

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 421 Session of
2019INTRODUCED BY BOSCOLA, BROWNE, MENSCH, BARTOLOTTA, KILLION,
LAUGHLIN, SCAVELLO, STEFANO AND PHILLIPS-HILL, MARCH 25, 2019AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 28, 2019

AN ACT

1 ~~Amending the act of June 3, 1937 (P.L.1333, No.320), entitled~~ <--
2 ~~"An act concerning elections, including general, municipal,~~
3 ~~special and primary elections, the nomination of candidates,~~
4 ~~primary and election expenses and election contests; creating~~
5 ~~and defining membership of county boards of elections;~~
6 ~~imposing duties upon the Secretary of the Commonwealth,~~
7 ~~courts, county boards of elections, county commissioners;~~
8 ~~imposing penalties for violation of the act, and codifying,~~
9 ~~revising and consolidating the laws relating thereto; and~~
10 ~~repealing certain acts and parts of acts relating to~~
11 ~~elections," in ballots, further providing for form of~~
12 ~~official election ballot; in voting machines, further~~
13 ~~providing for requirements of voting machines and for form of~~
14 ~~ballot labels on voting machines; in electronic voting~~
15 ~~systems, further providing for requirements of electronic~~
16 ~~voting systems, for forms and for election day procedures and~~
17 ~~the process of voting; and, in preparation for and conduct of~~
18 ~~primaries and elections, further providing for instructions~~
19 ~~of voters and manner of voting in districts in which voting~~
20 ~~machines are used, for count and return of votes in districts~~
21 ~~in which ballots are used and for what ballots shall be~~
22 ~~counted, manner of counting and defective ballots.~~

23 AMENDING THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320), ENTITLED <--
24 "AN ACT CONCERNING ELECTIONS, INCLUDING GENERAL, MUNICIPAL,
25 SPECIAL AND PRIMARY ELECTIONS, THE NOMINATION OF CANDIDATES,
26 PRIMARY AND ELECTION EXPENSES AND ELECTION CONTESTS; CREATING
27 AND DEFINING MEMBERSHIP OF COUNTY BOARDS OF ELECTIONS;
28 IMPOSING DUTIES UPON THE SECRETARY OF THE COMMONWEALTH,
29 COURTS, COUNTY BOARDS OF ELECTIONS, COUNTY COMMISSIONERS;
30 IMPOSING PENALTIES FOR VIOLATION OF THE ACT, AND CODIFYING,
31 REVISING AND CONSOLIDATING THE LAWS RELATING THERETO; AND
32 REPEALING CERTAIN ACTS AND PARTS OF ACTS RELATING TO

1 ELECTIONS," IN PRELIMINARY PROVISIONS, FURTHER PROVIDING FOR
2 DEFINITIONS; IN THE SECRETARY OF THE COMMONWEALTH, PROVIDING
3 FOR REQUIREMENTS FOR DISAPPROVAL OR DECERTIFICATION OF VOTING
4 APPARATUSES; IN DISTRICT ELECTION OFFICERS, FURTHER PROVIDING <--
5 FOR COMPENSATION OF DISTRICT ELECTION OFFICERS; IN ELECTION
6 DISTRICTS AND POLLING PLACES, FURTHER PROVIDING FOR
7 RESTRICTIONS ON ALTERATION; IN NOMINATION OF CANDIDATES,
8 FURTHER PROVIDING FOR PETITION MAY CONSIST OF SEVERAL SHEETS
9 AND AFFIDAVIT OF CIRCULATOR, FOR MANNER OF SIGNING NOMINATION <--
10 PETITIONS AND TIME OF CIRCULATING AND FOR NOMINATIONS BY
11 POLITICAL BODIES; IN BALLOTS, FURTHER PROVIDING FOR FORM OF
12 OFFICIAL PRIMARY BALLOT, FOR FORM OF OFFICIAL ELECTION BALLOT
13 AND, FOR NUMBER OF BALLOTS TO BE PRINTED AND SPECIMEN BALLOTS <--
14 AND FOR FORMS OF BALLOTS ON FILE AND OPEN TO PUBLIC <--
15 INSPECTION AND BALLOTS AND DIAGRAMS TO BE FURNISHED TO
16 CANDIDATES AND PARTIES; IN VOTING MACHINES, FURTHER PROVIDING
17 FOR REQUIREMENTS OF VOTING MACHINES AND FOR FORM OF BALLOT
18 LABELS ON VOTING MACHINES; IN ELECTRONIC VOTING SYSTEMS,
19 FURTHER PROVIDING FOR REQUIREMENTS OF ELECTRONIC VOTING
20 SYSTEMS, FOR FORMS, FOR ELECTION DAY PROCEDURES AND THE
21 PROCESS OF VOTING AND FOR POST ELECTION PROCEDURES; IN
22 PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS,
23 FURTHER PROVIDING FOR MANNER OF APPLYING TO VOTE AND PERSONS
24 ENTITLED TO VOTE AND VOTER'S CERTIFICATES AND ENTRIES TO BE
25 MADE IN DISTRICT REGISTER AND NUMBERED LISTS OF VOTERS AND
26 CHALLENGES, FOR METHOD OF MARKING BALLOTS AND DEPOSITING SAME
27 IN DISTRICTS IN WHICH BALLOTS ARE USED, FOR INSTRUCTIONS OF
28 VOTERS AND MANNER OF VOTING IN DISTRICTS IN WHICH VOTING
29 MACHINES ARE USED, FOR COUNT AND RETURN OF VOTES IN DISTRICTS
30 IN WHICH BALLOTS ARE USED, FOR WHAT BALLOTS SHALL BE COUNTED,
31 MANNER OF COUNTING AND DEFECTIVE BALLOTS AND FOR CANVASS AND
32 RETURN OF VOTES IN DISTRICTS IN WHICH VOTING MACHINES ARE
33 USED AND PROVIDING FOR DEADLINE FOR RECEIPT OF VALID VOTER
34 REGISTRATION APPLICATION, FOR APPEALS AND FOR APPEALS TO
35 COURT OF COMMON PLEAS; IN VOTING BY QUALIFIED ABSENTEE
36 ELECTORS, FURTHER PROVIDING FOR APPLICATIONS FOR OFFICIAL
37 ABSENTEE BALLOTS, FOR DATE OF APPLICATION FOR ABSENTEE
38 BALLOT, FOR APPROVAL OF APPLICATION FOR ABSENTEE BALLOT, FOR
39 ABSENTEE ELECTORS FILES AND LISTS, FOR OFFICIAL ABSENTEE
40 VOTERS BALLOTS, FOR DELIVERING OR MAILING BALLOTS, FOR VOTING
41 BY ABSENTEE ELECTORS, FOR CANVASSING OF OFFICIAL ABSENTEE
42 BALLOTS AND FOR PUBLIC RECORDS; PROVIDING FOR VOTING BY
43 QUALIFIED MAIL-IN ELECTORS; IN RETURNS OF PRIMARIES AND
44 ELECTIONS, FURTHER PROVIDING FOR MANNER OF COMPUTING
45 IRREGULAR BALLOTS; ~~IN PRIMARY AND ELECTION EXPENSES, FURTHER <--~~
46 ~~PROVIDING FOR REPORTING BY CANDIDATES AND POLITICAL~~
47 ~~COMMITTEES AND OTHER PERSONS;~~ PROVIDING FOR DISSEMINATION OF
48 INFORMATION AND FOR JURISDICTION; REMOVING REFERENCES TO THE <--
49 TRAFFIC COURT OF PHILADELPHIA; AND MAKING RELATED REPEALS.

50 The General Assembly of the Commonwealth of Pennsylvania
51 hereby enacts as follows:

52 ~~Section 1. Sections 1003(a), 1107(b), 1110(h), 1107 A(3), <--~~
53 ~~1109 A(a) (2) and (d), 1112 A(a) (2) and (4), 1216(d) and (f),~~
54 ~~1222(a) and (b) and 1223(a) of the act of June 3, 1937~~

1 ~~(P.L.1333, No.320), known as the Pennsylvania Election Code, are~~
2 ~~amended to read:~~

3 ~~Section 1003. Form of Official Election Ballot.—~~

4 ~~(a) The official ballots for general, municipal and special~~
5 ~~elections shall be in substantially the following form:~~

6 OFFICIAL BALLOT

7 District, Ward,

8 City of, County of,

9 State of Pennsylvania

10 Election held on the day of, [19]

11 20.....

12 A cross (X) or check () mark in the square opposite the name of
13 any candidate indicates a vote for that candidate.

14 {To vote a straight party ticket, mark a cross (X) or check
15 () in the square, in the Party Column, opposite the name of the
16 party of your choice. To vote for an individual candidate of
17 another party after making a mark in the party square, mark a
18 cross (X) or check () opposite his name. For an office where
19 more than one candidate is to be voted for, the voter, after
20 marking in the party square, may divide his vote by marking a
21 cross (X) or check () to the right of each candidate for whom
22 he or she desires to vote. For such office votes shall not be
23 counted for candidates not individually marked.}

24 To vote for a person whose name is not on the ballot, write,
25 print or paste his name in the blank space provided for that
26 purpose. A cross (X) or check () mark in the square opposite
27 the names of the candidates of any party for President and Vice
28 President of the United States indicates a vote for all the
29 candidates of that party for presidential elector. To vote for
30 individual candidates for presidential elector, write, print or

1 ~~paste their names in the blank spaces provided for that purpose~~
2 ~~under the title "Presidential Electors." Mark ballot only in~~
3 ~~black lead pencil, indelible pencil or blue, black or blue black~~
4 ~~ink, in fountain pen or ball point pen; use the same pencil or~~
5 ~~pen for all markings you place on the ballot.~~

6 ~~Before leaving the voting compartment, fold this ballot,~~
7 ~~without displaying the markings thereon, in the same way it was~~
8 ~~folded when received, then leave the compartment and exhibit the~~
9 ~~ballot to one of the election officers who shall ascertain by an~~
10 ~~inspection of the number appearing upon the right hand corner of~~
11 ~~the back of the ballot whether the ballot so exhibited to him is~~
12 ~~the same ballot which the elector received before entering the~~
13 ~~voting compartment. If it is the same, the election officer~~
14 ~~shall direct the elector, without unfolding the ballot, to~~
15 ~~remove the perforated corner containing the number, and the~~
16 ~~elector shall immediately deposit the ballot in the ballot box.~~
17 ~~Any ballot deposited in a ballot box at any primary or election~~
18 ~~without having the said number torn off shall be void and shall~~
19 ~~not be counted.~~

20	{Party Column	Presidential Electors
21	To Vote a Straight Party Ticket	(Vote for the candidates of
22	Mark a Cross (X) or Check () in	one party for President and
23	this Column.	Vice President, or insert the
24		names of candidates.)
25		— For
26		John Stiles
27	Democratic	— and
28		Richard Doe,
29		Democratic
30		— For

1 ~~John Doe~~
2 ~~Republican~~ ~~and~~
3 ~~Richard Roe,~~
4 ~~Republican~~
5 ~~For~~
6 ~~John Smith~~
7 ~~Socialist~~ ~~and~~
8 ~~William Jones,~~
9 ~~Socialist~~
10 ~~Citizens]~~

11 ~~Presidential Electors.~~
12 ~~(Vote for the candidates of one party for President and Vice~~
13 ~~President, or insert the names of candidates)~~

14 ~~For~~
15 ~~John Stiles and Richard Doe..... Democratic~~
16 ~~For~~
17 ~~John Doe and Richard Roe..... Republican~~
18 ~~For~~
19 ~~John Smith and William Jones..... Socialist~~
20 ~~For~~
21 ~~..... Citizens~~

22 ~~United States Senator.~~
23 ~~(Vote for one)~~

24 ~~Richard Roe Democratic~~
25 ~~John Doe Republican~~
26 ~~Richard Stiles Socialist~~

27 ~~Governor.~~
28 ~~(Vote for one)~~

29 ~~Richard Roe Democratic~~
30 ~~John Doe Republican~~

1 ~~Richard Stiles Socialist~~
2 ~~Representatives in Congress,~~
3 ~~. District.~~
4 ~~(Vote for one)~~

5 ~~Richard Roe Democratic~~
6 ~~John Doe Republican~~

7 ~~Richard Stiles Socialist~~
8 ~~Senator in the General Assembly,~~
9 ~~. District.~~
10 ~~(Vote for one)~~

11 ~~John Doe Democratic~~
12 ~~Richard Roe Republican~~

13 * * *

14 ~~Section 1107. Requirements of Voting Machines. No voting~~
15 ~~machine shall, upon any examination or reexamination, be~~
16 ~~approved by the Secretary of the Commonwealth, or by any~~
17 ~~examiner appointed by him, unless it shall, at the time, satisfy~~
18 ~~the following requirements:~~

19 * * *

20 ~~{(b) It shall permit each voter, at other than primary~~
21 ~~elections, to vote a straight political party ticket in one~~
22 ~~operation, and, in one operation, to vote for all the candidates~~
23 ~~of one political party for presidential electors, and, in one~~
24 ~~operation, to vote for all the candidates of one political party~~
25 ~~for every office to be voted for, except those offices as to~~
26 ~~which he votes for individual candidates.}~~

27 * * *

28 ~~Section 1110. Form of Ballot Labels on Voting Machines.~~

29 * * *

30 ~~(h) The names of all candidates of a political party shall~~

~~1 appear in the same row or column, and except in cases of names
2 of presidential commitments of nominees for delegate or
3 alternate delegate to political party National conventions no
4 other names shall appear in the same row or column[, to the left
5 or top of which shall be a straight party lever, by means of
6 which an elector may, in one operation, vote for all the
7 candidates of that political party for every office to be voted
8 for]. Where the names of the delegate or alternate delegate and
9 the presidential candidate he is supporting shall both appear,
10 the print size of the name of the delegate or alternate delegate
11 shall be equal to the size of the name of the particular
12 presidential candidate to whom he is committed, or in the case
13 where he is uncommitted, the word "uncommitted" shall appear in
14 the same size print. The names of such candidates shall be
15 arranged under or opposite the title of the office for which
16 they are candidates, and shall appear in the order of the votes
17 obtained by the candidate for Governor of the party nominated at
18 the last gubernatorial election, beginning with the party
19 obtaining the highest number of votes: Provided, however, That
20 in the case of parties or bodies not represented on the ballot
21 at the last gubernatorial election, the names of the candidates
22 of such parties shall be arranged alphabetically, according to
23 the party or body name. The names of all candidates of a
24 political body shall appear in the same row or column, and, if
25 the number of parties and bodies permits, each political body
26 shall be entitled exclusively to a separate row or column[, with
27 a straight party lever]. If, however, the number of political
28 parties and political bodies renders it impossible or
29 impracticable to so arrange the political bodies, in such case
30 said bodies shall not be entitled to a separate row or column~~

