
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 10 Session of
2020

INTRODUCED BY SCARNATI AND CORMAN, AUGUST 24, 2020

REFERRED TO STATE GOVERNMENT, AUGUST 24, 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 county boards of elections, further providing
12 for watchers or attorneys at sessions of county board and
13 candidates may be present; in district election officers,
14 further providing for qualifications of election officers and
15 for appointment of watchers; in voting by qualified absentee
16 electors, further providing for applications for official
17 absentee ballots, for date of application for absentee
18 ballot, for official absentee voters ballots and for voting
19 by absentee electors; and, in voting by qualified mail-in
20 electors, further providing for applications for official
21 mail-in ballots, for date of application for mail-in ballot,
22 for official mail-in elector ballots, for delivering or
23 mailing ballots and for voting by mail-in electors.

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

26 Section 1. Sections 310(a), 402(a) and 417(b) of the act of
27 June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
28 Election Code, are amended to read:

29 Section 310. Watchers or Attorneys at Sessions of County

1 Board; Candidates May Be Present.--

2 (a) Any party or political body or body of citizens which
3 now is, or hereafter may be, entitled to have watchers at any
4 registration, primary or election, shall also be entitled to
5 appoint watchers who are qualified electors [of the county], or
6 attorneys, to represent such party or political body or body of
7 citizens at any public session or sessions of the county board
8 of elections, and at any computation and canvassing of returns
9 of any primary or election and recount of ballots or recanvass
10 of voting machines under the provisions of this act. Such
11 watchers or attorneys may exercise the same rights as watchers
12 at registration and polling places, but the number who may be
13 present at any one time may be limited by the county board to
14 not more than three for each party, political body or body of
15 citizens.

16 * * *

17 Section 402. Qualifications of Election Officers.--(a)
18 Except as provided in subsection (b), election officers shall be
19 qualified registered electors of the [district in which they are
20 elected or appointed.] county in which the polling place is
21 located. An election officer shall not be required to be a
22 qualified registered elector in the election district in which
23 the election officer is appointed. No person shall be qualified
24 to serve as an election officer who shall hold, or shall within
25 two months have held, any office, appointment or employment in
26 or under the Government of the United States or of this State or
27 of any city or county or poor district, of any municipal board,
28 commission or trust in any city, save only district justices,
29 notaries public and persons in the militia service of the State;
30 nor shall any election officer be eligible to any civil office

1 to be voted for at a primary or election at which he shall
2 serve, except that of an election officer.

3 * * *

4 Section 417. Appointment of Watchers.--

5 * * *

6 (b) Each watcher so appointed must be a qualified registered
7 elector [of the county in which the election district for which
8 the watcher was appointed is located]. Each watcher so appointed
9 shall be authorized to serve in the election district for which
10 the watcher was appointed and, when the watcher is not serving
11 in the election district for which the watcher was appointed, in
12 any other election district [in the county in which the watcher
13 is a qualified registered elector]: Provided, That only one
14 watcher for each candidate at primaries, or for each party or
15 political body at general, municipal or special elections, shall
16 be present in the polling place at any one time from the time
17 that the election officers meet prior to the opening of the
18 polls under section 1208 until the time that the counting of
19 votes is complete and the district register and voting check
20 list is locked and sealed, and all watchers in the room shall
21 remain outside the enclosed space. It shall not be a requirement
22 that a watcher be a resident of the election district for which
23 the watcher is appointed. After the close of the polls and while
24 the ballots are being counted or voting machine canvassed, all
25 the watchers shall be permitted to be in the polling place
26 outside the enclosed space. Each watcher shall be provided with
27 a certificate from the county board of elections, stating his
28 name and the name of the candidate, party or political body he
29 represents. Watchers shall be required to show their
30 certificates when requested to do so. Watchers allowed in the

1 polling place under the provisions of this act, shall be
2 permitted to keep a list of voters and shall be entitled to
3 challenge any person making application to vote and to require
4 proof of his qualifications, as provided by this act. During
5 those intervals when voters are not present in the polling place
6 either voting or waiting to vote, the judge of elections shall
7 permit watchers, upon request, to inspect the voting check list
8 and either of the two numbered lists of voters maintained by the
9 county board: Provided, That the watcher shall not mark upon or
10 alter these official election records. The judge of elections
11 shall supervise or delegate the inspection of any requested
12 documents.

