBSTER, RYAN, THOMAS AND WARNER, AUGUST 6, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, AUGUST 6, 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 penalties, providing for an enhancement of
12 penalties for certain violations.

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

15 Section 1. Sections 1801, 1802, 1802.1, 1803, 1804, 1805,
16 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815,
17 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824, 1825, 1827,
18 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837,
19 1838, 1839, 1840, 1841, 1843, 1845, 1847, 1848, 1849 and 1850 of
20 the act of June 3, 1937 (P.L.1333, No.320), known as the
21 Pennsylvania Election Code, are amended to read:

22 Section 1801. Disobeying Lawful Instructions.--Any person
23 who wilfully disobeys any lawful instruction or order of any

1 county board of elections, or who refuses to obey their subpoena
2 duly issued and served under the provisions of this act, shall
3 be guilty of a misdemeanor of the second degree, and, upon
4 conviction thereof, shall be sentenced to pay a fine not
5 exceeding [~~five hundred (\$500)~~] one thousand (\$1,000) dollars,
6 or to undergo an imprisonment not exceeding [~~one (1) year~~] two
7 (2) years, or both, in the discretion of the court.

8 Section 1802. Perjury.--Any wilful false statement made
9 under oath or affirmation or in writing, stating that it is so
10 made, although such oath or affirmation may not have actually
11 been made, by any person regarding any material matter or thing
12 relating to any subject being investigated, heard, determined or
13 acted upon by any county board of elections, or member thereof,
14 or by any court or judge thereof, judge of election, inspector
15 of election, or overseer, in accordance with the terms of this
16 act, shall be perjury, a misdemeanor of the first degree, and
17 any person, upon conviction thereof, shall be sentenced to pay a
18 fine not exceeding [~~ten thousand (\$10,000)~~] twenty thousand
19 (\$20,000) dollars, or to undergo an imprisonment of not more
20 than [~~five (5)~~] ten (10) years, or both, in the discretion of
21 the court.

22 Section 1802.1. False Affidavits of Candidates.--Any
23 candidate for State, county, city, borough, incorporated town,
24 township or school district office or for the office of United
25 States Senator or Representative in Congress or any other
26 elective public office who knowingly makes a false statement
27 regarding his eligibility or qualifications for such office in
28 his candidate's affidavit shall, in litigation which results in
29 the removal of the candidate from the ballot, be liable for
30 court costs, including filing fees, attorney fees, investigation

1 fees and similar costs, in an amount up to [ten thousand
2 (\$10,000)] twenty thousand (\$20,000) dollars.

3 Section 1803. Refusal to Permit Inspection of Papers;
4 Destruction or Removal; Secretary of the Commonwealth.--Any
5 Secretary of the Commonwealth, deputy, or employe of his office,
6 who shall refuse to permit the public inspection or copying as
7 authorized, except when in use in his office, by this act, of
8 any return, nomination petition, certificate or paper, other
9 petition, account, contract, report or any other document or
10 record in his custody which, under the provisions of this act,
11 is required to be open to public inspection; or who shall
12 destroy or alter, or permit to be destroyed or altered, any such
13 document or record during the period for which the same is
14 required to be kept in his office; or who shall remove any such
15 document or record from his office during said period, or permit
16 the same to be removed, except pursuant to the direction of any
17 competent court or any committee required to determine any
18 contested primary or election, shall be guilty of a misdemeanor
19 of the first degree, and, upon conviction thereof, shall be
20 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
21 two thousand (\$2,000) dollars, or to undergo an imprisonment of
22 not less than [one (1) month] two (2) months nor more than [two
23 (2)] four (4) years, or both, in the discretion of the court.

24 Section 1804. Refusal to Permit Inspection of Papers;
25 Destruction or Removal; County Boards of Elections.--Any member,
26 chief clerk or other employe of any county board of elections,
27 who shall refuse to permit the public inspection or copying, as
28 authorized by this act, of any general or duplicate return
29 sheet, tally paper, affidavit, nomination petition, certificate
30 or paper, other petition, witness list, account, contract,

1 report or any other document or record in the custody of such
2 county board which, under the provisions of this act, is
3 required to be open to public inspection; or who shall destroy
4 or alter, or permit to be destroyed or altered, any such
5 document or record during the period for which the same is
6 required to be kept in the office of such county board; or who
7 shall remove any such document or record from the office of such
8 county board during said period, or permit the same to be
9 removed, except pursuant to the direction of any competent court
10 or any committee required to determine any contested primary or
11 election, shall be guilty of a misdemeanor of the first degree,
12 and, upon conviction thereof, shall be sentenced to pay a fine
13 not exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000)
14 dollars, or to undergo an imprisonment of not less than [~~one (1)~~
15 ~~month~~] two (2) months nor more than [~~two (2)~~] four (4) years, or
16 both, in the discretion of the court.

17 Section 1805. Insertion and Alteration of Entries in
18 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
19 or employe of any county board of elections or judge, inspector
20 or clerk of election, machine inspector, overseer, or other
21 person, who knowingly inserts or knowingly permits to be
22 inserted any fictitious name, false figure or other fraudulent
23 entry on or in any registration card, district register, voter's
24 certificate, list of voters, affidavit, tally paper, general or
25 duplicate return sheet, statement, certificate, oath, voucher,
26 account, ballot or other record or document authorized or
27 required to be made, used, signed, returned or preserved for any
28 public purpose in connection with any primary or election; or
29 who materially alters or intentionally destroys any entry which
30 has been lawfully made therein, except by order of the county

1 board of elections or court of competent jurisdiction, or who
2 takes or removes any such book, affidavit, return, account,
3 ballot or other document or record from the custody of any
4 person having lawful charge thereof, in order to prevent the
5 same from being used or inspected or copied as required or
6 permitted by this act, or who neglects or refuses, within the
7 time and in the manner required by this act, to deliver the same
8 into the custody of the officers who are required by this act to
9 use or keep the same, shall be guilty of a misdemeanor of the
10 first degree, and, upon conviction thereof, shall be sentenced
11 to pay a fine not exceeding [one thousand (\$1,000)] two thousand
12 (\$2,000) dollars, or to undergo an imprisonment of not less than
13 [one (1) month] two (2) months or more than [two (2)] four (4)
14 years, or both, in the discretion of the court.