1 ~~[and a straight party lever], but shall be listed by political~~
2 ~~appellations on the first left hand or top row, with the~~
3 ~~designating letter and number of the ballot label where their~~
4 ~~candidates may be found, together with the political~~
5 ~~appellations of other political bodies, whose candidates may be~~
6 ~~interspersed on the same row or column. Subject to the aforesaid~~
7 ~~limitations, the form and arrangement of ballot labels, as to~~
8 ~~the placing thereon of political bodies, shall be within the~~
9 ~~discretion of the county board.~~

10 * * *

11 ~~Section 1107 A. Requirements of Electronic Voting Systems.—~~
12 ~~No electronic voting system shall, upon any examination or~~
13 ~~reexamination, be approved by the Secretary of the Commonwealth,~~
14 ~~or by any examiner appointed by him, unless it shall be~~
15 ~~established that such system, at the time of such examination or~~
16 ~~reexamination:~~

17 * * *

18 ~~{(3) Permits each voter, at other than primary elections, to~~
19 ~~vote a straight political party ticket by one mark or act and,~~
20 ~~by one mark or act, to vote for all the candidates of one~~
21 ~~political party for presidential electors and, by one mark or~~
22 ~~act, to vote for all the candidates of one political party for~~
23 ~~every office to be voted for, and every such mark or act shall~~
24 ~~be equivalent to and shall be counted as a vote for every~~
25 ~~candidate of the political party so marked including its~~
26 ~~candidates for presidential electors, except with respect to~~
27 ~~those offices as to which the voter has registered a vote for~~
28 ~~individual candidates of the same or another political party or~~
29 ~~political body, in which case the automatic tabulating equipment~~
30 ~~shall credit the vote for that office only for the candidate~~

1 ~~individually so selected, notwithstanding the fact that the~~
2 ~~voter may not have individually voted for the full number of~~
3 ~~candidates for that office for which he was entitled to vote.]~~

4 * * *

5 Section 1109 A. Forms. (a) * * *

6 ~~(2) The pages placed on the voting device shall be of~~
7 ~~sufficient number to include, following the listing of~~
8 ~~particular candidates, the names of candidates for any~~
9 ~~nonpartisan offices and any measures for which a voter may be~~
10 ~~qualified to vote on a given election day, provided further that~~
11 ~~for municipal, general or special elections, the first ballot~~
12 ~~page shall list in the order that such political parties are~~
13 ~~entitled to priority on the ballot, the names of such political~~
14 ~~parties [with designating arrows so as to indicate the voting~~
15 ~~square or position on the ballot card where the voter may insert~~
16 ~~by one mark or punch the straight party ticket of his choice].~~

17 * * *

18 ~~{(d) In partisan elections the ballot cards shall include a~~
19 ~~voting square or position whereby the voter may by one punch or~~
20 ~~mark record a straight party ticket vote for all the candidates~~
21 ~~of one party or may vote a split ticket for the candidates of~~
22 ~~his choice.]~~

23 * * *

24 Section 1112 A. Election Day Procedures and the Process of
25 Voting. (a) In an election district which uses an electronic
26 voting system in which votes are registered electronically, the
27 following procedures will be applicable for the conduct of the
28 election at the election district:

29 * * *

30 (2) At [primary] all elections, the voter shall be able to

1 ~~vote for each candidate individually by the means provided. [At~~
2 ~~all other elections, he may vote for each candidate~~
3 ~~individually, or he may vote a straight political party ticket~~
4 ~~in one operation by operating the straight political party~~
5 ~~mechanism of the political party or political body of his~~
6 ~~choice. He may also, after having operated the straight party~~
7 ~~mechanism and before recording his vote, cancel the vote for any~~
8 ~~candidate of such political party or political body and may~~
9 ~~thereupon vote for a candidate of another party, or political~~
10 ~~body for the same office.] The voter may also vote individually~~
11 ~~for or against a question submitted to the vote of the electors.~~

12 * * *

13 ~~(4) At any general election at which presidential electors~~
14 ~~are to be chosen, each elector shall be permitted to vote by one~~
15 ~~operation for all the presidential electors of a political party~~
16 ~~or political body. For each party or body nominating~~
17 ~~presidential electors, a ballot label shall be provided~~
18 ~~containing only the words "Presidential Electors," preceded by~~
19 ~~the names of the party or body and followed by the names of the~~
20 ~~candidates thereof for the Office of President and Vice~~
21 ~~President, and the corresponding counter or registering device~~
22 ~~shall register votes cast for said electors when thus voted for~~
23 ~~collectively. If any elector desires to vote a ticket for~~
24 ~~presidential electors made up of the names of persons nominated~~
25 ~~by different parties or bodies, or partially of names of persons~~
26 ~~so in nomination and partially of names of persons not in~~
27 ~~nomination by any party or body, he may write or deposit a paper~~
28 ~~ballot prepared by himself in the receptacle provided in or on~~
29 ~~the voting device for that purpose, or he may list their names~~
30 ~~on the write in ballot or envelope provided for that purpose.~~

1 ~~The voting device shall be so constructed that it will not be~~
2 ~~possible for any one voter to vote a straight party ticket for~~
3 ~~presidential electors and at the same time to deposit a ballot~~
4 ~~for presidential electors in a receptacle as [hereinabove]~~
5 ~~provided in this section.~~ When the votes for presidential
6 electors are counted, the votes appearing upon the counter or
7 registering device corresponding to the ballot label containing
8 the names of the candidates for President and Vice President of
9 any party or body shall be counted as votes for each of the
10 candidates for presidential elector of such party or body, and
11 thereupon all candidates for presidential elector shall be
12 credited, in addition, with the votes cast for them upon the
13 ballots deposited in the machine, as [hereinabove] provided in
14 this section.

15 * * *

16 Section 1216. ~~Instructions of Voters and Manner of Voting in~~
17 ~~Districts in Which Voting Machines are Used.~~

18 * * *

19 (d) ~~At [primaries] all elections, he shall vote for each~~
20 ~~candidate individually by operating the key, handle, pointer or~~
21 ~~knob, upon or adjacent to which the name of such candidate is~~
22 ~~placed. [At elections, he may vote for each candidate~~
23 ~~individually by operating the key, handle, pointer or knob, upon~~
24 ~~or adjacent to which the names of candidates of his choice are~~
25 ~~placed, or he may vote a straight political party ticket in one~~
26 ~~operation by operating the straight political party lever of the~~
27 ~~political party or political body of his choice, if such machine~~
28 ~~has thereon a separate lever for all the candidates of the~~
29 ~~political body. He may also, after having operated the straight~~
30 ~~party lever, and before recording his vote, cancel the vote for~~

1 ~~any candidate of such political party or political body by~~
2 ~~replacing the individual key, handle, pointer or knob of such~~
3 ~~candidate, and may thereupon vote for a candidate of another~~
4 ~~party, or political body for the same office by operating the~~
5 ~~key, handle, pointer or knob, upon or adjacent to which the name~~
6 ~~of such candidate appears.] In the case of a question submitted~~
7 ~~to the vote of the electors, the elector shall operate the key,~~
8 ~~handle, pointer or knob corresponding to the answer which he~~
9 ~~desires to give.~~

10 * * *

11 ~~(f) At any general election at which presidential electors~~
12 ~~are to be chosen, each elector shall be permitted to vote by one~~
13 ~~operation for all the presidential electors of a political party~~
14 ~~or political body. For each party or body nominating~~
15 ~~presidential electors, a ballot label shall be provided~~
16 ~~containing only the words "Presidential Electors," preceded by~~
17 ~~the names of the party or body and followed by the names of the~~
18 ~~candidates thereof for the office of President and Vice~~
19 ~~President, and the corresponding counter or registering device~~
20 ~~shall register votes cast for said electors when thus voted for~~
21 ~~collectively. If an elector desires to vote a ticket for~~
22 ~~presidential electors made up of the names of persons nominated~~
23 ~~by different parties or bodies, or partially of names of persons~~
24 ~~so in nomination and partially of names of persons not in~~
25 ~~nomination by any party or body, or wholly of names of persons~~
26 ~~not in nomination by any party or body, he may write or deposit~~
27 ~~a paper ballot prepared by himself in the receptacle provided in~~
28 ~~or on the machine for the purpose. The machine shall be so~~
29 ~~constructed that it will not be possible for any one voter to~~
30 ~~vote a straight party ticket for presidential electors and at~~

1 ~~the same time to deposit a ballot for presidential electors in a~~
2 ~~receptacle as [hereinabove] provided in this section. When the~~
3 ~~votes for presidential electors are counted, the votes appearing~~
4 ~~upon the counter or registering device corresponding to the~~
5 ~~ballot label containing the names of the candidates for~~
6 ~~President and Vice President of any party or body shall be~~
7 ~~counted as votes for each of the candidates for presidential~~
8 ~~elector of such party or body, and thereupon all candidates for~~
9 ~~presidential elector shall be credited, in addition, with the~~
10 ~~votes cast for them upon the ballots deposited in the machine,~~
11 ~~as [hereinabove] provided in this section.~~

12 * * *

13 Section 1222. ~~Count and Return of Votes in Districts in~~
14 ~~Which Ballots are Used.—~~

15 (a) ~~As soon as all the ballots have been properly accounted~~
16 ~~for, and those outside the ballot box, as well as the "Voting~~
17 ~~Check List," numbered lists of voters and district register~~
18 ~~sealed, the election officers shall forthwith open the ballot~~
19 ~~box, and take therefrom all ballots therein, and at primaries,~~
20 ~~separate the same according to the party to which they belong.—~~
21 ~~The ballots shall then be counted one by one, and a record made~~
22 ~~of the total number, and at primaries of the total number cast~~
23 ~~for each party. Then the judge, under the scrutiny of the~~
24 ~~minority inspector, or the minority inspector, under the~~
25 ~~scrutiny of the judge, in the presence of the other officers,~~
26 ~~clerks, and of the overseers, if any, and within the hearing and~~
27 ~~sight of the watchers outside the enclosed space, shall read~~
28 ~~aloud the names of the candidates marked or inserted upon each~~
29 ~~ballot (at primaries the ballots of each party being read in~~
30 ~~sequence), together with the office for which the person named~~

1 ~~is a candidate, and the answers contained on the ballots to the~~
2 ~~questions submitted, if any, and the majority inspector and~~
3 ~~clerks shall carefully enter each vote as read, and keep account~~
4 ~~of the same in ink in triplicate tally papers (triplicate tally~~
5 ~~papers for each party at primaries) to be provided by the county~~
6 ~~board of elections for that purpose, all three of which shall be~~
7 ~~made at the same time.]: Provided, That at all general,~~
8 ~~municipal and special elections, in entering each vote received~~
9 ~~by candidates at such election, it shall not be necessary to~~
10 ~~enter separate tally marks for each vote received by such~~
11 ~~candidates upon the ballots containing the same votes for the~~
12 ~~same names, commonly known, and in this act designated as~~
13 ~~"Straight Party Tickets" for such purpose straight party ticket~~
14 ~~votes shall be entered carefully as each straight party ticket~~
15 ~~vote is read on the triplicate tally sheets under the heading~~
16 ~~"Number of votes received upon~~
17 ~~the straight party tickets." Upon~~
18 ~~completing the number of votes received by each straight party~~
19 ~~ticket, the number so tallied for each party shall be entered~~
20 ~~numerically on the extreme right hand margin of each such tally~~
21 ~~paper.] All ballots, after being removed from the box, shall be~~
22 ~~kept within the unobstructed view of all persons in the voting~~
23 ~~room until replaced in the box. No person while handling the~~
24 ~~ballots shall have in his hand any pencil, pen, stamp or other~~
25 ~~means of marking or spoiling any ballot. The election officers~~
26 ~~shall forthwith proceed to canvass and compute the votes cast,~~
27 ~~and shall not adjourn or postpone the canvass or computation~~
28 ~~until it shall have been fully completed.~~

29 (b) ~~When the vote cast for the different persons named upon~~
30 ~~the ballots and upon the questions, if any, appearing thereon,~~

1 shall have been fully recorded in the tally papers and counted,
2 the election officers shall duly certify to the number of votes
3 east for each person (upon the respective party tickets at
4 primaries), and shall prepare in ink two (2) general returns,
5 showing, in addition to the entries made thereon as aforesaid,
6 the total number of ballots received from the county board (the
7 total of each party at primaries), the number of ballots cast
8 (the number of each party at primaries), the number of ballots
9 (of each party at primaries) declared void, and the number of
10 ballots spoiled and cancelled, and any blank ballots cast, as
11 well as the votes cast for each candidate. At elections, the
12 number of votes cast for each candidate by each political party
13 or political body of which such candidate is a nominee shall be
14 separately stated.[: Provided, That the number of votes received
15 by each set of candidates upon "straight party tickets" shall be
16 entered opposite the names of the respective candidates in a
17 column immediately adjoining upon the left which column shall be
18 of convenient width and shall be headed "number of votes
19 received upon straight party tickets."] In an immediate column
20 to the left thereto, the number of votes received by each
21 candidate upon all ballots [other than "straight party tickets"
22 including all ballots known as "split tickets"] shall be
23 entered, such column to be of convenient width and shall be
24 headed "number of votes [received other than upon straight party
25 tickets." The number of votes received by each candidate as
26 shown in the column headed "number of votes received upon
27 straight party tickets" shall then be added, together with the
28 number of votes received by each candidate as shown in the
29 column headed "number of votes received other than upon straight
30 party tickets" and thereupon, the] received." The total number

1 of votes received by each candidate shall be entered in a column
2 on the extreme right hand side of the return sheets, which
3 column shall be of convenient width and shall be headed "total
4 number of votes."