13 * * *

14 Section 2. Section 1302(i)(1) of the act, amended March 27,
15 2020 (P.L.41, No.12), is amended and the subsection is amended
16 by adding paragraphs to read:

17 Section 1302. Applications for Official Absentee Ballots.--*

18 * *

19 (i) (1) Application for official absentee ballots shall be
20 on physical and electronic forms prescribed by the Secretary of
21 the Commonwealth.

22 (1.1) The application shall state that an elector who
23 applies for an absentee ballot pursuant to section 1301 shall
24 not be eligible to vote at a polling place on election day
25 [unless the elector brings the elector's absentee ballot to the
26 elector's polling place, remits the ballot and the envelope
27 containing the declaration of the elector to the judge of
28 elections to be spoiled and signs a statement subject to the
29 penalties of 18 Pa.C.S. § 4904 (relating to unsworn
30 falsification to authorities) to the same effect. Such physical]

1 except by provisional ballot. The application shall also state
2 that an elector may personally deliver an absentee ballot and
3 the envelope containing the declaration of the elector to the
4 judge of elections of the elector's election district at the
5 elector's polling place during the hours that the polling place
6 is open on election day, to a location at the county courthouse
7 designated by the county board of elections or to the permanent
8 offices of the county board of elections and to no other
9 location.

10 (1.2) Physical application forms shall be made freely
11 available to the public at county board of elections, municipal
12 buildings and at such other locations designated by the
13 secretary. [Such electronic]

14 (1.3) Electronic application forms shall be made freely
15 available to the public through publicly accessible means.

16 (1.4) No written application or personal request shall be
17 necessary to receive or access the application forms.

18 (1.5) Copies and records of all completed physical and
19 electronic applications for official absentee ballots shall be
20 retained by the county board of elections.

21 * * *

22 Section 3. Section 1302.1(a) and (a.3)(1) and (2) of the
23 act, amended October 31, 2019 (P.L.552, No.77), are amended to
24 read:

25 Section 1302.1. Date of Application for Absentee Ballot.--

26 (a) Except as provided in subsection (a.3), applications for
27 absentee ballots shall be received in the office of the county
28 board of elections not earlier than fifty (50) days before the
29 primary or election, except that if a county board of elections
30 determines that it would be appropriate to its operational

1 needs, any applications for absentee ballots received more than
2 fifty (50) days before the primary or election may be processed
3 before that time. Applications for absentee ballots shall be
4 processed if received not later than five o'clock P.M. of the
5 [first Tuesday] fifteenth day prior to the day of any primary or
6 election.

7 (a.3) (1) The following categories of electors may apply
8 for an absentee ballot under this subsection, if otherwise
9 qualified:

10 (i) An elector whose physical disability or illness
11 prevented the elector from applying for an absentee ballot
12 before five o'clock P.M. on the [first Tuesday] fifteenth day
13 prior to the day of the primary or election.

14 (ii) An elector who, because of the elector's business,
15 duties or occupation, was unable to apply for an absentee ballot
16 before five o'clock P.M. on the [first Tuesday] fifteenth day
17 prior to the day of the primary or election.

18 (iii) An elector who becomes so physically disabled or ill
19 after five o'clock P.M. on the [first Tuesday] fifteenth day
20 prior to the day of the primary or election that the elector is
21 unable to appear at the polling place on the day of the primary
22 or election.

23 (iv) An elector who, because of the conduct of the elector's
24 business, duties or occupation, will necessarily be absent from
25 the elector's municipality of residence on the day of the
26 primary or election, which fact was not and could not reasonably
27 be known to the elector on or before five o'clock P.M. on the
28 [first Tuesday] fifteenth day prior to the day of the primary or
29 election.

30 (2) An elector described in paragraph (1) may submit an

1 application for an absentee ballot at any time up until the time
2 of the closing of the polls on the day of the primary or
3 election. The application shall include a declaration describing
4 the circumstances that prevented the elector from applying for
5 an absentee ballot before five o'clock P.M. on the [first
6 Tuesday] fifteenth day prior to the day of the primary or
7 election or that prevent the elector from appearing at the
8 polling place on the day of the primary or election, and the
9 elector's qualifications under paragraph (1). The declaration
10 shall be made subject to the provisions of 18 Pa.C.S. § 4904
11 (relating to unsworn falsification to authorities).