15 Section 1806. Refusal to Permit Overseers, Watchers,
16 Attorneys or Candidates to Act.--Any member of a county board of
17 elections, judge of election or inspector of election who shall
18 refuse to permit any overseer or watcher, attorney or candidate
19 to be present, as authorized by this act, at any session of a
20 county board, computation and canvassing of returns of any
21 primary or election, recount of ballots or recanvass of voting
22 machines, as authorized by this act, or at any polling place
23 during the time the polls are open at any primary or election,
24 and after the close of the polls during the time the ballots are
25 counted or voting machine canvassed and until the returns of
26 such primary or election have been made up and signed, shall be
27 guilty of a misdemeanor of the second degree, and, upon
28 conviction thereof, shall be sentenced to pay a fine not
29 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
30 or to undergo an imprisonment not exceeding [one (1) year] two

1 (2) years, or both, in the discretion of the court.

2 Section 1807. Driving away Watchers, Attorneys, Candidates
3 or Overseers.--Any person who by violence or intimidation shall
4 threaten or drive away any watcher, attorney, candidate or
5 overseer, or representative of the county board of elections, or
6 of the Secretary of the Commonwealth, required or permitted to
7 be present at any polling place, or who shall in any manner
8 prevent any overseer, or representative of the county board of
9 elections or of the Secretary of the Commonwealth from
10 performing his duty under this act, shall be guilty of a
11 misdemeanor of the first degree, and, upon conviction thereof,
12 shall be sentenced to pay a fine not exceeding [one thousand
13 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
14 imprisonment of not less than [one (1) month] two (2) months nor
15 more than [two (2)] four (4) years, or both, in the discretion
16 of the court.

17 Section 1808. Refusal to Permit Election Officers, Clerks
18 and Machine Inspectors to Act; Driving away Said Persons.--Any
19 person, including any election officer, who shall refuse to
20 permit any election officer, clerk or machine inspector, duly
21 elected or appointed and authorized to act, to perform the
22 duties imposed on him or to act as permitted by this act; or who
23 shall by violence or intimidation threaten or drive away, any
24 such election officer, clerk or machine inspector or who shall,
25 in any manner, prevent any such election officer, clerk or
26 machine inspector from performing his rights and duties under
27 this act, shall be guilty of a misdemeanor of the first degree,
28 and, upon conviction thereof, shall be sentenced to pay a fine
29 not exceeding [one thousand (\$1,000)] two thousand (\$2,000)
30 dollars, or to undergo an imprisonment of not less than [one (1)

1 ~~month]~~ two (2) months or more than [~~two (2)]~~ four (4) years, or
2 both, in the discretion of the court.

3 Section 1809. Refusal to Administer Oath; Acting Without
4 Being Sworn.--If any judge of election or minority inspector of
5 election refuses or fails to administer the oath to the officers
6 of election, in the manner required by this act, or if any judge
7 of election, inspector of election, clerk of election, or
8 machine inspector, shall act without being first duly sworn, or
9 if any such person shall sign the written form of oath without
10 being duly sworn, or if any judge of election or minority
11 inspector of election or any other person authorized to
12 administer oaths shall certify that any such person was sworn
13 when he was not, he shall be guilty of a misdemeanor of the
14 third degree, and, upon conviction thereof, shall be sentenced
15 to pay a fine not exceeding [~~one hundred (\$100)]~~ two hundred
16 (\$200) dollars, or to undergo an imprisonment not exceeding [~~six~~
17 ~~(6) months]~~ one (1) year, or both, in the discretion of the
18 court.

19 Section 1810. Violation of Oath of Office by Election
20 Officers.--Any judge of election, inspector of election, clerk
21 of election, or machine inspector who shall wilfully violate any
22 of the provisions of his oath of office, shall be guilty of a
23 misdemeanor of the second degree, and, upon conviction thereof,
24 shall be sentenced to pay a fine not exceeding [~~one thousand~~
25 ~~(\$1,000)]~~ two thousand (\$2,000) dollars, or to undergo an
26 imprisonment not exceeding [~~one (1) year]~~ two (2) years, or
27 both, in the discretion of the court.

28 Section 1811. Peace Officers; Failure to Render Assistance;
29 Hindering or Delaying County Board Members and Others.--Any
30 sheriff, deputy sheriff, constable, deputy constable, police or

1 other peace officer, who shall fail upon demand of any member of
2 a county board of elections, judge or inspector of election, or
3 overseer to render such aid and assistance to him as he shall
4 request in the maintenance of peace and in the making of
5 arrests, as herein provided, or who shall wilfully hinder or
6 delay or attempt to hinder or delay any member of a county
7 board, judge or inspector of election, or overseer in the
8 performance of any duty under this act, shall be guilty of a
9 misdemeanor of the first degree, and, upon conviction thereof,
10 shall be sentenced to pay a fine not exceeding [five hundred
11 (\$500)] one thousand (\$1,000) dollars, or to undergo an
12 imprisonment of not less than [three (3)] six (6) months nor
13 more than [two (2)] four (4) years, or both, in the discretion
14 of the court.