5 Nothing in this section contained shall be construed to
6 authorize or permit the canvassing, counting or tallying ballots
7 with any less degree of strictness than otherwise required by
8 law. [, the intention of this section being to dispense with the
9 individual tally marks only so far as the so called "straight
10 party tickets" are concerned, and all other operations of
11 tallying, counting, canvassing and announcing the votes shall
12 proceed as near as may be in accordance with the other
13 provisions of this act.]

14 * * *

15 Section 1223. What Ballots Shall Be Counted; Manner of
16 Counting; Defective Ballots. (a) No ballot which is so marked
17 as to be capable of identification shall be counted. Any ballot
18 that is marked in blue, black or blue black ink, in fountain pen
19 or ball point pen, or black lead pencil or indelible pencil,
20 shall be valid and counted: Provided, That all markings on the
21 ballot are made by the same pen or pencil. Any ballot marked by
22 any other mark than an (X) or check () in the spaces provided
23 for that purpose shall be void and not counted: Provided,
24 however, That no vote recorded thereon shall be declared void
25 because a cross (X) or check () mark thereon is irregular in
26 form. [Any erasure, mutilation or defective marking of the
27 straight party column at November elections shall render the
28 entire ballot void, unless the voter has properly indicated his
29 choice for candidates in any office block, in which case the
30 vote or votes for such candidates only shall be counted.] Any

1 ~~erasure or mutilation in the vote in any office block shall~~
2 ~~render void the vote for any candidates in said block, but shall~~
3 ~~not invalidate the votes cast on the remainder of the ballot, if~~
4 ~~otherwise properly marked. Any ballot indicating a vote for any~~
5 ~~person whose name is not printed on the ballot, by writing,~~
6 ~~stamping or sticker, shall be counted as a vote for such person,~~
7 ~~if placed in the proper space or spaces provided for that~~
8 ~~purpose, whether or not an (X) or check () is placed after the~~
9 ~~name of such person: Provided, however, That if such writing,~~
10 ~~stamping or sticker is placed over the name of a candidate~~
11 ~~printed on the ballot, it shall render the entire vote in said~~
12 ~~office block void. If an elector shall mark his ballot for more~~
13 ~~persons for any office than there are candidates to be voted for~~
14 ~~for such office, or if, for any reason, it may be impossible to~~
15 ~~determine his choice for any office, his ballot shall not be~~
16 ~~counted for such office, but the ballot shall be counted for all~~
17 ~~offices for which it is properly marked. Ballots not marked, or~~
18 ~~improperly or defectively marked, so that the whole ballot is~~
19 ~~void, shall be set aside and shall be preserved with the other~~
20 ~~ballots.~~

21 * * *

22 Section 2. ~~This act shall apply to elections held on or~~
23 ~~after January 1, 2020.~~

24 Section 3. ~~This act shall take effect immediately.~~

25 SECTION 1. SECTION 102(Z.5) (3) OF THE ACT OF JUNE 3, 1937 <--
26 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE, IS
27 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
28 READ:

29 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS, WHEN USED IN
30 THIS ACT, SHALL HAVE THE FOLLOWING MEANINGS, UNLESS OTHERWISE

1 CLEARLY APPARENT FROM THE CONTEXT:

2 * * *

3 (Z.5) THE WORDS "PROOF OF IDENTIFICATION" SHALL MEAN:

4 * * *

5 (3) FOR A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301 OR A
6 QUALIFIED MAIL-IN ELECTOR UNDER SECTION 1301-D:

7 (I) IN THE CASE OF AN ELECTOR WHO HAS BEEN ISSUED A CURRENT
8 AND VALID DRIVER'S LICENSE, THE ELECTOR'S DRIVER'S LICENSE
9 NUMBER;

10 (II) IN THE CASE OF AN ELECTOR WHO HAS NOT BEEN ISSUED A
11 CURRENT AND VALID DRIVER'S LICENSE, THE LAST FOUR DIGITS OF THE
12 ELECTOR'S SOCIAL SECURITY NUMBER;

13 (III) IN THE CASE OF AN ELECTOR WHO HAS A RELIGIOUS
14 OBJECTION TO BEING PHOTOGRAPHED, A COPY OF A DOCUMENT THAT
15 SATISFIES PARAGRAPH (1); OR

16 (IV) IN THE CASE OF AN ELECTOR WHO HAS NOT BEEN ISSUED A
17 CURRENT AND VALID DRIVER'S LICENSE OR SOCIAL SECURITY NUMBER, A
18 COPY OF A DOCUMENT THAT SATISFIES PARAGRAPH (2).

19 (Z.6) THE WORDS "QUALIFIED MAIL-IN ELECTOR" SHALL MEAN A
20 QUALIFIED ELECTOR WHO IS NOT A QUALIFIED ABSENTEE ELECTOR.

21 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 207. REQUIREMENTS FOR DISAPPROVAL OR DECERTIFICATION
23 OF VOTING APPARATUSES.--(A) THE COMMONWEALTH MAY NOT DISAPPROVE
24 OR DECERTIFY A VOTING APPARATUS IN FIFTY PER CENTUM (50%) OR
25 MORE COUNTIES UNTIL THE REQUIREMENTS OF THIS SECTION HAVE BEEN
26 MET.

27 (B) IF THE COMMONWEALTH INTENDS TO MAKE A DISAPPROVAL OR
28 DECERTIFICATION UNDER SUBSECTION (A), THE DEPARTMENT OF STATE
29 MUST SUBMIT A WRITTEN PLAN TO THE PRESIDENT PRO TEMPORE OF THE
30 SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE

1 APPROPRIATIONS COMMITTEE OF THE SENATE, THE APPROPRIATIONS
2 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE STATE GOVERNMENT
3 COMMITTEE OF THE SENATE AND THE STATE GOVERNMENT COMMITTEE OF
4 THE HOUSE OF REPRESENTATIVES AT LEAST ONE HUNDRED EIGHTY (180)
5 DAYS PRIOR TO THE EFFECTIVE DATE OF THE REPLACEMENT VOTING
6 APPARATUSES, CONTAINING ALL OF THE FOLLOWING INFORMATION:

7 (1) THE REASON FOR THE DISAPPROVAL OR DECERTIFICATION.

8 (2) THE ESTIMATED COST TO REPLACE THE DISAPPROVED OR
9 DECERTIFIED VOTING APPARATUS AND THE PLAN FOR HOW FUNDING WILL
10 BE OBTAINED TO COVER THE ESTIMATED COST.

11 (3) A PLAN FOR REPLACING THE DISAPPROVED OR DECERTIFIED
12 VOTING APPARATUS.

13 (4) THE EFFECTIVE DATE OF THE REPLACEMENT VOTING APPARATUS.

14 (C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
15 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
16 THE CONTEXT CLEARLY INDICATES OTHERWISE:

17 "ELECTRONIC VOTING SYSTEM" SHALL HAVE THE MEANING GIVEN TO
18 THE TERM IN SECTION 1101-A.

19 "VOTING APPARATUS" SHALL MEAN A KIND OR TYPE OF ELECTRONIC
20 VOTING SYSTEM THAT RECEIVED THE APPROVAL OF THE SECRETARY OF THE
21 COMMONWEALTH UNDER SECTION 1105-A.

22 SECTION 3. SECTIONS 412.2, 536(A) AND (B), 630.1, 908, 909, <--
23 910, 951(D), 976, 981.1, 993(A), 998(A) AND (B), 1002(A) AND <--
24 (B), 1003(A) AND (E), 1004, 1007, 1008, 1107(B), 1110(H), 1107- <--
25 A(3), 1109-A(A) (2) AND (D), 1112-A(A) (2) AND (4) AND (B) (4),
26 1113-A(D), 1210(A.4) (1) AND (5) (II), 1215(B) AND (C), 1216(D)
27 AND (F), 1222, 1223(A) AND 1227(D) OF THE ACT ARE AMENDED TO
28 READ:

29 SECTION 412.2. COMPENSATION OF DISTRICT ELECTION OFFICERS.-- <--
30 (A) IN ALL COUNTIES REGARDLESS OF CLASS, [THE COMPENSATION OF]

1 JUDGES OF ELECTION, INSPECTORS OF ELECTION, CLERKS AND MACHINE
2 OPERATORS SHALL BE PAID COMPENSATION AS FIXED BY THE COUNTY
3 BOARD OF ELECTIONS FOR EACH ELECTION [IN ACCORDANCE WITH THE
4 FOLLOWING:

5	<u>ELECTION OFFICERS</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
6		<u>COMPENSATION</u>	<u>COMPENSATION</u>
7	<u>JUDGES OF ELECTION</u>	<u>\$75</u>	<u>\$200</u>
8	<u>INSPECTORS OF ELECTION</u>	<u>\$75</u>	<u>\$195</u>
9	<u>CLERKS AND MACHINE OPERATORS</u>	<u>\$70</u>	<u>\$195]</u>

10 , WHICH AMOUNT SHALL BE AT LEAST \$75 AND NOT MORE THAN \$200.

11 (A.1) AN ELECTION OFFICER SHALL RECEIVE ADDITIONAL
12 COMPENSATION, AS FIXED BY THE COUNTY BOARD OF ELECTIONS, FOR
13 PARTICIPATING IN ELECTION TRAINING.

14 (A.2) A JUDGE OF ELECTION SHALL RECEIVE ADDITIONAL
15 COMPENSATION, AS FIXED BY THE COUNTY BOARD OF ELECTIONS, FOR
16 PICKING UP AND RETURNING ELECTION MATERIALS.

17 (B) IF A COUNTY BOARD OF ELECTIONS AUTHORIZES THAT THE
18 DUTIES OF A CLERK OF ELECTIONS OR MACHINE OPERATOR MAY BE
19 PERFORMED BY TWO INDIVIDUALS WHO EACH PERFORM [SUCH] THE DUTIES
20 FOR ONE-HALF OF AN ELECTION DAY, [SUCH INDIVIDUALS SHALL EACH]
21 EACH INDIVIDUAL SHALL BE COMPENSATED AT ONE-HALF OF THE RATE
22 AUTHORIZED FOR A SINGLE INDIVIDUAL WHO PERFORMS THE DUTIES FOR
23 THE ENTIRE ELECTION DAY.

24 (C) THE COUNTY BOARD OF ELECTIONS MAY [, IN ITS DISCRETION,]
25 ESTABLISH DIFFERENT PER DIEM RATES WITHIN [THE MINIMA AND MAXIMA
26 PROVIDED FOR IN] MINIMUM AND MAXIMUM RATES PROVIDED FOR UNDER
27 SUBSECTION (A) BASED ON THE NUMBER OF VOTES CAST FOR THE
28 FOLLOWING GROUPS:

- 29 (1) 150 VOTES OR FEWER.
30 (2) 151 TO 300 VOTES.

1 (3) 301 TO 500 VOTES.

2 (4) 501 TO 750 VOTES.

3 (5) 751 VOTES AND OVER.

4 (D) FOR TRANSMITTING RETURNS OF ELECTIONS AND THE BALLOT BOX
5 OR BOXES, ALL JUDGES OF ELECTION SHALL BE ENTITLED TO RECEIVE
6 THE ADDITIONAL SUM OF [TWENTY DOLLARS (\$20)] \$20.

7 (E) THE COUNTY BOARD OF ELECTIONS MAY[, IN ITS DISCRETION,]
8 REQUIRE THE MINORITY INSPECTOR OF ELECTION TO ACCOMPANY THE
9 JUDGE OF ELECTION IN TRANSMITTING THE RETURNS OF ELECTIONS, IN
10 WHICH CASE THE MINORITY INSPECTOR OF ELECTION SHALL BE ENTITLED
11 TO RECEIVE THE ADDITIONAL SUM OF [TWENTY DOLLARS (\$20)] \$20.

12 (F) THE [PERSON] INDIVIDUAL FURNISHING TRANSPORTATION TO THE
13 JUDGE OF ELECTION AND THE MINORITY INSPECTOR IN TRANSMITTING
14 RETURNS AND BALLOT BOXES SHALL BE ENTITLED TO A MINIMUM OF
15 [THIRTY-FIVE CENTS (35¢)] 35¢ PER CIRCULAR MILE FROM THE POLLING
16 PLACE TO THE COUNTY COURT HOUSE. THE NAME OF [SUCH PERSON] THE
17 INDIVIDUAL SHALL APPEAR ON THE VOUCHER OF THE JUDGE OF
18 ELECTION[, AND ONLY ONE PERSON SHALL] AND ONLY ONE INDIVIDUAL
19 MAY RECEIVE MILEAGE COMPENSATION.

20 (H) WHEN A PRIMARY AND SPECIAL ELECTION OR A SPECIAL
21 ELECTION AND A GENERAL OR MUNICIPAL ELECTION TAKE PLACE ON THE
22 SAME DATE, [THEY] THE ELECTIONS SHALL BE CONSTRUED AS ONE
23 ELECTION FOR THE PURPOSE OF RECEIVING COMPENSATION.

24 (I) COMPENSATION AND OTHER PAYMENTS RECEIVED BY ELECTION
25 OFFICIALS [PURSUANT TO] UNDER THIS SECTION SHALL NOT BE DEEMED
26 INCOME CLASSIFIED AND CATEGORIZED UNDER SECTION 303 OF THE ACT
27 OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE "TAX REFORM CODE OF
28 1971."

29 SECTION 536. RESTRICTIONS ON ALTERATION.-- (A) EXCEPT AS
30 PROVIDED IN SUBSECTION (B), THERE SHALL BE NO POWER TO

1 ESTABLISH, ABOLISH, DIVIDE, CONSOLIDATE OR ALTER IN ANY MANNER
2 AN ELECTION DISTRICT DURING THE PERIOD [JULY 15, 2009] FROM
3 DECEMBER 31, 2019, THROUGH NOVEMBER 30, [2012] 2022, OR THROUGH
4 RESOLUTION OF ALL JUDICIAL APPEALS TO THE [2012] 2022
5 CONGRESSIONAL REDISTRICTING PLAN, WHICHEVER OCCURS LATER.