12 * * *

13 Section 4. Sections 1303(e) and 1306(a) introductory
14 paragraph and (b)(3) of the act, amended March 27, 2020 (P.L.41,
15 No.12), are amended to read:

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

17 (e) The official absentee voter ballot shall state [that an
18 elector who receives an absentee ballot pursuant to section 1301
19 and whose voted ballot is not timely received by the commission
20 and who, on election day, is capable of voting at the
21 appropriate polling place may only vote on election day by
22 provisional ballot unless the elector brings the elector's
23 absentee ballot to the elector's polling place, remits the
24 ballot and the envelope containing the declaration of the
25 elector to the judge of elections to be spoiled and signs a
26 statement subject to the penalties under 18 Pa.C.S. § 4904
27 (relating to unsworn falsification to authorities) to the same
28 effect.] as follows:

29 (1) That a voter may return the ballot on or before election
30 day to the permanent offices of the county board of elections by

1 mail or in person, in person to a location at the county
2 courthouse designated by the board of elections or, if not
3 returned prior to election day, in person to the judge of
4 elections at the elector's election district at the elector's
5 polling place on election day during polling hours and to no
6 other location. The Secretary of the Commonwealth shall
7 prescribe the text and the manner by which the notice under this
8 subsection shall be printed on a ballot and shall require the
9 following statement:

10 This ballot may be personally returned by an elector to the
11 elector's polling place on election day, or in person on or
12 before election day to a location at the county courthouse
13 designated by the county board of elections, or by mail or in
14 person to the permanent offices of the county board of
15 elections and to no other location.

16 The notice shall also require electors to personally return
17 ballots.

18 (2) That an elector who receives an absentee ballot pursuant
19 to section 1301 and whose voted ballot is not timely received as
20 set forth in subsection (e)(1) and who, on election day, is
21 capable of voting at the appropriate polling place may only vote
22 on election day by provisional ballot.

23 Section 1306. Voting by Absentee Electors.--(a) Except as
24 provided in paragraphs (2) and (3), at any time after receiving
25 an official absentee ballot, but on or before eight o'clock P.M.
26 the day of the primary or election, the elector shall, in
27 secret, proceed to mark the ballot only in black lead pencil,
28 indelible pencil or blue, black or blue-black ink, in fountain
29 pen or ball point pen, and then fold the ballot, enclose and
30 securely seal the same in the envelope on which is printed,

1 stamped or endorsed "Official Election Ballot." This envelope
2 shall then be placed in the second one, on which is printed the
3 form of declaration of the elector, and the address of the
4 elector's county board of election and the local election
5 district of the elector. The elector shall then fill out, date
6 and sign the declaration printed on such envelope. Such envelope
7 shall then be securely sealed and the elector shall send same by
8 mail, postage prepaid, except where franked, or deliver it in
9 person to said county board of election[.] at the permanent
10 offices of the county board of elections, to a location at the
11 county courthouse designated by the county board of elections or
12 to the judge of elections at the elector's polling place and to
13 no other location.

14 * * *

15 (b) * * *

16 (3) Notwithstanding paragraph (2), an elector who requests
17 an absentee ballot and who is not shown on the district register
18 as having voted the ballot [may vote] on election day may:

19 (i) Vote by provisional ballot at the polling place. [if the
20 elector remits the ballot and the envelope containing the
21 declaration of the elector to the judge of elections to be
22 spoiled and the elector signs a statement subject to the
23 penalties under 18 Pa.C.S. § 4904 (relating to unsworn
24 falsification to authorities) in substantially the following
25 form:

26 I hereby declare that I am a qualified registered elector who
27 has obtained an absentee ballot or mail-in ballot. I further
28 declare that I have not cast my absentee ballot or mail-in
29 ballot, and that instead I remitted my absentee ballot or
30 mail-in ballot and the envelope containing the declaration of

1 the elector to the judge of elections at my polling place to
2 be spoiled and therefore request that my absentee ballot or
3 mail-in ballot be voided.

4 (Date)

5 (Signature of Elector).....(Address of Elector)

6 (Local Judge of Elections)]

7 (ii) Personally deliver the completed absentee ballot and
8 the envelope containing the declaration of the elector to the
9 judge of elections of the elector's election district at the
10 elector's polling place during polling hours, to a location at
11 the county courthouse designated by the county board of
12 elections or to the permanent offices of the county board of
13 elections and to no other location.