15 Section 1812. Nomination Petitions and Papers; Offenses by
16 Signers.--If any person shall knowingly and wilfully sign any
17 nomination petition or nomination paper, without having the
18 qualifications prescribed by this act, or if any person shall
19 set opposite a signature on a nomination petition or paper, a
20 date other than the actual date such signature was affixed
21 thereto, or if any person shall set opposite the signature on a
22 nomination petition or nomination paper, a false statement of
23 the signer's place of residence or occupation, or if any person
24 shall sign more nomination petitions or nomination papers than
25 permitted by the provisions of this act, he shall be guilty of a
26 misdemeanor of the first degree, and, upon conviction thereof,
27 shall be sentenced to pay a fine not exceeding [one hundred
28 (\$100)] two hundred (\$200) dollars, or to undergo an
29 imprisonment of not less than [three (3) months] six (6) months
30 nor more than [two (2)] four (4) years, or both, at the

1 discretion of the court.

2 Section 1813. False Signatures and Statements in Nomination
3 Petitions and Papers.--If any person shall knowingly make a
4 false statement in any affidavit required by the provisions of
5 this act, to be appended to or to accompany a nomination
6 petition or a nomination paper, or if any person shall
7 fraudulently sign any name not his own to any nomination
8 petition or nomination paper, or if any person shall
9 fraudulently alter any nomination petition or nomination paper
10 without the consent of the signers, he shall be guilty of a
11 misdemeanor of the second degree, and, upon conviction thereof,
12 shall be sentenced to pay a fine not exceeding [**five hundred**
13 **(\$500)**] one thousand dollars, or to undergo imprisonment of not
14 more than [**one (1) year**] two (2) years, or both, in the
15 discretion of the court.

16 Section 1814. Nomination Petitions; Certificates and Papers;
17 Destruction; Fraudulent Filing; Suppression.--Any person who
18 shall falsely make any nomination certificate or who shall
19 wilfully deface or destroy any nomination petition, nomination
20 certificate or nomination paper, or any part thereof, or any
21 letter of withdrawal, or who shall file any nomination petition,
22 nomination certificate or nomination paper or letter of
23 withdrawal knowing the same, or any part thereof, to be falsely
24 made, or who shall suppress any nomination petition, nomination
25 certificate or nomination paper, or any part thereof, which has
26 been duly filed, shall be guilty of a misdemeanor of the second
27 degree, and, upon conviction thereof, shall be sentenced to pay
28 a fine not exceeding [**one thousand (\$1,000)**] two thousand
29 (\$2,000) dollars, or to undergo an imprisonment of not more than
30 [**one (1) year**] two (2) years, or both, in the discretion of the

1 court.

2 Section 1815. Offenses by Printers of Ballots.--Any printer
3 employed by any county board of elections to print any official
4 ballots, or any person engaged in printing the same who shall
5 appropriate to himself or give or deliver or knowingly permit to
6 be taken any of said ballots by any other person than such
7 county board of election or their duly authorized agent, or who
8 shall wilfully print or cause to be printed any official ballot
9 in any form other than that prescribed by such county board or
10 with any other names or printing, or with the names spelled
11 otherwise than as directed by them or the names or printing
12 thereon arranged in any other way than that authorized and
13 directed by this act, shall be guilty of a misdemeanor of the
14 first degree, and, upon conviction thereof, shall be sentenced
15 to pay a fine not exceeding [one thousand (\$1,000)] two thousand
16 (\$2,000) dollars, or to undergo an imprisonment of not less than
17 [six (6) months] one (1) year nor more than [five (5)] ten (10)
18 years, or both, in the discretion of the court.

19 Section 1816. Unlawful Possession of Ballots; Counterfeiting
20 Ballots.--Any person other than an officer charged by law with
21 the care of ballots, or a person entrusted by any such officer
22 with the care of the same for a purpose required by law, who
23 shall have in his possession outside the polling place any
24 official ballot, or any person who shall make or have in his
25 possession any counterfeit of an official ballot, shall be
26 guilty of a misdemeanor of the [second] first degree, and, upon
27 conviction thereof, shall be sentenced to pay a fine not
28 exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
29 dollars, or to undergo an imprisonment of not more than [two
30 (2)] four (4) years, or both, in the discretion of the court.

1 Section 1817. Forging and Destroying Ballots.--Any person
2 who shall forge or falsely make the official endorsement on any
3 ballot or wilfully destroy or deface any ballot or wilfully
4 delay the delivery of any ballots shall be guilty of a
5 misdemeanor of the [~~second~~] first degree, and, upon conviction
6 thereof, shall be sentenced to pay a fine not exceeding [~~five~~
7 ~~thousand (\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo
8 an imprisonment of not more than [~~two (2)~~] four (4) years, or
9 both, in the discretion of the court.

10 Section 1818. Tampering with Voting Machines.--Any election
11 officer or other person who shall unlawfully open or who shall
12 tamper with or injure or attempt to injure any voting machine to
13 be used or being used at any primary or election, or who shall
14 prevent or attempt to prevent the correct operation of such
15 machine, or any unauthorized person who shall make or have in
16 his possession a key to a voting machine to be used or being
17 used in any primary or election, shall be guilty of a
18 misdemeanor of the [~~second~~] first degree, and, upon conviction
19 thereof, shall be sentenced to pay a fine not exceeding [~~five~~
20 ~~thousand (\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo
21 an imprisonment of not more than [~~two (2)~~] four (4) years, or
22 both, in the discretion of the court.