6 (B) DURING THE PERIOD FROM [JULY 15, 2009] DECEMBER 31,
7 2019, THROUGH DECEMBER 31, [2010] 2020, AN ELECTION DISTRICT MAY
8 BE DIVIDED OR ELECTION DISTRICTS MAY BE COMBINED IF THE
9 FOLLOWING ARE MET:

10 (1) IN THE CASE OF THE DIVISION OF AN ELECTION DISTRICT, THE
11 BOUNDARY OF EACH RESULTING DISTRICT IS COMPOSED ENTIRELY OF
12 CLEARLY VISIBLE PHYSICAL FEATURES CONFORMING WITH THE CENSUS
13 BLOCK LINES OR PORTIONS OF THE ORIGINAL BOUNDARY OF THE ELECTION
14 DISTRICT WHICH WAS DIVIDED.

15 (2) IN THE CASE OF THE COMBINATION OF ELECTION DISTRICTS,
16 THE BOUNDARY OF EACH RESULTING DISTRICT IS COMPOSED ENTIRELY OF
17 PORTIONS OF THE ORIGINAL BOUNDARIES OF THE ELECTION DISTRICTS
18 WHICH WERE COMBINED.

19 * * *

20 SECTION 630.1. AFFIDAVITS OF CANDIDATES.--EACH CANDIDATE FOR <--
21 ANY STATE, COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP,
22 SCHOOL DISTRICT OR POOR DISTRICT OFFICE, OR FOR THE OFFICE OF
23 UNITED STATES SENATOR OR REPRESENTATIVE IN CONGRESS, SELECTED AS
24 PROVIDED IN SECTION 630 OF THIS ACT, SHALL FILE WITH THE
25 NOMINATION CERTIFICATE AN AFFIDAVIT STATING--(A) HIS RESIDENCE,
26 WITH STREET AND NUMBER, IF ANY, AND HIS POST-OFFICE ADDRESS; (B)
27 HIS ELECTION DISTRICT, GIVING CITY, BOROUGH, TOWN OR TOWNSHIP;
28 (C) THE NAME OF THE OFFICE FOR WHICH HE CONSENTS TO BE A
29 CANDIDATE; (D) THAT HE IS ELIGIBLE FOR SUCH OFFICE; (E) THAT HE
30 WILL NOT KNOWINGLY VIOLATE ANY PROVISION OF THIS ACT, OR OF ANY

1 LAW REGULATING AND LIMITING ELECTION EXPENSES AND PROHIBITING
2 CORRUPT PRACTICES IN CONNECTION THEREWITH; (F) UNLESS HE IS A
3 CANDIDATE FOR JUDGE OF A COURT OF COMMON PLEAS, THE PHILADELPHIA
4 MUNICIPAL COURT [OR THE TRAFFIC COURT OF PHILADELPHIA,] OR FOR
5 THE OFFICE OF SCHOOL BOARD IN A DISTRICT WHERE THAT OFFICE IS
6 ELECTIVE OR FOR THE OFFICE OF JUSTICE OF THE PEACE, THAT HE IS
7 NOT A CANDIDATE FOR THE SAME OFFICE OF ANY PARTY OR POLITICAL
8 BODY OTHER THAN THE ONE DESIGNATED IN SUCH CERTIFICATE; (G) THAT
9 HE IS AWARE OF THE PROVISIONS OF SECTION 1626 OF THIS ACT
10 REQUIRING ELECTION AND POST-ELECTION REPORTING OF CAMPAIGN
11 CONTRIBUTIONS AND EXPENDITURES; AND (H) THAT HE IS NOT A
12 CANDIDATE FOR AN OFFICE WHICH HE ALREADY HOLDS, THE TERM OF
13 WHICH IS NOT SET TO EXPIRE IN THE SAME YEAR AS THE OFFICE
14 SUBJECT TO THE AFFIDAVIT.

15 SECTION 908. MANNER OF SIGNING NOMINATION PETITIONS; TIME OF
16 CIRCULATING.--EACH SIGNER OF A NOMINATION PETITION SHALL SIGN
17 BUT ONE SUCH PETITION FOR EACH OFFICE TO BE FILLED, AND SHALL
18 DECLARE THEREIN THAT HE IS A REGISTERED AND ENROLLED MEMBER OF
19 THE PARTY DESIGNATED IN SUCH PETITION: PROVIDED, HOWEVER, THAT
20 WHERE THERE ARE TO BE ELECTED TWO OR MORE PERSONS TO THE SAME
21 OFFICE, EACH SIGNER MAY SIGN PETITIONS FOR AS MANY CANDIDATES
22 FOR SUCH OFFICE AS, AND NO MORE THAN, HE COULD VOTE FOR AT THE
23 SUCCEEDING ELECTION. HE SHALL ALSO DECLARE THEREIN THAT HE IS A
24 QUALIFIED ELECTOR OF THE COUNTY THEREIN NAMED, AND IN CASE THE
25 NOMINATION IS NOT TO BE MADE OR CANDIDATES ARE NOT TO BE ELECTED
26 BY THE ELECTORS OF THE STATE AT LARGE, OF THE POLITICAL DISTRICT
27 THEREIN NAMED, IN WHICH THE NOMINATION IS TO BE MADE OR THE
28 ELECTION IS TO BE HELD. HE SHALL ADD HIS [RESIDENCE] ADDRESS
29 WHERE HE IS DULY REGISTERED AND ENROLLED, GIVING CITY, BOROUGH
30 OR TOWNSHIP, WITH STREET AND NUMBER, IF ANY, AND SHALL LEGIBLY

1 PRINT HIS NAME AND ADD THE DATE OF SIGNING, EXPRESSED IN WORDS
2 OR NUMBERS: PROVIDED, HOWEVER, THAT IF THE SAID POLITICAL
3 DISTRICT NAMED IN THE PETITION LIES WHOLLY WITHIN ANY CITY,
4 BOROUGH OR TOWNSHIP, OR IS COEXTENSIVE WITH SAME, IT SHALL NOT
5 BE NECESSARY FOR ANY SIGNER OF A NOMINATION PETITION TO STATE
6 THEREIN THE CITY, BOROUGH OR TOWNSHIP OF HIS RESIDENCE. NO
7 NOMINATION PETITION SHALL BE CIRCULATED PRIOR TO THE THIRTEENTH
8 TUESDAY BEFORE THE PRIMARY, AND NO SIGNATURE SHALL BE COUNTED
9 UNLESS IT BEARS A DATE AFFIXED NOT EARLIER THAN THE THIRTEENTH
10 TUESDAY NOR LATER THAN THE TENTH TUESDAY PRIOR TO THE PRIMARY.

11 SECTION 909. PETITION MAY CONSIST OF SEVERAL SHEETS;
12 [AFFIDAVIT] STATEMENT OF CIRCULATOR.--SAID NOMINATION PETITION
13 MAY BE ON ONE OR MORE SHEETS, AND DIFFERENT SHEETS MUST BE USED
14 FOR SIGNERS RESIDENT IN DIFFERENT COUNTIES. IF MORE THAN ONE
15 SHEET IS USED, THEY SHALL BE BOUND TOGETHER WHEN OFFERED FOR
16 FILING IF THEY ARE INTENDED TO CONSTITUTE ONE PETITION, AND EACH
17 SHEET SHALL BE NUMBERED CONSECUTIVELY BEGINNING WITH NUMBER ONE,
18 AT THE FOOT OF EACH PAGE. IN CASES OF PETITIONS FOR DELEGATE OR
19 ALTERNATE DELEGATE TO NATIONAL CONVENTIONS, EACH SHEET SHALL
20 CONTAIN A NOTATION INDICATING THE PRESIDENTIAL CANDIDATE TO WHOM
21 HE IS COMMITTED OR THE TERM "UNCOMMITTED." EACH SHEET SHALL HAVE
22 APPENDED THERETO THE [AFFIDAVIT] STATEMENT OF THE CIRCULATOR OF
23 EACH SHEET, SETTING FORTH, SUBJECT TO THE PENALTIES OF 18
24 PA.C.S. § 4904 (RELATING TO UNSWORN FALSIFICATION TO
25 AUTHORITIES)--(A) THAT HE OR SHE IS A QUALIFIED ELECTOR OF THE
26 COMMONWEALTH, WHO IS DULY REGISTERED AND ENROLLED AS A MEMBER OF
27 THE [DESIGNATED PARTY OF THE STATE, OR OF THE POLITICAL
28 DISTRICT, AS THE CASE MAY BE, REFERRED TO] PARTY DESIGNATED IN
29 SAID PETITION, UNLESS SAID PETITION RELATES TO THE NOMINATION OF
30 A CANDIDATE FOR A COURT OF COMMON PLEAS, FOR THE PHILADELPHIA

1 MUNICIPAL COURT [OR FOR THE TRAFFIC COURT OF PHILADELPHIA] OR <--
2 FOR JUSTICE OF THE PEACE, IN WHICH EVENT THE CIRCULATOR NEED NOT
3 BE A DULY REGISTERED AND ENROLLED MEMBER OF THE DESIGNATED
4 PARTY; (B) HIS RESIDENCE, GIVING CITY, BOROUGH OR TOWNSHIP, WITH
5 STREET AND NUMBER, IF ANY; (C) THAT THE SIGNERS THERETO SIGNED
6 WITH FULL KNOWLEDGE OF THE CONTENTS OF THE PETITION; (D) THAT
7 THEIR RESPECTIVE RESIDENCES ARE CORRECTLY STATED THEREIN; (E)
8 THAT THEY ALL RESIDE IN THE COUNTY NAMED IN THE [AFFIDAVIT]
9 STATEMENT; (F) THAT EACH SIGNED ON THE DATE SET OPPOSITE HIS
10 NAME; AND (G) THAT, TO THE BEST OF [AFFIANT'S] THE CIRCULATOR'S
11 KNOWLEDGE AND BELIEF, THE SIGNERS ARE QUALIFIED ELECTORS AND
12 DULY REGISTERED AND ENROLLED MEMBERS OF THE DESIGNATED PARTY OF
13 THE STATE, OR OF THE POLITICAL DISTRICT, AS THE CASE MAY BE.

14 SECTION 910. AFFIDAVITS OF CANDIDATES.--EACH CANDIDATE FOR <--
15 ANY STATE, COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP,
16 WARD, SCHOOL DISTRICT, POOR DISTRICT, ELECTION DISTRICT, PARTY
17 OFFICE, PARTY DELEGATE OR ALTERNATE, OR FOR THE OFFICE OF UNITED
18 STATES SENATOR OR REPRESENTATIVE IN CONGRESS, SHALL FILE WITH
19 HIS NOMINATION PETITION HIS AFFIDAVIT STATING--(A) HIS
20 RESIDENCE, WITH STREET AND NUMBER, IF ANY, AND HIS POST-OFFICE
21 ADDRESS; (B) HIS ELECTION DISTRICT, GIVING CITY, BOROUGH, TOWN
22 OR TOWNSHIP; (C) THE NAME OF THE OFFICE FOR WHICH HE CONSENTS TO
23 BE A CANDIDATE; (D) THAT HE IS ELIGIBLE FOR SUCH OFFICE; (E)
24 THAT HE WILL NOT KNOWINGLY VIOLATE ANY PROVISION OF THIS ACT, OR
25 OF ANY LAW REGULATING AND LIMITING NOMINATION AND ELECTION
26 EXPENSES AND PROHIBITING CORRUPT PRACTICES IN CONNECTION
27 THEREWITH; (F) UNLESS HE IS A CANDIDATE FOR JUDGE OF A COURT OF
28 COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE TRAFFIC
29 COURT OF PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL DIRECTOR IN
30 A DISTRICT WHERE THAT OFFICE IS ELECTIVE OR FOR THE OFFICE OF

1 JUSTICE OF THE PEACE THAT HE IS NOT A CANDIDATE FOR NOMINATION
2 FOR THE SAME OFFICE OF ANY PARTY OTHER THAN THE ONE DESIGNATED
3 IN SUCH PETITION; (G) IF HE IS A CANDIDATE FOR A DELEGATE, OR
4 ALTERNATE DELEGATE, MEMBER OF STATE COMMITTEE, NATIONAL
5 COMMITTEE OR PARTY OFFICER, THAT HE IS A REGISTERED AND ENROLLED
6 MEMBER OF THE DESIGNATED PARTY; (H) IF HE IS A CANDIDATE FOR
7 DELEGATE OR ALTERNATE DELEGATE THE PRESIDENTIAL CANDIDATE TO
8 WHOM HE IS COMMITTED OR THE TERM "UNCOMMITTED"; (I) THAT HE IS
9 AWARE OF THE PROVISIONS OF SECTION 1626 OF THIS ACT REQUIRING
10 PRE-ELECTION AND POST-ELECTION REPORTING OF CAMPAIGN
11 CONTRIBUTIONS AND EXPENDITURES; AND (J) THAT HE IS NOT A
12 CANDIDATE FOR AN OFFICE WHICH HE ALREADY HOLDS, THE TERM OF
13 WHICH IS NOT SET TO EXPIRE IN THE SAME YEAR AS THE OFFICE
14 SUBJECT TO THE AFFIDAVIT. IN CASES OF PETITIONS FOR DELEGATE AND
15 ALTERNATE DELEGATE TO NATIONAL CONVENTIONS, THE CANDIDATE'S
16 AFFIDAVIT SHALL STATE THAT HIS SIGNATURE TO THE DELEGATE'S
17 STATEMENT, AS HEREINAFTER SET FORTH, IF SUCH STATEMENT IS SIGNED
18 BY SAID CANDIDATE, WAS AFFIXED TO THE SHEET OR SHEETS OF SAID
19 PETITION PRIOR TO THE CIRCULATION OF SAME. IN THE CASE OF A
20 CANDIDATE FOR NOMINATION AS PRESIDENT OF THE UNITED STATES, IT
21 SHALL NOT BE NECESSARY FOR SUCH CANDIDATE TO FILE THE AFFIDAVIT
22 REQUIRED IN THIS SECTION TO BE FILED BY CANDIDATES, BUT THE
23 POST-OFFICE ADDRESS OF SUCH CANDIDATE SHALL BE STATED IN SUCH
24 NOMINATION PETITION.