14 * * *

15 Section 5. Section 1308(f), (g) (1.1), (2) and (3) of the
16 act, amended October 31, 2019 (P.L.552, No.77) and March 27,
17 2020 (P.L.41, No.12), are amended, subsection (g) is amended by
18 adding a paragraph and the section is amended by adding a
19 subsection to read:

20 Section 1308. Canvassing of Official Absentee Ballots and
21 Mail-in Ballots.--* * *

22 (a.1) A judge of elections shall deliver all completed
23 absentee ballots and mail-in ballots to the county board of
24 elections by two o'clock A.M. on the day following the election.

25 * * *

26 (f) Any person challenging an application for an absentee
27 ballot, an absentee ballot, an application for a mail-in ballot
28 or a mail-in ballot for any of the reasons provided in this act
29 shall deposit the sum of ten dollars (\$10.00) in cash with the
30 county board, which sum shall only be refunded if the challenge

1 is sustained or if the challenge is withdrawn within five (5)
2 days after the primary or election. If the challenge is
3 dismissed by any lawful order then the deposit shall be
4 forfeited. The county board shall deposit all deposit money in
5 the general fund of the county.

6 [Notice of the requirements of subsection (b) of section 1306
7 shall be printed on the envelope for the absentee ballot or
8 mail-in ballot.]

9 (g) * * *

10 (1.1) The county board of elections shall meet [no earlier
11 than seven o'clock A.M. on election day] at least once before
12 election day at the county courthouse or the offices of the
13 county board of elections to pre-canvass all ballots received
14 prior to the meeting.

15 (1.2) A county board of elections that meets to pre-canvass
16 absentee ballots and mail-in ballots may begin the tasks
17 described in paragraph (4) (i), (ii) and (iii) after eight
18 o'clock A.M. the Saturday before the election and continuing
19 through election day for any absentee ballots or mail-in ballots
20 received prior to eleven fifty-nine P.M. on the day prior to
21 election day. A county board of elections shall provide at least
22 forty-eight hours' notice of a pre-canvass meeting by publicly
23 posting a notice of a pre-canvass meeting on its publicly
24 accessible Internet website. [One] The authorized representative
25 of each candidate in an election, the county chairperson of each
26 political party or a designee and one representative from each
27 political party shall be permitted to remain in the room in
28 which the absentee ballots and mail-in ballots are pre-
29 canvassed. The proceedings of the pre-canvassing shall be
30 recorded and made available upon request and the individuals

1 allowed to watch the pre-canvassing shall have a clear line of
2 sight to view the proceedings. No person observing, attending or
3 participating in a pre-canvass meeting may disclose the results
4 of any portion of any pre-canvass meeting prior to the close of
5 the polls.

6 (2) The county board of elections shall meet no earlier than
7 the close of polls on the day of the election at the county
8 courthouse or the offices of the county board of elections and
9 no later than the third day following the election to begin
10 canvassing absentee ballots and mail-in ballots not included in
11 the pre-canvass meeting. The meeting under this paragraph shall
12 continue until all absentee ballots and mail-in ballots received
13 prior to the close of the polls have been canvassed. The county
14 board of elections shall not record or publish any votes
15 reflected on the ballots prior to the close of the polls. The
16 canvass process shall continue through the eighth day following
17 the election for valid military-overseas ballots timely received
18 under 25 Pa.C.S. § 3511 (relating to receipt of voted ballot). A
19 county board of elections shall provide at least forty-eight
20 hours' notice of a canvass meeting by publicly posting a notice
21 on its publicly accessible Internet website. One authorized
22 representative of each candidate in an election, the county
23 chairperson of each political party or a designee and one
24 representative from each political party shall be permitted to
25 remain in the room in which the absentee ballots and mail-in
26 ballots are canvassed. The proceedings of the canvassing shall
27 be recorded and made available upon request and the individuals
28 allowed to watch the canvassing shall have a clear line of sight
29 to view the proceedings.

30 (3) When the county board meets to pre-canvass or canvass

1 absentee ballots and mail-in ballots under paragraphs (1),
2 (1.1), (1.2) and (2), the board shall examine the declaration on
3 the envelope of each ballot not set aside under subsection (d)
4 and shall compare the information thereon with that contained in
5 the "Registered Absentee and Mail-in Voters File," the absentee
6 voters' list and/or the "Military Veterans and Emergency
7 Civilians Absentee Voters File," whichever is applicable. If the
8 county board has verified the proof of identification as
9 required under this act and is satisfied that the declaration is
10 sufficient and the information contained in the "Registered
11 Absentee and Mail-in Voters File," the absentee voters' list
12 and/or the "Military Veterans and Emergency Civilians Absentee
13 Voters File" verifies his right to vote, the county board shall
14 provide a list of the names of electors whose absentee ballots
15 or mail-in ballots are to be pre-canvassed or canvassed. For
16 absentee ballots or mail-in ballots which the county board is
17 not satisfied that proof of identification has been provided due
18 to any inability to match the signature present on the ballot to
19 the signature on file, the county board shall:

20 (i) Notify the elector by mail, e-mail, telephone or text
21 message that the signature on the elector's ballot does not
22 match the elector's signature in the registration books.