23 Section 1819. Destroying, Defacing or Removing Notices, Et
24 Cetera.--Any person who shall, prior to any primary or election,
25 wilfully deface, remove or destroy any notice or list of
26 candidates posted in accordance with the provisions of this act,
27 or who, during any primary or election, shall wilfully deface,
28 tear down, remove or destroy any card of instructions, notice of
29 penalties, specimen ballot or diagram printed or posted for the
30 instruction of electors, or who shall, during any primary or

1 election, wilfully remove or destroy any of the supplies or
2 conveniences furnished by the county board of elections to any
3 polling place in order to enable electors to vote, or the
4 election officers to perform their duties, or who shall wilfully
5 hinder the voting of others, shall be guilty of a misdemeanor of
6 the third degree, and, upon conviction thereof, shall be
7 sentenced to pay a fine not exceeding [one hundred (\$100)] two
8 hundred (\$200) dollars, or to undergo an imprisonment of not
9 more than [three (3)] six (6) months, or both, in the discretion
10 of the court.

11 Section 1820. Police Officers at Polling Places.--Any police
12 officer in commission, whether in uniform or in citizen's
13 clothes, who shall be within one hundred (100) feet of a polling
14 place during the conduct of any primary or election, except in
15 the exercise of his privilege of voting or for the purpose of
16 serving warrants, or in accordance with the provisions of the
17 exception set forth in section 1207 of this act where the police
18 station or headquarters is located in the same building or on
19 the premises where the polling place is located or unless called
20 upon to preserve the peace, as provided by this act, shall be
21 guilty of a misdemeanor of the second degree, and, upon
22 conviction thereof, shall be sentenced to pay a fine not
23 exceeding [five hundred (\$500)] one thousand (\$1,000) dollars,
24 or to undergo an imprisonment of not more than [one (1) year]
25 two (2) years, or both, in the discretion of the court.

26 Section 1821. Peace Officer; Failure to Quell Disturbances
27 at Polls; Hindering or Delaying Election Officers and Others.--
28 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
29 deputy constable, police officer or other peace officer who
30 shall neglect or refuse to clear an avenue to the door of any

1 polling place which is obstructed in such a way as to prevent
2 electors from approaching, or who shall neglect or refuse to
3 maintain order and quell any disturbance if such arises at any
4 polling place upon the day of any primary or election, when
5 called upon so to do by any election officer or any three
6 qualified electors of the election district, or who shall
7 wilfully hinder or delay, or attempt to hinder or delay, any
8 judge, inspector or clerk of election, machine inspector or
9 overseer in the performance of any duty under this act, shall be
10 guilty of a misdemeanor of the second degree in office, and,
11 upon conviction thereof, shall be sentenced to pay a fine not
12 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
13 or to undergo an imprisonment of not more than [one (1) year]
14 two (2) years, or both, in the discretion of the court.

15 Section 1823. Election Officers Permitting Unregistered
16 Electors to Vote; Challenges; Refusing to Permit Qualified
17 Electors to Vote.--Any judge or inspector of election who
18 permits any person to vote at any primary or election who is not
19 registered in accordance with law, except a person in actual
20 military service or a person as to whom a court of competent
21 jurisdiction has ordered that he shall be permitted to vote, or
22 who permits any registered elector to vote knowing that such
23 registered elector is not qualified to vote, whether or not such
24 person has been challenged, or who permits any person who has
25 been lawfully challenged to vote at any primary or election
26 without requiring the proof of the right of such person to vote
27 which is required by law, or who refuses to permit any duly
28 registered and qualified elector to vote at any primary or
29 election, with the knowledge that such elector is entitled to
30 vote, shall be guilty of a felony of the [third] first degree,

1 and, upon conviction thereof, shall be sentenced to pay a fine
2 not exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand
3 (\$30,000) dollars, and to undergo an imprisonment of not more
4 than [~~seven (7)~~] fourteen (14) years, or both.

5 Section 1824. Election Officers Refusing to Permit Elector
6 to Vote in Proper Party at Primaries.--Any judge, inspector or
7 clerk of election who refuses to permit an elector at any
8 primary at which ballots are used to receive the ballot of the
9 party with which he is enrolled, or who gives to any such
10 elector the ballot of any party in which he is not enrolled, or
11 any judge, or inspector of election, or machine inspector who,
12 at any primary at which voting machines are used, adjusts any
13 voting machine about to be used by an elector so as not to
14 permit him to vote for the candidates of the party in which he
15 is enrolled, or so as to permit him to vote for the candidates
16 of any party in which he is not enrolled, shall be guilty of a
17 misdemeanor of the first degree, and, upon conviction thereof,
18 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
19 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars, or to undergo an
20 imprisonment of not more than [~~five (5)~~] ten (10) years, or
21 both, in the discretion of the court.

22 Section 1825. Frauds by Election Officers.--Any judge,
23 inspector or clerk of election or machine inspector who shall be
24 guilty of any wilful fraud in the conduct of his duties at a
25 primary or election, and any person who shall make a false
26 return of the votes cast at any primary or election, or who
27 shall deposit fraudulent ballots in the ballot box or certify as
28 correct a return of ballots in the ballot box which he knows to
29 be fraudulent, or who shall register fraudulent votes upon any
30 voting machine or certify as correct a return of votes cast upon