25 SECTION 951. NOMINATIONS BY POLITICAL BODIES.--* * *

26 (D) NOMINATION PAPERS MAY BE ON ONE OR MORE SHEETS AND
27 DIFFERENT SHEETS MUST BE USED FOR SIGNERS RESIDENT IN DIFFERENT
28 COUNTIES. IF MORE THAN ONE SHEET IS USED, THEY SHALL BE BOUND
29 TOGETHER WHEN OFFERED FOR FILING IF THEY ARE INTENDED TO
30 CONSTITUTE ONE NOMINATION PAPER, AND EACH SHEET SHALL BE

1 NUMBERED CONSECUTIVELY, BEGINNING WITH NUMBER ONE (1) AT THE
2 FOOT OF EACH PAGE. EACH SHEET SHALL HAVE APPENDED THERETO THE
3 [AFFIDAVIT] STATEMENT OF SOME PERSON, NOT NECESSARILY A SIGNER,
4 AND NOT NECESSARILY THE SAME PERSON ON EACH SHEET, SETTING
5 FORTH, SUBJECT TO THE PENALTIES OF 18 PA.C.S. § 4904 (RELATING
6 TO UNSWORN FALSIFICATION TO AUTHORITIES)-- [(1) THAT THE AFFIANT
7 IS A QUALIFIED ELECTOR OF THE STATE, OR OF THE ELECTORAL
8 DISTRICT, AS THE CASE MAY BE, REFERRED TO IN THE NOMINATION
9 PAPER;] (2) [HIS] THE PERSON'S RESIDENCE, GIVING CITY, BOROUGH
10 OR TOWNSHIP WITH STREET AND NUMBER, IF ANY; (3) THAT THE SIGNERS
11 SIGNED WITH FULL KNOWLEDGE OF THE CONTENTS OF THE NOMINATION
12 PAPER; (4) THAT THEIR RESPECTIVE RESIDENCES ARE CORRECTLY STATED
13 THEREIN; (5) THAT THEY ALL RESIDE IN THE COUNTY NAMED IN THE
14 [AFFIDAVIT] STATEMENT; (6) THAT EACH SIGNED ON THE DATE SET
15 OPPOSITE HIS NAME; AND (7) THAT, TO THE BEST OF [AFFIANT'S] THE
16 PERSON'S KNOWLEDGE AND BELIEF, THE SIGNERS ARE QUALIFIED
17 ELECTORS OF THE STATE, OR OF THE ELECTORAL DISTRICT, AS THE CASE
18 MAY BE.

19 * * *

20 SECTION 976. EXAMINATION OF NOMINATION PETITIONS, <--
21 CERTIFICATES AND PAPERS; RETURN OF REJECTED NOMINATION
22 PETITIONS, CERTIFICATES AND PAPERS.--WHEN ANY NOMINATION
23 PETITION, NOMINATION CERTIFICATE OR NOMINATION PAPER IS
24 PRESENTED IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH OR
25 OF ANY COUNTY BOARD OF ELECTIONS FOR FILING WITHIN THE PERIOD
26 LIMITED BY THIS ACT, IT SHALL BE THE DUTY OF THE SAID OFFICER OR
27 BOARD TO EXAMINE THE SAME. NO NOMINATION PETITION, NOMINATION
28 PAPER OR NOMINATION CERTIFICATE SHALL BE PERMITTED TO BE FILED
29 IF--(A) IT CONTAINS MATERIAL ERRORS OR DEFECTS APPARENT ON THE
30 FACE THEREOF, OR ON THE FACE OF THE APPENDED OR ACCOMPANYING

1 AFFIDAVITS; OR (B) IT CONTAINS MATERIAL ALTERATIONS MADE AFTER
2 SIGNING WITHOUT THE CONSENT OF THE SIGNERS; OR (C) IT DOES NOT
3 CONTAIN A SUFFICIENT NUMBER OF SIGNATURES AS REQUIRED BY LAW;
4 PROVIDED, HOWEVER, THAT THE SECRETARY OF THE COMMONWEALTH OR THE
5 COUNTY BOARD OF ELECTIONS, ALTHOUGH NOT HEREBY REQUIRED SO TO
6 DO, MAY QUESTION THE GENUINENESS OF ANY SIGNATURE OR SIGNATURES
7 APPEARING THEREON, AND IF HE OR IT SHALL THEREUPON FIND THAT ANY
8 SUCH SIGNATURE OR SIGNATURES ARE NOT GENUINE, SUCH SIGNATURE OR
9 SIGNATURES SHALL BE DISREGARDED IN DETERMINING WHETHER THE
10 NOMINATION PETITION, NOMINATION PAPER OR NOMINATION CERTIFICATE
11 CONTAINS A SUFFICIENT NUMBER OF SIGNATURES AS REQUIRED BY LAW;
12 OR (D) IN THE CASE OF NOMINATION PETITIONS, IF NOMINATION
13 PETITIONS HAVE BEEN FILED FOR PRINTING THE NAME OF THE SAME
14 PERSON FOR THE SAME OFFICE, EXCEPT THE OFFICE OF JUDGE OF A
15 COURT OF COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE
16 TRAFFIC COURT OF PHILADELPHIA,] OR THE OFFICE OF SCHOOL DIRECTOR
17 IN DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR THE OFFICE OF
18 JUSTICE OF THE PEACE UPON THE OFFICIAL BALLOT OF MORE THAN ONE
19 POLITICAL PARTY; OR (E) IN THE CASE OF NOMINATION PAPERS, IF THE
20 CANDIDATE NAMED THEREIN HAS FILED A NOMINATION PETITION FOR ANY
21 PUBLIC OFFICE FOR THE ENSUING PRIMARY, OR HAS BEEN NOMINATED FOR
22 ANY SUCH OFFICE BY NOMINATION PAPERS PREVIOUSLY FILED; OR (F) IF
23 THE NOMINATION PETITIONS OR PAPERS ARE NOT ACCOMPANIED BY THE
24 FILING FEE OR CERTIFIED CHECK REQUIRED FOR SAID OFFICE; OR (G)
25 IN THE CASE OF NOMINATION PAPERS, THE APPELLATION SET FORTH
26 THEREIN IS IDENTICAL WITH OR DECEPTIVELY SIMILAR TO THE WORDS
27 USED BY ANY EXISTING PARTY OR BY ANY POLITICAL BODY WHICH HAS
28 ALREADY FILED NOMINATION PAPERS FOR THE SAME OFFICE, OR IF THE
29 APPELLATION SET FORTH THEREIN CONTAINS PART OF THE NAME, OR AN
30 ABBREVIATION OF THE NAME OR PART OF THE NAME OF AN EXISTING

1 POLITICAL PARTY, OR OF A POLITICAL BODY WHICH HAS ALREADY FILED
2 NOMINATION PAPERS FOR THE SAME OFFICE. THE INVALIDITY OF ANY
3 SHEET OF A NOMINATION PETITION OR NOMINATION PAPER SHALL NOT
4 AFFECT THE VALIDITY OF SUCH PETITION OR PAPER IF A SUFFICIENT
5 PETITION OR PAPER REMAINS AFTER ELIMINATING SUCH INVALID SHEET.
6 THE ACTION OF SAID OFFICER OR BOARD IN REFUSING TO RECEIVE AND
7 FILE ANY SUCH NOMINATION PETITION, CERTIFICATE OR PAPER, MAY BE
8 REVIEWED BY THE COURT UPON AN APPLICATION TO COMPEL ITS
9 RECEPTION AS OF THE DATE WHEN IT WAS PRESENTED TO THE OFFICE OF
10 SUCH OFFICER OR BOARD: PROVIDED, HOWEVER, THAT SAID OFFICER OR
11 BOARD SHALL BE ENTITLED TO A REASONABLE TIME IN WHICH TO EXAMINE
12 ANY PETITIONS, CERTIFICATES OR PAPERS, AND TO SUMMON AND
13 INTERROGATE THE CANDIDATES NAMED THEREIN, OR THE PERSONS
14 PRESENTING SAID PETITIONS, CERTIFICATES OR PAPERS, AND HIS OR
15 THEIR RETENTION OF SAME FOR THE PURPOSE OF MAKING SUCH
16 EXAMINATION OR INTERROGATION SHALL NOT BE CONSTRUED AS AN
17 ACCEPTANCE OR FILING.

18 UPON COMPLETION OF ANY EXAMINATION, IF ANY NOMINATION
19 PETITION, CERTIFICATE OR PAPER IS FOUND TO BE DEFECTIVE, IT
20 SHALL FORTHWITH BE REJECTED AND RETURNED TO THE CANDIDATE OR ONE
21 OF THE CANDIDATES NAMED THEREIN, TOGETHER WITH A STATEMENT OF
22 THE REASONS FOR SUCH REJECTION:

23 PROVIDED FURTHER, THAT NO NOMINATION PETITION, NOMINATION
24 PAPER OR NOMINATION CERTIFICATE SHALL BE PERMITTED TO BE FILED,
25 IF THE POLITICAL PARTY OR POLITICAL BODY REFERRED TO THEREIN
26 SHALL BE COMPOSED OF A GROUP OF ELECTORS WHOSE PURPOSES OR AIMS,
27 OR ONE OF WHOSE PURPOSES OR AIMS, IS THE ESTABLISHMENT, CONTROL,
28 CONDUCT, SEIZURE OR OVERTHROW OF THE GOVERNMENT OF THE
29 COMMONWEALTH OF PENNSYLVANIA OR THE UNITED STATES OF AMERICA BY
30 THE USE OF FORCE, VIOLENCE, MILITARY MEASURE OR THREATS OF ONE

1 OR MORE OF THE FOREGOING. THE AUTHORITY TO REJECT SUCH
2 NOMINATION PETITION, PAPER OR CERTIFICATE FOR THIS REASON SHALL,
3 WHEN FILED WITH THE SECRETARY OF THE COMMONWEALTH, BE VESTED IN
4 A COMMITTEE COMPOSED OF THE GOVERNOR, THE ATTORNEY GENERAL AND
5 THE SECRETARY OF THE COMMONWEALTH, AND WHEN FILED WITH ANY
6 COUNTY BOARD OF ELECTIONS SHALL BE VESTED IN SUCH BOARD. IF IN
7 SUCH CASE THE COMMITTEE OR BOARD, AS THE CASE MAY BE, SHALL
8 CONCLUDE THAT THE ACCEPTANCE OF SUCH NOMINATION PETITION, PAPER
9 OR CERTIFICATE SHOULD BE REFUSED, IT SHALL WITHIN TWO DAYS OF
10 THE FILING OF SUCH NOMINATION PETITION, PAPER OR CERTIFICATE FIX
11 A PLACE AND A TIME FIVE DAYS IN ADVANCE FOR HEARING THE MATTER,
12 AND NOTICE THEREOF SHALL BE GIVEN TO ALL PARTIES AFFECTED
13 THEREBY. AT THE TIME AND PLACE SO FIXED THE COMMITTEE OR BOARD,
14 AS THE CASE MAY BE, SHALL HEAR TESTIMONY, BUT SHALL NOT BE BOUND
15 BY TECHNICAL RULES OF EVIDENCE. THE TESTIMONY PRESENTED SHALL BE
16 STENOGRAPHICALLY RECORDED AND MADE A PART OF THE RECORD OF THE
17 COMMITTEE OR BOARD. WITHIN TWO DAYS AFTER SUCH HEARING THE
18 COMMITTEE OR BOARD, IF SATISFIED UPON COMPETENT EVIDENCE THAT
19 THE SAID NOMINATION PETITION, PAPER OR CERTIFICATE IS NOT
20 ENTITLED TO BE ACCEPTED AND FILED, IT SHALL ANNOUNCE ITS
21 DECISION AND IMMEDIATELY NOTIFY THE PARTIES AFFECTED THEREBY.
22 FAILURE TO ANNOUNCE DECISION WITHIN TWO DAYS AFTER SUCH HEARING
23 SHALL BE CONCLUSIVE THAT SUCH NOMINATION PETITION, PAPER OR
24 CERTIFICATE HAS BEEN ACCEPTED AND FILED. THE DECISION OF SAID
25 COMMITTEE OR BOARD IN REFUSING TO ACCEPT AND FILE SUCH
26 NOMINATION PETITION, PAPER OR CERTIFICATE MAY BE REVIEWED BY THE
27 COURT UPON AN APPLICATION TO COMPEL ITS RECEPTION AS OF THE DATE
28 WHEN PRESENTED TO THE SECRETARY OF THE COMMONWEALTH OR SUCH
29 BOARD. THE APPLICATION SHALL BE MADE WITHIN TWO DAYS OF THE TIME
30 WHEN SUCH DECISION IS ANNOUNCED. IF THE APPLICATION IS PROPERLY

1 MADE, ANY JUDGE OF SAID COURT MAY FIX A TIME AND PLACE FOR
2 HEARING THE MATTER IN DISPUTE, OF WHICH NOTICE SHALL BE SERVED
3 WITH A COPY OF SAID APPLICATION UPON THE SECRETARY OF THE
4 COMMONWEALTH OR THE COUNTY BOARD OF ELECTIONS, AS THE CASE MAY
5 BE. AT THE TIME SO FIXED, THE COURT, OR ANY JUDGE THEREOF
6 ASSIGNED FOR THE PURPOSE, SHALL HEAR THE CASE DE NOVO. IF AFTER
7 SUCH HEARING THE SAID COURT SHALL FIND THAT THE DECISION OF THE
8 COMMITTEE OR THE BOARD WAS ERRONEOUS, IT SHALL ISSUE ITS MANDATE
9 TO THE COMMITTEE OR BOARD TO CORRECT ITS DECISION AND TO ACCEPT
10 AND FILE THE NOMINATION PAPER, PETITION OR CERTIFICATE. FROM ANY
11 DECISION OF THE COURT AN APPEAL MAY BE TAKEN WITHIN TWO DAYS
12 AFTER THE ENTRY THEREOF. IT SHALL BE THE DUTY OF THE SAID COURT
13 TO FIX THE HEARING AND TO ANNOUNCE ITS DECISION WITHIN SUCH
14 PERIOD OF TIME AS WILL PERMIT THE SECRETARY OF THE COMMONWEALTH
15 OR THE COUNTY BOARD OF ELECTIONS TO PERMIT THE NAMES OF THE
16 CANDIDATES AFFECTED BY THE COURT'S DECISION TO BE PRINTED ON THE
17 BALLOT, IF THE COURT SHOULD SO DETERMINE.