23 (ii) Direct the elector to appear before, or to provide an
24 electronic, facsimile or paper copy to, the county board of
25 elections within six (6) calendar days with:

26 (A) proof of identification and an executed affirmation
27 affirming, under penalty of perjury, that the elector is the
28 same individual who personally remitted the absentee ballot or
29 mail-in ballot; or

30 (B) an executed affirmation affirming, under penalty of

1 perjury, that the elector is the same individual who personally
2 remitted the absentee ballot or mail-in ballot and that the
3 elector is indigent and unable to obtain proof of identification
4 without the payment of a fee.

5 (iii) Notify the elector that the absentee ballot or mail-in
6 ballot may not be counted if the elector fails to comply with
7 subparagraph (ii).

8 * * *

9 Section 6. Section 1302-D(f) of the act, amended March 27,
10 2020 (P.L.41, No.12), is amended to read:

11 Section 1302-D. Applications for official mail-in ballots.

12 * * *

13 (f) Form.--The following shall apply:

14 (1) Application for an official mail-in ballot shall be
15 on physical and electronic forms prescribed by the Secretary
16 of the Commonwealth.

17 (2) The application shall state that a voter who applies
18 for a mail-in ballot under section 1301-D shall not be
19 eligible to vote at a polling place on election day [unless
20 the elector brings the elector's mail-in ballot to the
21 elector's polling place, remits the ballot and the envelope
22 containing the declaration of the elector to the judge of
23 elections to be spoiled and signs a statement subject to the
24 penalties under 18 Pa.C.S. § 4904 (relating to unsworn
25 falsification to authorities) to the same effect.] except by
26 provisional ballot. The application shall also state that an
27 elector may personally deliver a mail-in ballot and the
28 envelope containing the declaration of the elector to the
29 judge of elections of the elector's election district at the
30 elector's polling place during the hours that the polling

1 place is open on election day, to a location at the county
2 courthouse designated by the county board of elections or to
3 the permanent offices of the county board of elections and to
4 no other location.

5 (3) The physical application forms shall be made freely
6 available to the public at county board of elections,
7 municipal buildings and at other locations designated by the
8 Secretary of the Commonwealth.

9 (4) The electronic application forms shall be made
10 freely available to the public through publicly accessible
11 means.

12 (5) No written application or personal request shall be
13 necessary to receive or access the application forms.

14 (6) Copies and records of all completed physical and
15 electronic applications for official mail-in ballots shall be
16 retained by the county board of elections.

17 * * *

18 Section 7. Section 1302.1-D(a) of the act, added October 31,
19 2019 (P.L.552, No.77), is amended to read:

20 Section 1302.1-D. Date of application for mail-in ballot.

21 (a) General rule.--Applications for mail-in ballots shall be
22 received in the office of the county board of elections not
23 earlier than 50 days before the primary or election, except that
24 if a county board of elections determines that it would be
25 appropriate to the county board of elections' operational needs,
26 any applications for mail-in ballots received more than 50 days
27 before the primary or election may be processed before that
28 time. Applications for mail-in ballots shall be processed if
29 received not later than five o'clock P.M. of the [first Tuesday]
30 fifteenth day prior to the day of any primary or election.

1 * * *

2 Section 8. Sections 1303-D(e), 1305-D and 1306-D(a) and (b)
3 (3) of the act, amended March 27, 2020 (P.L.41, No.12), are
4 amended to read:

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

6 * * *

7 (e) Notice.--The official mail-in voter ballot shall state
8 [that] as follows:

9 (1) That a voter who receives a mail-in ballot under
10 section 1301-D may return the ballot on or before election
11 day to the permanent offices of the county board of elections
12 by mail or in person, in person to a location at the county
13 courthouse designated by the county board of elections or, if
14 not returned prior to election day, in person to the judge of
15 elections at the elector's polling place on election day
16 during polling hours and to no other location. The Secretary
17 of the Commonwealth shall prescribe the text and the manner
18 by which the notice under this subsection shall be printed on
19 a ballot and shall require the following statement:

20 This ballot may be personally returned by an elector
21 to the elector's polling place on election day, in
22 person on or before election day to a location at the
23 county courthouse designated by the county board of
24 elections, or by mail or in person to the permanent
25 offices of the county board of elections and to no
26 other location.