1 any voting machine which he knows to be fraudulently registered
2 thereon, or who shall make any false entries in the district
3 register, or who shall fail to insert in the voting check list
4 the voter's certificate of any elector actually voting at any
5 primary or election, or who shall fail to record voting
6 information as required herein, or who shall fail to insert in
7 the numbered lists of voters the name of any person actually
8 voting, or who shall wilfully destroy or alter any ballot,
9 voter's certificate, or registration card contained in any
10 district register, or who shall wilfully tamper with any voting
11 machine, or who shall prepare or insert in the voting check list
12 any false voter's certificates not prepared by or for an elector
13 actually voting at such primary or election, for the purpose of
14 concealing the destruction or removal of any voter's
15 certificate, or for the purpose of concealing the deposit of
16 fraudulent ballots in the ballot box, or the registering of
17 fraudulent votes upon any voting machine or of aiding in the
18 perpetration of any such fraud, or who shall fail to return to
19 the county board of election following any primary or election
20 any keys of a voting machine, ballot box, general or duplicate
21 return sheet, tally paper, oaths of election officers,
22 affidavits of electors and others, record of assisted voters,
23 numbered list of voters, district register, voting check list,
24 unused, spoiled and cancelled ballots, ballots deposited,
25 written or affixed in or upon a voting machine, or any
26 certificate, or any other paper or record required to be
27 returned under the provisions of this act; or who shall conspire
28 with others to commit any of the offenses herein mentioned, or
29 in any manner to prevent a free and fair primary or election,
30 shall be guilty of a felony of the [third] first degree, and,

1 upon conviction thereof, shall be sentenced to pay a fine not
2 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
3 dollars, or to undergo an imprisonment of not more than [seven
4 (7)] fourteen (14) years, or both, in the discretion of the
5 court.

6 Section 1827. Interference with Primaries and Elections;
7 Frauds; Conspiracy.--If any person shall prevent or attempt to
8 prevent any election officers from holding any primary or
9 election, under the provisions of this act, or shall use or
10 threaten any violence to any such officer; or shall interrupt or
11 improperly interfere with him in the execution of his duty; or
12 shall block up or attempt to block up the avenue to the door of
13 any polling place; or shall use or practice any intimidation,
14 threats, force or violence with design to influence unduly or
15 overawe any elector, or to prevent him from voting or restrain
16 his freedom of choice; or shall prepare or present to any
17 election officer a fraudulent voter's certificate not signed in
18 the polling place by the elector whose certificate it purports
19 to be; or shall deposit fraudulent ballots in the ballot box; or
20 shall register fraudulent votes upon any voting machine; or
21 shall tamper with any district register, voting check list,
22 numbered lists of voters, ballot box or voting machine; or shall
23 conspire with others to commit any of the offenses herein
24 mentioned, or in any manner to prevent a free and fair primary
25 or election, he shall be guilty of a felony of the [third] first
26 degree, and, upon conviction thereof, shall be sentenced to pay
27 a fine not exceeding [fifteen thousand (\$15,000)] twenty
28 thousand (\$20,000) dollars, or to undergo an imprisonment of not
29 more than [seven (7)] fourteen (14) years, or both, in the
30 discretion of the court.

1 Section 1828. Persons Interfering in Other Districts.--Any
2 person who shall on the day of any primary or election visit any
3 polling place at which he is not entitled to vote and at which
4 he is not entitled to be present under any provision of this
5 act, and shall use any intimidation or violence for the purpose
6 of preventing any election officer from performing the duties
7 required of him by this act, or for the purpose of preventing
8 any qualified elector from exercising his right to vote or from
9 exercising his right to challenge any person offering to vote,
10 or for the purpose of influencing the vote of any elector, he
11 shall be guilty of a felony of the [~~third~~] first degree, and,
12 upon conviction thereof, shall be sentenced to pay a fine not
13 exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand (\$30,000)
14 dollars, or to undergo an imprisonment of not more than [~~seven~~
15 ~~(7)~~] fourteen (14) years, or both, in the discretion of the
16 court.

17 Section 1829. Assault and Battery at Polls.--Any person who
18 shall unlawfully strike, wound or commit an assault and battery
19 upon the person of any elector at or near the polling place
20 during the time of any primary or election shall be guilty of a
21 misdemeanor of the first degree, and, upon conviction thereof,
22 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
23 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars, or to undergo an
24 imprisonment of not more than [~~five (5)~~] ten (10) years, or
25 both, in the discretion of the court.

26 Section 1830. Unlawful Assistance in Voting.--Any elector at
27 any primary or election who shall allow his ballot or the face
28 of the voting machine voted by him to be seen by any person with
29 the apparent intention of letting it be known how he is about to
30 vote; or in districts in which ballots are used, shall cast or

1 attempt to cast any other than the official ballot which has
2 been given to him by the proper election officer; or who,
3 without having made the declaration under oath or affirmation
4 required by section 1218 of this act, or when the disability
5 which he declared before any registration commission no longer
6 exists, shall permit another to accompany him into the voting
7 compartment or voting machine booth, or to mark his ballot or
8 prepare the voting machine for voting by him; or who shall mark
9 his ballot or prepare the voting machine for voting while
10 another is unlawfully present in the voting machine compartment
11 or voting machine booth with him; or who shall state falsely to
12 any election officer that because of illiteracy he is unable to
13 read the names on the ballot or ballot labels or that by reason
14 of physical disability he cannot see or mark the ballot or enter
15 the voting compartment without assistance or that he cannot see
16 or operate the voting machine or enter the voting machine booth
17 without assistance; or who shall state, as his reason for
18 requiring assistance, a disability from which he does not
19 suffer; or any person who shall go into the voting compartment
20 or voting machine booth with another while voting or be present
21 therein while another is voting, or mark the ballot of another
22 or prepare the voting machine for voting with another, except in
23 strict accordance with the provisions of this act; or any person
24 who shall interfere with any elector when inside the enclosed
25 space or when marking his ballot, or preparing the voting
26 machine for voting, or who shall endeavor to induce any elector
27 before depositing his ballot to show how he marks or has marked
28 his ballot; or any person giving assistance who shall attempt to
29 influence the vote of the elector whom he is assisting or who
30 shall mark a ballot or prepare a voting machine for voting in