18 SECTION 981.1. AFFIDAVITS OF CANDIDATES.--EACH CANDIDATE FOR
19 ANY STATE, COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP,
20 WARD, SCHOOL DISTRICT, POOR DISTRICT OR ELECTION DISTRICT
21 OFFICE, OR FOR THE OFFICE OF UNITED STATES SENATOR OR
22 REPRESENTATIVE IN CONGRESS, SELECTED AS PROVIDED IN SECTIONS 979
23 AND 980 OF THIS ACT, SHALL FILE WITH THE SUBSTITUTED NOMINATION
24 CERTIFICATE AN AFFIDAVIT STATING--(A) HIS RESIDENCE, WITH STREET
25 AND NUMBER, IF ANY, AND HIS POST-OFFICE ADDRESS; (B) HIS
26 ELECTION DISTRICT, GIVING CITY, BOROUGH, TOWN OR TOWNSHIP; (C)
27 THE NAME OF THE OFFICE FOR WHICH HE CONSENTS TO BE A CANDIDATE;
28 (D) THAT HE IS ELIGIBLE FOR SUCH OFFICE; (E) THAT HE WILL NOT
29 KNOWINGLY VIOLATE ANY PROVISION OF THIS ACT, OR OF ANY LAW
30 REGULATING AND LIMITING ELECTION EXPENSES AND PROHIBITING

1 CORRUPT PRACTICES IN CONNECTION THEREWITH; (F) UNLESS HE IS A
2 CANDIDATE FOR JUDGE OF A COURT OF COMMON PLEAS, THE PHILADELPHIA
3 MUNICIPAL COURT [OR THE TRAFFIC COURT OF PHILADELPHIA,] OR FOR
4 THE OFFICE OF SCHOOL BOARD IN A DISTRICT WHERE THAT OFFICE IS
5 ELECTIVE OR FOR THE OFFICE OF JUSTICE OF THE PEACE, THAT HE IS
6 NOT A CANDIDATE FOR THE SAME OFFICE OF ANY PARTY OR POLITICAL
7 BODY OTHER THAN THE ONE DESIGNATED IN SUCH CERTIFICATE; (G) THAT
8 HE IS AWARE OF THE PROVISIONS OF SECTION 1626 OF THIS ACT
9 REQUIRING ELECTION AND POST-ELECTION REPORTING OF CAMPAIGN
10 CONTRIBUTIONS AND EXPENDITURES; AND (H) THAT HE IS NOT A
11 CANDIDATE FOR AN OFFICE WHICH HE ALREADY HOLDS, THE TERM OF
12 WHICH IS NOT SET TO EXPIRE IN THE SAME YEAR AS THE OFFICE
13 SUBJECT TO THE AFFIDAVIT.

14 SECTION 993. FILLING OF CERTAIN VACANCIES IN PUBLIC OFFICE
15 BY MEANS OF NOMINATION CERTIFICATES AND NOMINATION PAPERS.-- (A)
16 IN ALL CASES WHERE A VACANCY SHALL OCCUR FOR ANY CAUSE IN AN
17 ELECTIVE PUBLIC OFFICE, INCLUDING THAT OF JUDGE OF A COURT OF
18 RECORD, AT A TIME WHEN SUCH VACANCY IS REQUIRED BY THE
19 PROVISIONS OF THE CONSTITUTION OR THE LAWS OF THIS COMMONWEALTH
20 TO BE FILLED AT THE ENSUING ELECTION BUT AT A TIME WHEN
21 NOMINATIONS FOR SUCH OFFICE CANNOT BE MADE UNDER ANY OTHER
22 PROVISION OF THIS ACT, NOMINATIONS TO FILL SUCH VACANCIES SHALL
23 BE MADE BY POLITICAL PARTIES IN ACCORDANCE WITH PARTY RULES
24 RELATING TO THE FILLING OF VACANCIES BY MEANS OF NOMINATION
25 CERTIFICATES IN THE FORM PRESCRIBED IN SECTION NINE HUNDRED
26 NINETY-FOUR OF THIS ACT, AND BY POLITICAL BODIES BY MEANS OF
27 NOMINATION PAPERS IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS
28 NINE HUNDRED FIFTY-ONE, NINE HUNDRED FIFTY-TWO AND NINE HUNDRED
29 FIFTY-FOUR OF THIS ACT. NO SUCH NOMINATION CERTIFICATE SHALL
30 NOMINATE ANY PERSON WHO HAS ALREADY BEEN NOMINATED BY ANY OTHER

1 POLITICAL PARTY OR BY ANY POLITICAL BODY FOR THE SAME OFFICE
2 UNLESS SUCH PERSON IS A CANDIDATE FOR THE OFFICE OF JUDGE OF A
3 COURT OF COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE
4 TRAFFIC COURT OF PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL
5 DIRECTOR IN DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR FOR THE
6 OFFICE OF JUSTICE OF THE PEACE. NO SUCH NOMINATION PAPERS SHALL
7 NOMINATE ANY PERSON WHO HAS ALREADY BEEN NOMINATED BY ANY
8 POLITICAL PARTY OR BY ANY OTHER POLITICAL BODY FOR ANY OFFICE TO
9 BE FILLED AT THE ENSUING NOVEMBER ELECTION, UNLESS SUCH PERSON
10 IS A CANDIDATE FOR THE OFFICE OF JUDGE OF A COURT OF COMMON
11 PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE TRAFFIC COURT OF
12 PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL DIRECTOR IN DISTRICTS
13 WHERE THAT OFFICE IS ELECTIVE OR FOR THE OFFICE OF JUSTICE OF
14 THE PEACE.

15 * * *

16 SECTION 998. SUBSTITUTED NOMINATIONS TO FILL CERTAIN
17 VACANCIES FOR A NOVEMBER ELECTION.-- (A) ANY VACANCY HAPPENING
18 OR EXISTING IN ANY PARTY NOMINATION MADE IN ACCORDANCE WITH THE
19 PROVISIONS OF SECTION NINE HUNDRED NINETY-THREE OF THIS ACT FOR
20 A NOVEMBER ELECTION BY REASON OF THE DEATH OR WITHDRAWAL OF ANY
21 CANDIDATE MAY BE FILLED BY A SUBSTITUTED NOMINATION MADE BY SUCH
22 COMMITTEE AS IS AUTHORIZED BY THE RULES OF THE PARTY TO MAKE
23 NOMINATIONS IN THE EVENT OF VACANCIES ON THE PARTY TICKET, IN
24 THE FORM PRESCRIBED BY SECTION NINE HUNDRED NINETY-FOUR OF THIS
25 ACT. BUT NO SUBSTITUTED NOMINATION CERTIFICATE SHALL NOMINATE
26 ANY PERSON WHO HAS ALREADY BEEN NOMINATED BY ANY OTHER POLITICAL
27 PARTY OR BY ANY POLITICAL BODY FOR THE SAME OFFICE, UNLESS SUCH
28 PERSON IS A CANDIDATE FOR THE OFFICE OF JUDGE OF A COURT OF
29 COMMON PLEAS, THE PHILADELPHIA MUNICIPAL COURT [OR THE TRAFFIC
30 COURT OF PHILADELPHIA,] OR FOR THE OFFICE OF SCHOOL DIRECTOR IN

1 DISTRICTS WHERE THAT OFFICE IS ELECTIVE OR FOR THE OFFICE OF
2 JUSTICE OF THE PEACE.

3 (B) IN CASE OF THE DEATH OR WITHDRAWAL OF ANY CANDIDATE
4 NOMINATED BY A POLITICAL BODY FOR AN ELECTION, THE COMMITTEE
5 NAMED IN THE ORIGINAL NOMINATION PAPERS MAY NOMINATE A
6 SUBSTITUTE IN HIS PLACE BY FILING A SUBSTITUTED NOMINATION
7 CERTIFICATE IN THE FORM AND MANNER PRESCRIBED BY SECTION NINE
8 HUNDRED EIGHTY OF THIS ACT. IN THE CASE OF A VACANCY CAUSED BY
9 THE DEATH OF ANY CANDIDATE, SAID NOMINATION CERTIFICATE SHALL BE
10 ACCOMPANIED BY A DEATH CERTIFICATE PROPERLY CERTIFIED. NO
11 SUBSTITUTED NOMINATION CERTIFICATE SHALL NOMINATE ANY PERSON WHO
12 HAS ALREADY BEEN NOMINATED BY ANY POLITICAL PARTY OR BY ANY
13 OTHER POLITICAL BODY FOR ANY OFFICE TO BE FILLED AT THE ENSUING
14 NOVEMBER ELECTION, UNLESS SUCH PERSON IS A CANDIDATE FOR THE
15 OFFICE OF JUDGE OF A COURT OF COMMON PLEAS, THE PHILADELPHIA
16 MUNICIPAL COURT [OR THE TRAFFIC COURT OF PHILADELPHIA,] OR FOR
17 THE OFFICE OF SCHOOL DIRECTOR IN DISTRICTS WHERE THAT OFFICE IS
18 ELECTIVE OR FOR THE OFFICE OF JUSTICE OF THE PEACE.

19 * * *

20 SECTION 1002. FORM OF OFFICIAL PRIMARY BALLOT.-- (A) AT
21 PRIMARIES SEPARATE OFFICIAL BALLOTS SHALL BE PREPARED FOR EACH
22 PARTY WHICH SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

23 OFFICIAL..... PRIMARY BALLOT.

24 (NAME OF PARTY)

25DISTRICT,WARD, CITY OF.....,

26 COUNTY OF....., STATE OF PENNSYLVANIA

27PRIMARY ELECTION HELD ON THE.....DAY OF....., 19...

28 MAKE A CROSS (X) OR CHECK () IN THE SQUARE TO THE RIGHT OF
29 EACH CANDIDATE FOR WHOM YOU WISH TO VOTE. IF YOU DESIRE TO VOTE
30 FOR A PERSON WHOSE NAME IS NOT ON THE BALLOT, WRITE [, PRINT OR

1 PASTE] OR STAMP HIS NAME IN THE BLANK SPACE PROVIDED FOR THAT
2 PURPOSE. MARK BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE PENCIL
3 OR BLUE, BLACK OR BLUE-BLACK INK IN FOUNTAIN PEN OR BALL POINT
4 PEN. USE THE SAME PENCIL OR PEN FOR ALL MARKINGS YOU PLACE ON
5 THE BALLOT.

6 PRESIDENT OF THE UNITED STATES.

7 (VOTE FOR ONE)

8 JOHN DOE

9 RICHARD ROE

10 JOHN STILES

11 UNITED STATES SENATOR.

12 (VOTE FOR ONE)

13 JOHN DOE

14 RICHARD ROE

15 JOHN STILES

16 GOVERNOR.

17 (VOTE FOR ONE)

18 JOHN DOE

19 RICHARD ROE

20 JOHN STILES

21 REPRESENTATIVE IN CONGRESS.....DISTRICT.

22 (VOTE FOR ONE)

23 JOHN DOE

24 RICHARD ROE

25 JOHN STILES

26 DELEGATES AT LARGE TO NATIONAL CONVENTION.

27 (VOTE FOR.....)

28 JOHN DOE

29 (COMMITTED TO JEREMIAH SMITH)

30 JOHN STILES

1 (UNCOMMITTED)

2 DELEGATE TO NATIONAL CONVENTION.....DISTRICT.

3 (VOTE FOR.....)

4 JOHN DOE

5 (COMMITTED TO JEREMIAH SMITH)

6 JOHN STILES

7 (UNCOMMITTED)

8 SENATOR IN THE GENERAL ASSEMBLY.....DISTRICT.

9 (VOTE FOR ONE)

10 JOHN DOE

11 RICHARD ROE

12 JOHN STILES

13 MEMBER OF STATE COMMITTEE.

14 (VOTE FOR ONE)

15 JOHN DOE

16 RICHARD ROE

17 JOHN STILES

18 PARTY COMMITTEEMEN.

19 (VOTE FOR.....)

20 JOHN DOE

21 RICHARD ROE

22 JOHN STILES

23 (B) ON THE BACK OF EACH BALLOT SHALL BE PRINTED IN PROMINENT

24 TYPE THE WORDS "OFFICIAL PRIMARY BALLOT OFPARTY FOR"

25 FOLLOWED BY THE DESIGNATION OF THE ELECTION DISTRICT FOR WHICH

26 IT IS PREPARED, THE DATE OF THE PRIMARY AND THE FACSIMILE

27 SIGNATURES OF THE MEMBERS OF THE COUNTY BOARD OF ELECTIONS. THE

28 NAMES OF CANDIDATES SHALL IN ALL CASES BE ARRANGED UNDER THE

29 TITLE OF THE OFFICE FOR WHICH THEY ARE CANDIDATES, AND BE

30 PRINTED THEREUNDER IN THE ORDER DETERMINED BY THE CASTING OF

1 LOTS AS PROVIDED BY THIS ACT. UNDER THE TITLE OF SUCH OFFICES
2 WHERE MORE THAN ONE CANDIDATE IS TO BE VOTED FOR, SHALL BE
3 PRINTED "VOTE FOR NOT MORE THAN" (THE BLANK SPACE TO
4 INDICATE THE NUMBER OF CANDIDATES TO BE VOTED FOR THE PARTICULAR
5 OFFICE.) AT THE RIGHT OF THE NAME OF EACH CANDIDATE THERE SHALL
6 BE A SQUARE OF SUFFICIENT SIZE FOR THE CONVENIENT INSERTION OF A
7 CROSS (X) OR CHECK () MARK. THERE SHALL BE LEFT AT THE END OF
8 THE LIST OF CANDIDATES FOR EACH OFFICE (OR UNDER THE TITLE OF
9 THE OFFICE ITSELF IN CASE THERE BE NO CANDIDATES WHO HAVE FILED
10 NOMINATION PETITIONS THEREFOR) AS MANY BLANK SPACES AS THERE ARE
11 PERSONS TO BE VOTED FOR, FOR SUCH OFFICE, IN WHICH SPACE THE
12 ELECTOR MAY INSERT, BY WRITING OR STAMPING, THE NAME OF ANY
13 PERSON WHOSE NAME IS NOT PRINTED ON THE BALLOT AS A CANDIDATE
14 FOR SUCH OFFICE. OPPOSITE OR UNDER THE NAME OF EACH CANDIDATE,
15 EXCEPT CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
16 STATES AND CANDIDATES FOR DELEGATE OR ALTERNATE DELEGATE TO A
17 NATIONAL PARTY CONVENTION, WHO IS TO BE VOTED FOR BY THE
18 ELECTORS OF MORE THAN ONE COUNTY, SHALL BE PRINTED THE NAME OF
19 THE COUNTY IN WHICH SUCH CANDIDATE RESIDES; AND OPPOSITE OR
20 UNDER THE NAME OF EACH CANDIDATE EXCEPT CANDIDATES FOR DELEGATE
21 OR ALTERNATE DELEGATE TO A NATIONAL PARTY CONVENTION WHO IS TO
22 BE VOTED FOR BY THE ELECTORS OF AN ENTIRE COUNTY OR ANY
23 CONGRESSIONAL, SENATORIAL OR REPRESENTATIVE DISTRICT WITHIN THE
24 COUNTY, SHALL BE PRINTED THE NAME OF THE CITY, BOROUGH, TOWNSHIP
25 OR WARD, AS THE CASE MAY BE, IN WHICH SUCH CANDIDATE RESIDES.