27 The notice shall also require electors to personally return
28 ballots.

29 (2) That an elector who receives a mail-in ballot under
30 section 1301-D and whose voted mail-in ballot is not timely

1 received as set forth under paragraph (1) and who on election
2 day is capable of voting at the appropriate polling place may
3 only vote on election day by provisional ballot [unless the
4 elector brings the elector's mail-in ballot to the elector's
5 polling place, remits the ballot and the envelope containing
6 the declaration of the elector to the judge of elections to
7 be spoiled and signs a statement subject to the penalties of
8 18 Pa.C.S. § 4904 (relating to unsworn falsification to
9 authorities) to the same effect].

10 Section 1305-D. Delivering or mailing ballots.

11 The county board of elections, upon receipt and approval of
12 an application filed by a qualified elector under section 1301-
13 D, shall commence to deliver or mail official mail-in ballots
14 as soon as a ballot is certified and the ballots are available.
15 While any proceeding is pending in a Federal or State court
16 which would affect the contents of any ballot, the county board
17 of elections may await a resolution of that proceeding but in
18 any event, shall commence to deliver or mail official mail-in
19 ballots not later than the [second] fourth Tuesday prior to the
20 primary or election. For applicants whose proof of
21 identification was not provided with the application or could
22 not be verified by the board, the board shall send the notice
23 required under section 1302.2-D(c) with the mail-in ballot. As
24 additional applications are received and approved, the board
25 shall deliver or mail official mail-in ballots to the additional
26 electors within 48 hours.

27 Section 1306-D. Voting by mail-in electors.

28 (a) General rule.--At any time after receiving an official
29 mail-in ballot, but on or before eight o'clock P.M. the day of
30 the primary or election, the mail-in elector shall, in secret,

1 proceed to mark the ballot only in black lead pencil, indelible
2 pencil or blue, black or blue-black ink, in fountain pen or ball
3 point pen, and then fold the ballot, enclose and securely seal
4 the same in the envelope on which is printed, stamped or
5 endorsed "Official Election Ballot." This envelope shall then be
6 placed in the second one, on which is printed the form of
7 declaration of the elector, and the address of the elector's
8 county board of election and the local election district of the
9 elector. The elector shall then fill out, date and sign the
10 declaration printed on such envelope. Such envelope shall then
11 be securely sealed and the elector shall send same by mail,
12 postage prepaid, except where franked, or deliver it in person
13 to said county board of election at the permanent offices of the
14 county board of elections, to a location at the county
15 courthouse designated by the county board of elections or to the
16 judge of elections at the elector's polling place and to no
17 other location.

18 * * *

19 (b) Eligibility.--

20 * * *

21 (3) Notwithstanding paragraph (2), an elector who
22 requests a mail-in ballot and who is not shown on the
23 district register as having voted the ballot [may vote at the
24 polling place if the elector remits the ballot and the
25 envelope containing the declaration of the elector to the
26 judge of elections to be spoiled and the elector signs a
27 statement subject to the penalties of 18 Pa.C.S. § 4904
28 (relating to unsworn falsification to authorities) which
29 shall be in substantially the following form:

30 I hereby declare that I am a qualified registered elector

1 who has obtained an absentee ballot or mail-in ballot. I
2 further declare that I have not cast my absentee ballot or
3 mail-in ballot, and that instead I remitted my absentee
4 ballot or mail-in ballot to the judge of elections at my
5 polling place to be spoiled and therefore request that my
6 absentee ballot or mail-in ballot be voided.

7 (Date)

8 (Signature of Elector).....(Address of Elector)

9 (Local Judge of Elections)] on election day may:

10 (i) Vote by provisional ballot at the polling place.

11 (ii) Personally deliver the completed mail-in ballot

12 and the envelope containing the declaration of the

13 elector to the judge of elections of the elector's

14 election district at the elector's polling place during

15 polling hours, to a location at the county courthouse

16 designated by the county board of elections or to the

17 permanent offices of the county board of elections and to

18 no other location.

19 * * *

20 Section 10. This act shall take effect immediately.