1 any other way than that requested by the voter whom he is
2 assisting, or who shall disclose to anyone the contents of any
3 ballot which has been marked or any voting machine which has
4 been prepared for voting with his assistance, except when
5 required to do so in any legal proceeding, shall be guilty of a
6 misdemeanor of the second degree, and, upon conviction thereof,
7 shall be sentenced to pay a fine not exceeding [~~one thousand~~
8 ~~(\$1,000)~~] two thousand (\$2,000) dollars, or to undergo an
9 imprisonment of not more than [~~one (1) year~~] two (2) years, or
10 both, in the discretion of the court.

11 Section 1831. Election Officers Permitting Unlawful
12 Assistance.--Any election officer who shall permit a voter to be
13 accompanied by another into the voting compartment or voting
14 machine booth when the registration card of such person contains
15 no declaration that such person requires assistance, or when
16 such person has not made, under oath or affirmation, the
17 statement required by section 1218 of this act, or when such
18 election officer knows that the disability which the elector
19 declared before any registration commission no longer exists, or
20 who shall permit any person to accompany an elector into the
21 voting compartment or voting machine booth, except as provided
22 by this act, shall be guilty of a misdemeanor of the second
23 degree, and, upon conviction thereof, shall be sentenced to pay
24 a fine not exceeding [~~one thousand (\$1,000)~~] two thousand
25 (\$2,000) dollars, or to undergo an imprisonment of not more than
26 [~~one (1) year~~] two (2) years, or both, in the discretion of the
27 court.

28 Section 1832. Failure to Keep and Return Record of Assisted
29 Voters.--Any judge of election who shall fail to record, as
30 required by section 1218 (c) of this act, the name of each

1 elector who received assistance or who is accompanied by another
2 into the voting compartment or voting machine booth; or who
3 shall insert in the record of assisted voters the name of any
4 elector who does not receive assistance or is not accompanied by
5 another into the voting compartment or voting machine booth; or
6 who shall fail to record the exact disability of any assisted
7 elector which makes the assistance necessary, or shall record in
8 respect of any assisted elector a disability, other than that
9 stated by the elector; or who shall fail to record the name of
10 each person rendering assistance to an elector as prescribed by
11 this act; or who shall knowingly record as the name of such
12 person giving assistance a name which is not the name of such
13 person; or who shall fail or neglect to return the record of
14 assisted voters to the county board of elections as required by
15 this act, shall be guilty of a misdemeanor of the first degree,
16 and, upon conviction thereof, shall be sentenced to pay a fine
17 not exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000)
18 dollars, or to undergo an imprisonment of not less than [~~two~~
19 ~~(2)~~] four (4) months nor more than [~~two (2)~~] four (4) years, or
20 both, in the discretion of the court.

21 Section 1833. Unlawful Voting.--Any person who votes or
22 attempts to vote at any primary or election, knowing that he
23 does not possess all the qualifications of an elector at such
24 primary or election, as set forth in this act, shall be guilty
25 of a misdemeanor of the first degree, and, upon conviction
26 thereof, shall be sentenced to pay a fine not exceeding [~~ten~~
27 ~~thousand (\$10,000)~~] twenty thousand (\$20,000) dollars, or to
28 undergo an imprisonment of not more than [~~five (5)~~] ten (10)
29 years, or both, in the discretion of the court.

30 Section 1834. Elector Voting Ballot of Wrong Party at

1 Primary.--Any elector who shall wilfully vote at any primary the
2 ballot of a party in which he is not enrolled, in violation of
3 the provisions of this act, shall be guilty of a misdemeanor of
4 the [second] first degree, and, upon conviction thereof, shall
5 be sentenced to pay a fine not exceeding [five thousand
6 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
7 imprisonment of not more than [two (2)] four (4) years, or both,
8 in the discretion of the court.

9 Section 1835. Repeat Voting at Elections.--If any person
10 shall vote in more than one election district, or otherwise
11 fraudulently vote more than once at the same primary or
12 election, or shall vote a ballot other than the ballot issued to
13 him by the election officers, or shall advise or procure another
14 so to do, he shall be guilty of a felony of the [third] first
15 degree, and, upon conviction thereof, shall be sentenced to pay
16 a fine not exceeding [fifteen thousand (\$15,000)] thirty
17 thousand (\$30,000) dollars, or to undergo an imprisonment of not
18 more than [seven (7)] fourteen (14) years, or both, in the
19 discretion of the court.

20 Section 1836. Removing Ballots.--Any person removing any
21 ballot from any book of official ballots, except in the manner
22 provided by this act, shall be guilty of a misdemeanor of the
23 [second] first degree, and, upon conviction thereof, shall be
24 sentenced to pay a fine not exceeding [five thousand (\$5,000)]
25 ten thousand (\$10,000) dollars, or to undergo an imprisonment of
26 not more than [two (2)] four (4) years, or both, in the
27 discretion of the court.

28 Section 1837. Commissioners to Take Soldiers' Votes.--Any
29 commissioner appointed by or under the provisions of Article
30 XIII of this act who shall knowingly violate his duty or

1 knowingly omit or fail to do his duty thereunder or violate any
2 part of his oath, shall be guilty of perjury, and, upon
3 conviction thereof, shall be sentenced to pay a fine not
4 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
5 or to undergo an imprisonment of not more than [one (1) year]
6 two (2) years, or both, in the discretion of the court.