26 * * *

27 SECTION 1003. FORM OF OFFICIAL ELECTION BALLOT.--

28 (A) THE OFFICIAL BALLOTS FOR GENERAL, MUNICIPAL AND SPECIAL
29 ELECTIONS SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

30 OFFICIAL BALLOT

1 DISTRICT, WARD,
2 CITY OF, COUNTY OF,
3 STATE OF PENNSYLVANIA
4 ELECTION HELD ON THE DAY OF, [19]
5 20.....

6 A CROSS (X) OR CHECK () MARK IN THE SQUARE OPPOSITE THE NAME OF
7 ANY CANDIDATE INDICATES A VOTE FOR THAT CANDIDATE.

8 [TO VOTE A STRAIGHT PARTY TICKET, MARK A CROSS (X) OR CHECK
9 () IN THE SQUARE, IN THE PARTY COLUMN, OPPOSITE THE NAME OF THE
10 PARTY OF YOUR CHOICE. TO VOTE FOR AN INDIVIDUAL CANDIDATE OF
11 ANOTHER PARTY AFTER MAKING A MARK IN THE PARTY SQUARE, MARK A
12 CROSS (X) OR CHECK () OPPOSITE HIS NAME. FOR AN OFFICE WHERE
13 MORE THAN ONE CANDIDATE IS TO BE VOTED FOR, THE VOTER, AFTER
14 MARKING IN THE PARTY SQUARE, MAY DIVIDE HIS VOTE BY MARKING A
15 CROSS (X) OR CHECK () TO THE RIGHT OF EACH CANDIDATE FOR WHOM
16 HE OR SHE DESIRES TO VOTE. FOR SUCH OFFICE VOTES SHALL NOT BE
17 COUNTED FOR CANDIDATES NOT INDIVIDUALLY MARKED.]

18 TO VOTE FOR A PERSON WHOSE NAME IS NOT ON THE BALLOT, WRITE[,
19 PRINT OR PASTE] OR STAMP HIS NAME IN THE BLANK SPACE PROVIDED
20 FOR THAT PURPOSE. A CROSS (X) OR CHECK () MARK IN THE SQUARE
21 OPPOSITE THE NAMES OF THE CANDIDATES OF ANY PARTY FOR PRESIDENT
22 AND VICE-PRESIDENT OF THE UNITED STATES INDICATES A VOTE FOR ALL
23 THE CANDIDATES OF THAT PARTY FOR PRESIDENTIAL ELECTOR. TO VOTE
24 FOR INDIVIDUAL CANDIDATES FOR PRESIDENTIAL ELECTOR, WRITE[,
25 PRINT OR PASTE] OR STAMP THEIR NAMES IN THE BLANK SPACES
26 PROVIDED FOR THAT PURPOSE UNDER THE TITLE "PRESIDENTIAL
27 ELECTORS." MARK BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
28 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
29 POINT PEN; USE THE SAME PENCIL OR PEN FOR ALL MARKINGS YOU PLACE
30 ON THE BALLOT.

1 BEFORE LEAVING THE VOTING COMPARTMENT, FOLD THIS BALLOT,
2 WITHOUT DISPLAYING THE MARKINGS THEREON, IN THE SAME WAY IT WAS
3 FOLDED WHEN RECEIVED, THEN LEAVE THE COMPARTMENT AND EXHIBIT THE
4 BALLOT TO ONE OF THE ELECTION OFFICERS WHO SHALL ASCERTAIN BY AN
5 INSPECTION OF THE NUMBER APPEARING UPON THE RIGHT HAND CORNER OF
6 THE BACK OF THE BALLOT WHETHER THE BALLOT SO EXHIBITED TO HIM IS
7 THE SAME BALLOT WHICH THE ELECTOR RECEIVED BEFORE ENTERING THE
8 VOTING COMPARTMENT. IF IT IS THE SAME, THE ELECTION OFFICER
9 SHALL DIRECT THE ELECTOR, WITHOUT UNFOLDING THE BALLOT, TO
10 REMOVE THE PERFORATED CORNER CONTAINING THE NUMBER, AND THE
11 ELECTOR SHALL IMMEDIATELY DEPOSIT THE BALLOT IN THE BALLOT BOX.
12 ANY BALLOT DEPOSITED IN A BALLOT BOX AT ANY PRIMARY OR ELECTION
13 WITHOUT HAVING THE SAID NUMBER TORN OFF SHALL BE VOID AND SHALL
14 NOT BE COUNTED.

15	[PARTY COLUMN	PRESIDENTIAL ELECTORS
16	TO VOTE A STRAIGHT PARTY TICKET	(VOTE FOR THE CANDIDATES OF
17	MARK A CROSS (X) OR CHECK () IN	ONE PARTY FOR PRESIDENT AND
18	THIS COLUMN.	VICE-PRESIDENT, OR INSERT THE
19		NAMES OF CANDIDATES.)
20		FOR
21		JOHN STILES
22	DEMOCRATIC	AND
23		RICHARD DOE,
24		DEMOCRATIC
25		FOR
26		JOHN DOE
27	REPUBLICAN	AND
28		RICHARD ROE,
29		REPUBLICAN
30		FOR

1 JOHN SMITH
2 SOCIALIST AND
3 WILLIAM JONES,
4 SOCIALIST

5 CITIZENS]

6 PRESIDENTIAL ELECTORS.

7 (VOTE FOR THE CANDIDATES OF ONE PARTY FOR PRESIDENT AND VICE
8 PRESIDENT, OR INSERT THE NAMES OF CANDIDATES)

9 FOR

10 JOHN STILES AND RICHARD DOE..... DEMOCRATIC

11 FOR

12 JOHN DOE AND RICHARD ROE..... REPUBLICAN

13 FOR

14 JOHN SMITH AND WILLIAM JONES..... SOCIALIST

15 FOR

16 CITIZENS

17 UNITED STATES SENATOR.

18 (VOTE FOR ONE)

19 RICHARD ROE DEMOCRATIC

20 JOHN DOE REPUBLICAN

21 RICHARD STILES SOCIALIST

22 GOVERNOR.

23 (VOTE FOR ONE)

24 RICHARD ROE DEMOCRATIC

25 JOHN DOE REPUBLICAN

26 RICHARD STILES SOCIALIST

27 REPRESENTATIVES IN CONGRESS,

28 DISTRICT.

29 (VOTE FOR ONE)

30 RICHARD ROE DEMOCRATIC

1 JOHN DOE REPUBLICAN
2 RICHARD STILES SOCIALIST
3 SENATOR IN THE GENERAL ASSEMBLY,
4 DISTRICT.

5 (VOTE FOR ONE)

6 JOHN DOE DEMOCRATIC
7 RICHARD ROE REPUBLICAN

8 * * *

9 (E) THERE SHALL BE LEFT AT THE END OF THE GROUP OF
10 CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES
11 UNDER THE TITLE "PRESIDENTIAL ELECTORS," AS MANY BLANK SPACES AS
12 THERE ARE PRESIDENTIAL ELECTORS TO BE ELECTED, IN WHICH SPACES
13 THE ELECTOR MAY INSERT, BY WRITING OR STAMPING, THE NAMES OF ANY
14 INDIVIDUAL CANDIDATES FOR PRESIDENTIAL ELECTORS FOR WHOM HE
15 DESIRES TO VOTE. THERE SHALL ALSO BE LEFT AT THE END OF EACH
16 GROUP OF CANDIDATES FOR EACH OTHER OFFICE (OR UNDER THE TITLE OF
17 THE OFFICE ITSELF IN CASE NO CANDIDATES HAVE BEEN NOMINATED
18 THEREFOR), AS MANY BLANK SPACES AS THERE ARE PERSONS TO BE VOTED
19 FOR FOR SUCH OFFICE, IN WHICH SPACE THE ELECTOR MAY INSERT THE
20 NAME OF ANY PERSON OR PERSONS WHOSE NAME IS NOT PRINTED ON THE
21 BALLOT AS A CANDIDATE FOR SUCH OFFICE.

22 * * *

23 SECTION 1004. FORM OF BALLOTS; PRINTING BALLOTS; STUBS; <--
24 NUMBERS.--FROM THE LISTS FURNISHED BY THE SECRETARY OF THE
25 COMMONWEALTH UNDER THE PROVISIONS OF SECTIONS 915 AND 984, AND
26 FROM PETITIONS AND PAPERS FILED IN THEIR OFFICE, THE COUNTY
27 ELECTION BOARD SHALL PRINT THE OFFICIAL PRIMARY AND ELECTION
28 BALLOTS IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT: PROVIDED,
29 HOWEVER, THAT IN NO EVENT, SHALL THE NAME OF ANY PERSON
30 CONSENTING TO BE A CANDIDATE FOR NOMINATION FOR ANY ONE OFFICE,

1 EXCEPT THE OFFICE OF JUDGE OF A COURT OF COMMON PLEAS, THE
2 PHILADELPHIA MUNICIPAL COURT OR [THE TRAFFIC COURT OF
3 PHILADELPHIA,] OR THE OFFICE OF SCHOOL DIRECTOR IN DISTRICTS
4 WHERE THAT OFFICE IS ELECTIVE OR THE OFFICE OF JUSTICE OF THE
5 PEACE BE PRINTED AS A CANDIDATE FOR SUCH OFFICE UPON THE
6 OFFICIAL PRIMARY BALLOT OF MORE THAN ONE PARTY. ALL BALLOTS FOR
7 USE IN THE SAME ELECTION DISTRICT AT ANY PRIMARY OR ELECTION
8 SHALL BE ALIKE. THEY SHALL BE AT LEAST SIX INCHES LONG AND FOUR
9 INCHES WIDE, AND SHALL HAVE A MARGIN EXTENDING BEYOND ANY
10 PRINTING THEREON. THEY SHALL BE PRINTED WITH THE SAME KIND OF
11 TYPE (WHICH SHALL NOT BE SMALLER THAN THE SIZE KNOWN AS
12 "BREVIER" OR "EIGHT POINT BODY") UPON WHITE PAPER OF UNIFORM
13 QUALITY, WITHOUT ANY IMPRESSION OR MARK TO DISTINGUISH ONE FROM
14 ANOTHER, AND WITH SUFFICIENT THICKNESS TO PREVENT THE PRINTED
15 MATTER FROM SHOWING THROUGH. EACH BALLOT SHALL BE ATTACHED TO A
16 STUB, AND ALL THE BALLOTS FOR THE SAME ELECTION DISTRICT SHALL
17 BE BOUND TOGETHER IN BOOKS OF FIFTY, IN SUCH MANNER THAT EACH
18 BALLOT MAY BE DETACHED FROM ITS STUB AND REMOVED SEPARATELY. THE
19 BALLOTS FOR EACH PARTY TO BE USED AT A PRIMARY SHALL BE BOUND
20 SEPARATELY. THE STUBS OF THE BALLOTS SHALL BE CONSECUTIVELY
21 NUMBERED, AND IN THE CASE OF PRIMARY BALLOTS, THE NUMBER SHALL
22 BE PRECEDED BY AN INITIAL OR ABBREVIATION DESIGNATING THE PARTY
23 NAME. THE NUMBER AND INITIAL OR ABBREVIATION WHICH APPEARS UPON
24 THE STUB SHALL ALSO BE PRINTED IN THE UPPER RIGHT HAND CORNER OF
25 THE BACK OF THE BALLOT, SEPARATED FROM THE REMAINDER OF THE
26 BALLOT BY A DIAGONAL PERFORATED LINE SO PREPARED THAT THE UPPER
27 RIGHT HAND CORNER OF THE BACK OF THE BALLOT CONTAINING THE
28 NUMBER MAY BE DETACHED FROM THE BALLOT BEFORE IT IS DEPOSITED IN
29 THE BALLOT BOX AND BESIDE THAT CORNER SHALL ALSO BE PRINTED,
30 "REMOVE NUMBERED STUB IMMEDIATELY BEFORE DEPOSITING YOUR BALLOT

1 IN BALLOT BOX."

2 SECTION 1007. NUMBER OF BALLOTS TO BE PRINTED; SPECIMEN
3 BALLOTS.--(A) THE COUNTY BOARD OF EACH COUNTY SHALL PROVIDE FOR
4 EACH ELECTION DISTRICT [IN WHICH A PRIMARY IS TO BE HELD, ONE
5 BOOK OF FIFTY OFFICIAL BALLOTS OF EACH PARTY FOR EVERY FORTY-
6 FIVE REGISTERED AND ENROLLED ELECTORS OF SUCH PARTY AND FRACTION
7 THEREOF, APPEARING UPON THE DISTRICT REGISTER, AND SHALL PROVIDE
8 FOR EACH ELECTION DISTRICT IN WHICH AN ELECTION IS TO BE HELD
9 ONE BOOK OF FIFTY OFFICIAL BALLOTS FOR EVERY FORTY-FIVE
10 REGISTERED ELECTORS AND FRACTION THEREOF APPEARING UPON THE
11 DISTRICT REGISTER. THEY] A SUPPLY OF OFFICIAL ELECTION BALLOTS
12 FOR:

13 (1) THE GENERAL PRIMARY ELECTION HELD IN EVEN-NUMBERED YEARS
14 IN WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
15 STATES ARE NOT NOMINATED IN AN AMOUNT OF AT LEAST TEN PER CENTUM
16 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
17 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL PRIMARY ELECTIONS
18 AT WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
19 STATES WERE NOT NOMINATED;