7 Section 1838. Fraudulent Voting by Soldiers.--Any person who
8 shall vote or attempt to vote at any election by electors in
9 military service under the provisions of Article XIII of this
10 act, not being qualified to vote at such election, shall be
11 guilty of a misdemeanor of the second degree, and, upon
12 conviction thereof, shall be sentenced to pay a fine not
13 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
14 or to undergo an imprisonment of not more than [one (1) year]
15 two (2) years, or both, in the discretion of the court.

16 Section 1839. Bribery at Elections.--Any person who shall,
17 directly or indirectly, give or promise or offer to give any
18 gift or reward in money, goods or other valuable thing to any
19 person, with intent to induce him to vote or refrain from voting
20 for any particular candidate or candidates or for or against any
21 constitutional amendment or other question at any primary or
22 election; or who shall, directly or indirectly, procure for or
23 offer or promise to procure for such person any such gift or
24 reward with the intent aforesaid; or, who with the intent to
25 influence or intimidate such person to give his vote or to
26 refrain from giving his vote for any particular candidate or
27 candidates or for or against any constitutional amendment or
28 other question at any primary or election, shall give to or
29 obtain for or assist in obtaining for or offer or promise to
30 give to or obtain for or assist in obtaining for such person any

1 office, place, appointment or employment, public or private, or
2 threaten such person with dismissal or discharge from any
3 office, place, appointment or employment, public or private,
4 then held by him, shall be guilty of a felony of the [third]
5 first degree, and, upon conviction thereof, shall be sentenced
6 to pay a fine not exceeding [fifteen thousand (\$15,000)] thirty
7 thousand (\$30,000) dollars, or to undergo an imprisonment of not
8 more than [seven (7)] fourteen (14) years, or both, in the
9 discretion of the court.

10 Section 1840. Receipts and Disbursements of Primary and
11 Election Expenses by Persons Other Than Candidates and
12 Treasurers.--Any member of a political committee who shall
13 receive or disburse any money or incur any liability for primary
14 or election expenses, except through the treasurer of such
15 political committee, and any person not a candidate or member of
16 a political committee who shall receive or disburse any money or
17 incur any liability for primary or election expenses, shall be
18 guilty of a misdemeanor of the first degree, and, upon
19 conviction thereof, shall be sentenced to pay a fine not
20 exceeding [one thousand (\$1,000) dollars] two thousand (\$2,000)
21 dollars, or to undergo an imprisonment of not less than [one (1)]
22 month] two (2) months nor more than [two (2)] four (4) years, or
23 both, in the discretion of the court.

24 Section 1841. Receipts of Primary and Election Expenses by
25 Unauthorized Persons.--Any person or any political committee who
26 receives money on behalf of any candidate without being
27 authorized to do so under the provisions of section 1623, shall
28 be guilty of a misdemeanor of the first degree, and, upon
29 conviction thereof, shall be sentenced to pay a fine not
30 exceeding [five thousand dollars (\$5,000)] ten thousand dollars

1 (\$10,000), or to undergo an imprisonment of not less than [one
2 (1) month] two (2) months nor more than [two (2)] four (4)
3 years, or both, in the discretion of the court.

4 Section 1843. Contributions by Corporations or
5 Unincorporated Associations.--Any corporation or unincorporated
6 association, which shall pay, give or lend or agree to pay, give
7 or lend any money belonging to such corporation or
8 unincorporated association or in its custody or control, in
9 violation of the provisions of section 1633, shall be guilty of
10 a misdemeanor of the first degree, and, upon conviction thereof,
11 shall be sentenced to pay a fine of not less than [one thousand
12 dollars (\$1,000)] two thousand dollars (\$2,000) nor more than
13 [ten thousand dollars (\$10,000)] twenty thousand dollars
14 (\$20,000). Any director, officer, agent or employe of any
15 corporation or unincorporated association who shall on behalf of
16 such corporation or unincorporated association pay, give or lend
17 or authorize to be paid, given or lent any money belonging to
18 such corporation or unincorporated association or in its custody
19 or control in violation of the provisions of section 1633, shall
20 be guilty of a misdemeanor of the first degree, and, upon
21 conviction thereof, shall be sentenced to pay a fine not
22 exceeding [ten thousand dollars (\$10,000)] twenty thousand
23 dollars (\$20,000), or to undergo an imprisonment of not less
24 than [one (1) month] two (2) months nor more than [two (2)] four
25 (4) years, or both, in the discretion of the court.

26 Section 1845. Failure to File Expense Account.--Any
27 candidate or treasurer of a political committee or person acting
28 as such treasurer who shall fail to file an account of primary
29 or election expenses, as required by this act, shall be guilty
30 of a misdemeanor of the first degree, and, upon conviction

1 thereof, shall be sentenced to pay a fine not exceeding [~~five~~
2 ~~thousand dollars (\$5,000)~~] ten thousand dollars (\$10,000), or to
3 undergo an imprisonment of not less than [~~one (1) month~~] two (2)
4 months nor more than [~~two (2)~~] four (4) years, or both, in the
5 discretion of the court.

6 Section 1847. Prohibiting Duress and Intimidation of Voters
7 and Interference with the Free Exercise of the Elective
8 Franchise.--Any person or corporation who, directly or
9 indirectly--(a) uses or threatens to use any force, violence or
10 restraint, or inflicts or threatens to inflict any injury,
11 damage, harm or loss, or in any other manner practices
12 intimidation or coercion upon or against any person, in order to
13 induce or compel such person to vote or refrain from voting at
14 any election, or to vote or refrain from voting for or against
15 any particular person, or for or against any question submitted
16 to voters at such election, or to place or cause to be placed or
17 refrain from placing or causing to be placed his name upon a
18 register of voters, or on account of such person having voted or
19 refrained from voting at such election, or having voted or
20 refrained from voting for or against any particular person or
21 persons or for or against any question submitted to voters at
22 such election, or having registered or refrained from
23 registering as a voter; or (b) by abduction, duress or coercion,
24 or any forcible or fraudulent device or contrivance, whatever,
25 impedes, prevents, or otherwise interferes with the free
26 exercise of the elective franchise by any voter, or compels,
27 induces, or prevails upon any voter to give or refrain from
28 giving his vote for or against any particular person at any
29 election; or (c) being an employer, pays his employes the salary
30 or wages due in "pay envelopes" upon which or in which there is

1 written or printed any political motto, device, statement or
2 argument containing threats, express or implied, intended or
3 calculated to influence the political opinions or actions of
4 such employes, or within ninety days of any election or primary
5 puts or otherwise exhibits in the establishment or place where
6 his employes are engaged in labor, any handbill or placard
7 containing any threat, notice, or information that if any
8 particular ticket or candidate is elected or defeated work in
9 his place or establishment will cease, in whole or in part, his
10 establishment be closed up, or the wages of his employes
11 reduced, or other threats, express or implied, intended or
12 calculated to influence the political opinions or actions of his
13 employes, shall be guilty of a misdemeanor of the [second] first
14 degree. Any person or corporation, convicted of a violation of
15 any of the provisions of this section, shall be sentenced to pay
16 a fine not exceeding [five thousand (\$5,000)] ten thousand
17 (\$10,000) dollars, or such person or the officers, directors or
18 agents of such corporation responsible for the violation of this
19 section, shall be sentenced to undergo an imprisonment of not
20 more than [two (2)] four (4) years, or both, in the discretion
21 of the court.

22 Section 1848. Failure to Perform Duty.--Any Secretary of the
23 Commonwealth, member of a county board of elections, chief
24 clerk, employe, overseer, judge of election, inspector of
25 election, clerk of election, machine inspector or custodian or
26 deputy custodian of voting machines on whom a duty is laid by
27 this act who shall wilfully neglect or refuse to perform his
28 duty, shall be guilty of a misdemeanor of the first degree, and,
29 upon conviction thereof, shall be sentenced to pay a fine not
30 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,

1 or to undergo an imprisonment of not more than [two (2)] four
2 (4) years, or both, in the discretion of the court.

3 Section 1849. Hindering or Delaying Performance of Duty.--
4 Any person who intentionally interferes with, hinders or delays
5 or attempts to interfere with, hinder or delay any other person
6 in the performance of any act or duty authorized or imposed by
7 this act, shall be guilty of a misdemeanor of the second degree,
8 and, upon conviction thereof, shall be sentenced to pay a fine
9 not exceeding [five hundred (\$500)] one thousand (\$1,000)
10 dollars, or to undergo an imprisonment of not more than [one (1)
11 year] two (2) years, or both, in the discretion of the court.

12 Section 1850. Violation of Any Provision of Act.--Any person
13 who shall violate any of the provisions of this act, for which a
14 penalty is not herein specifically provided, shall be guilty of
15 a misdemeanor of the second degree, and, upon conviction
16 thereof, shall be sentenced to pay a fine not exceeding [one
17 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
18 an imprisonment of not more than [one (1) year] two (2) years,
19 or both, in the discretion of the court.

20 Section 2. Section 1853 of the act, amended March 27, 2020
21 (P.L.41, No.12), is amended to read:

22 Section 1853. Violations of Provisions Relating to Absentee
23 and Mail-in Ballots.--If any person shall sign an application
24 for absentee ballot, mail-in ballot or declaration of elector on
25 the forms prescribed knowing any matter declared therein to be
26 false, or shall vote any ballot other than one properly issued
27 to the person, or vote or attempt to vote more than once in any
28 election for which an absentee ballot or mail-in ballot shall
29 have been issued to the person, or shall violate any other
30 provisions of Article XIII or Article XIII-D of this act, the

1 person shall be guilty of a misdemeanor of the [~~third~~] first
2 degree, and, upon conviction, shall be sentenced to pay a fine
3 not exceeding [~~two thousand five hundred dollars (\$2,500)~~] five
4 thousand dollars (\$5,000), or be imprisoned for a term not
5 exceeding [~~two (2)~~] four (4) years, or both, at the discretion
6 of the court.

7 If any chief clerk or member of a board of elections, member
8 of a return board or member of a board of registration
9 commissioners, shall neglect or refuse to perform any of the
10 duties prescribed by Article XIII or Article XIII-D of this act,
11 or shall reveal or divulge any of the details of any ballot cast
12 in accordance with the provisions of Article XIII or Article
13 XIII-D of this act, or shall count an absentee ballot or mail-in
14 ballot knowing the same to be contrary to Article XIII or
15 Article XIII-D, or shall reject an absentee ballot or mail-in
16 ballot without reason to believe that the same is contrary to
17 Article XIII or Article XIII-D, or shall permit an elector to
18 cast the elector's ballot at a polling place knowing that there
19 has been issued to the elector an absentee ballot, the elector
20 shall be guilty of a felony of the [~~third~~] first degree, and,
21 upon conviction, shall be punished by a fine not exceeding
22 [~~fifteen thousand dollars (\$15,000)~~] thirty thousand dollars
23 (\$30,000), or be imprisoned for a term not exceeding [~~seven (7)~~]
24 fourteen (14) years, or both, at the discretion of the court.

25 Section 3. This act shall take effect in 60 days.