20 (2) THE GENERAL PRIMARY ELECTION HELD IN EVEN-NUMBERED YEARS
21 IN WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
22 STATES ARE NOMINATED IN AN AMOUNT OF AT LEAST FIFTEEN PER CENTUM
23 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
24 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL PRIMARY ELECTIONS
25 AT WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
26 STATES WERE NOMINATED;

27 (3) THE MUNICIPAL PRIMARY ELECTION HELD IN ODD-NUMBERED
28 YEARS IN AN AMOUNT OF AT LEAST TEN PER CENTUM GREATER THAN THE
29 HIGHEST NUMBER OF BALLOTS CAST IN ANY OF THE PREVIOUS THREE
30 MUNICIPAL PRIMARY ELECTIONS IN THE ELECTION DISTRICT;

1 (4) THE GENERAL ELECTION HELD IN EVEN-NUMBERED YEARS IN
2 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
3 STATES ARE NOT ELECTED IN AN AMOUNT OF AT LEAST TEN PER CENTUM
4 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
5 DISTRICT IN ANY OF THE PREVIOUS THREE GENERAL ELECTIONS AT WHICH
6 CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES WERE
7 NOT ELECTED;

8 (5) THE GENERAL ELECTION HELD IN EVEN-NUMBERED YEARS IN
9 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
10 STATES ARE ELECTED IN AN AMOUNT OF AT LEAST FIFTEEN PER CENTUM
11 GREATER THAN THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION
12 DISTRICTS IN ANY OF THE PREVIOUS THREE GENERAL ELECTIONS AT
13 WHICH CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED
14 STATES WERE ELECTED; AND

15 (6) THE MUNICIPAL ELECTION HELD IN ODD-NUMBERED YEARS IN AN
16 AMOUNT OF AT LEAST TEN PER CENTUM GREATER THAN THE HIGHEST
17 NUMBER OF BALLOTS CAST IN ANY OF THE PREVIOUS THREE MUNICIPAL
18 ELECTIONS IN THE ELECTION DISTRICT.

19 (B) THE COUNTY BOARD OF EACH COUNTY SHALL ALSO, IN ADDITION
20 TO THE NUMBER OF BALLOTS REQUIRED TO BE PRINTED FOR GENERAL
21 DISTRIBUTION, MAINTAIN A SUFFICIENT SUPPLY OF SUCH BALLOTS AT
22 THE OFFICE OF THE COUNTY BOARD FOR THE USE OF ABSENTEE ELECTORS
23 OR MAIL-IN ELECTORS AND FOR THE USE OF ANY DISTRICT, THE BALLOTS
24 FOR WHICH MAY BE LOST, DESTROYED OR STOLEN. THEY SHALL ALSO
25 CAUSE TO BE PRINTED ON TINTED PAPER, AND WITHOUT THE FACSIMILE
26 ENDORSEMENTS, PERMANENT BINDING OR STUBS, COPIES OF THE FORM OF
27 BALLOTS PROVIDED FOR EACH POLLING PLACE AT EACH PRIMARY OR
28 ELECTION THEREIN, WHICH SHALL BE CALLED SPECIMEN BALLOTS, AND
29 WHICH SHALL BE OF THE SAME SIZE AND FORM AS THE OFFICIAL
30 BALLOTS, AND AT EACH ELECTION THEY SHALL DELIVER TO THE ELECTION

1 OFFICERS, IN ADDITION TO THE OFFICIAL BALLOTS TO BE USED AT SUCH
2 ELECTION, A SUITABLE SUPPLY OF SPECIMEN BALLOTS FOR THE USE OF
3 THE ELECTORS. AT EACH PRIMARY, A SUITABLE SUPPLY OF SPECIMEN
4 BALLOTS OF EACH PARTY SHALL BE FURNISHED.

5 SECTION 1008. FORMS OF BALLOTS ON FILE AND OPEN TO PUBLIC <--
6 INSPECTION; BALLOTS AND DIAGRAMS TO BE FURNISHED TO CANDIDATES
7 AND PARTIES.--

8 (A) THE COUNTY BOARD OF ELECTIONS SHALL HAVE ON FILE IN ITS
9 OFFICE [, ON AND] AFTER THE THURSDAY [PRECEDING] BEFORE EACH
10 PRIMARY AND ELECTION, OPEN TO PUBLIC INSPECTION, FORMS OF THE
11 BALLOTS AND BALLOT LABELS [, WITH THE NAMES AND SUCH STATEMENTS
12 AND NOTATIONS AS MAY BE REQUIRED BY THE PROVISIONS OF THIS ACT,
13 PRINTED THEREON, WHICH SHALL BE USED IN EACH ELECTION DISTRICT
14 WITHIN THE COUNTY] . THE FORMS OF THE BALLOTS AND BALLOT LABELS
15 SHALL BE PUBLISHED ON THE COUNTY BOARD'S PUBLICLY ACCESSIBLE
16 INTERNET WEBSITE .

17 (B) ON THE THURSDAY [PRECEDING] BEFORE EACH PRIMARY, THE
18 COUNTY BOARD SHALL, UPON REQUEST MADE AT THEIR OFFICE, [THERE]
19 DELIVER TO EACH CANDIDATE WHOSE NAME IS PRINTED ON THE BALLOT OF
20 ANY PARTY, OR TO HIS AUTHORIZED REPRESENTATIVE, WITHOUT CHARGE,
21 THREE [SPECIMEN] SAMPLE BALLOTS OF SUCH PARTY FOR THE ENTIRE
22 DISTRICT [IN WHICH SUCH CANDIDATE IS TO BE VOTED FOR, AND THE
23 CANDIDATE MAY, AT HIS OWN EXPENSE, HAVE PRINTED ON DIFFERENT
24 COLORED PAPER AS MANY COPIES AS HE REQUIRES FOR CONDUCTING HIS
25 CAMPAIGN] .

26 (C) ON THE THURSDAY [PRECEDING] BEFORE EACH NOVEMBER
27 ELECTION, THE COUNTY BOARD SHALL, UPON REQUEST MADE AT THEIR
28 OFFICE, [THERE] DELIVER TO THE COUNTY CHAIRMAN OR OTHER
29 AUTHORIZED REPRESENTATIVE OF EACH POLITICAL PARTY AND POLITICAL
30 BODY IN THE COUNTY, WITHOUT CHARGE, TWO [SPECIMEN] SAMPLE

1 BALLOTS [OR DIAGRAMS] FOR EACH ELECTION DISTRICT WITHIN THE
2 COUNTY IN WHICH CANDIDATES OF SUCH PARTY OR POLITICAL BODY ARE
3 [TO BE VOTED FOR, AND SUCH POLITICAL PARTY OR POLITICAL BODY
4 MAY, AT ITS OWN EXPENSE, HAVE PRINTED ON DIFFERENT COLORED PAPER
5 AS MANY COPIES AS IT REQUIRES FOR CONDUCTING ITS CAMPAIGN.]
6 RUNNING FOR OFFICE.

7 SECTION 1107. REQUIREMENTS OF VOTING MACHINES.--NO VOTING
8 MACHINE SHALL, UPON ANY EXAMINATION OR REEXAMINATION, BE
9 APPROVED BY THE SECRETARY OF THE COMMONWEALTH, OR BY ANY
10 EXAMINER APPOINTED BY HIM, UNLESS IT SHALL, AT THE TIME, SATISFY
11 THE FOLLOWING REQUIREMENTS:

12 * * *

13 [(B) IT SHALL PERMIT EACH VOTER, AT OTHER THAN PRIMARY
14 ELECTIONS, TO VOTE A STRAIGHT POLITICAL PARTY TICKET IN ONE
15 OPERATION, AND, IN ONE OPERATION, TO VOTE FOR ALL THE CANDIDATES
16 OF ONE POLITICAL PARTY FOR PRESIDENTIAL ELECTORS, AND, IN ONE
17 OPERATION, TO VOTE FOR ALL THE CANDIDATES OF ONE POLITICAL PARTY
18 FOR EVERY OFFICE TO BE VOTED FOR, EXCEPT THOSE OFFICES AS TO
19 WHICH HE VOTES FOR INDIVIDUAL CANDIDATES.]

20 * * *

21 SECTION 1110. FORM OF BALLOT LABELS ON VOTING MACHINES.--

22 * * *

23 (H) THE NAMES OF ALL CANDIDATES OF A POLITICAL PARTY SHALL
24 APPEAR IN THE SAME ROW OR COLUMN, AND EXCEPT IN CASES OF NAMES
25 OF PRESIDENTIAL COMMITMENTS OF NOMINEES FOR DELEGATE OR
26 ALTERNATE DELEGATE TO POLITICAL PARTY NATIONAL CONVENTIONS NO
27 OTHER NAMES SHALL APPEAR IN THE SAME ROW OR COLUMN[, TO THE LEFT
28 OR TOP OF WHICH SHALL BE A STRAIGHT PARTY LEVER, BY MEANS OF
29 WHICH AN ELECTOR MAY, IN ONE OPERATION, VOTE FOR ALL THE
30 CANDIDATES OF THAT POLITICAL PARTY FOR EVERY OFFICE TO BE VOTED

1 FOR]. WHERE THE NAMES OF THE DELEGATE OR ALTERNATE DELEGATE AND
2 THE PRESIDENTIAL CANDIDATE HE IS SUPPORTING SHALL BOTH APPEAR,
3 THE PRINT SIZE OF THE NAME OF THE DELEGATE OR ALTERNATE DELEGATE
4 SHALL BE EQUAL TO THE SIZE OF THE NAME OF THE PARTICULAR
5 PRESIDENTIAL CANDIDATE TO WHOM HE IS COMMITTED, OR IN THE CASE
6 WHERE HE IS UNCOMMITTED, THE WORD "UNCOMMITTED" SHALL APPEAR IN
7 THE SAME SIZE PRINT. THE NAMES OF SUCH CANDIDATES SHALL BE
8 ARRANGED UNDER OR OPPOSITE THE TITLE OF THE OFFICE FOR WHICH
9 THEY ARE CANDIDATES, AND SHALL APPEAR IN THE ORDER OF THE VOTES
10 OBTAINED BY THE CANDIDATE FOR GOVERNOR OF THE PARTY NOMINATED AT
11 THE LAST GUBERNATORIAL ELECTION, BEGINNING WITH THE PARTY
12 OBTAINING THE HIGHEST NUMBER OF VOTES: PROVIDED, HOWEVER, THAT
13 IN THE CASE OF PARTIES OR BODIES NOT REPRESENTED ON THE BALLOT
14 AT THE LAST GUBERNATORIAL ELECTION, THE NAMES OF THE CANDIDATES
15 OF SUCH PARTIES SHALL BE ARRANGED ALPHABETICALLY, ACCORDING TO
16 THE PARTY OR BODY NAME. THE NAMES OF ALL CANDIDATES OF A
17 POLITICAL BODY SHALL APPEAR IN THE SAME ROW OR COLUMN, AND, IF
18 THE NUMBER OF PARTIES AND BODIES PERMITS, EACH POLITICAL BODY
19 SHALL BE ENTITLED EXCLUSIVELY TO A SEPARATE ROW OR COLUMN[, WITH
20 A STRAIGHT PARTY LEVER]. IF, HOWEVER, THE NUMBER OF POLITICAL
21 PARTIES AND POLITICAL BODIES RENDERS IT IMPOSSIBLE OR
22 IMPRACTICABLE TO SO ARRANGE THE POLITICAL BODIES, IN SUCH CASE
23 SAID BODIES SHALL NOT BE ENTITLED TO A SEPARATE ROW OR COLUMN
24 [AND A STRAIGHT PARTY LEVER], BUT SHALL BE LISTED BY POLITICAL
25 APPELLATIONS ON THE FIRST LEFT HAND OR TOP ROW, WITH THE
26 DESIGNATING LETTER AND NUMBER OF THE BALLOT LABEL WHERE THEIR
27 CANDIDATES MAY BE FOUND, TOGETHER WITH THE POLITICAL
28 APPELLATIONS OF OTHER POLITICAL BODIES, WHOSE CANDIDATES MAY BE
29 INTERSPERSED ON THE SAME ROW OR COLUMN. SUBJECT TO THE AFORESAID
30 LIMITATIONS, THE FORM AND ARRANGEMENT OF BALLOT LABELS, AS TO

1 THE PLACING THEREON OF POLITICAL BODIES, SHALL BE WITHIN THE
2 DISCRETION OF THE COUNTY BOARD.

3 * * *

4 SECTION 1107-A. REQUIREMENTS OF ELECTRONIC VOTING SYSTEMS.--
5 NO ELECTRONIC VOTING SYSTEM SHALL, UPON ANY EXAMINATION OR
6 REEXAMINATION, BE APPROVED BY THE SECRETARY OF THE COMMONWEALTH,
7 OR BY ANY EXAMINER APPOINTED BY HIM, UNLESS IT SHALL BE
8 ESTABLISHED THAT SUCH SYSTEM, AT THE TIME OF SUCH EXAMINATION OR
9 REEXAMINATION:

10 * * *

11 [(3) PERMITS EACH VOTER, AT OTHER THAN PRIMARY ELECTIONS, TO
12 VOTE A STRAIGHT POLITICAL PARTY TICKET BY ONE MARK OR ACT AND,
13 BY ONE MARK OR ACT, TO VOTE FOR ALL THE CANDIDATES OF ONE
14 POLITICAL PARTY FOR PRESIDENTIAL ELECTORS AND, BY ONE MARK OR
15 ACT, TO VOTE FOR ALL THE CANDIDATES OF ONE POLITICAL PARTY FOR
16 EVERY OFFICE TO BE VOTED FOR, AND EVERY SUCH MARK OR ACT SHALL
17 BE EQUIVALENT TO AND SHALL BE COUNTED AS A VOTE FOR EVERY
18 CANDIDATE OF THE POLITICAL PARTY SO MARKED INCLUDING ITS
19 CANDIDATES FOR PRESIDENTIAL ELECTORS, EXCEPT WITH RESPECT TO
20 THOSE OFFICES AS TO WHICH THE VOTER HAS REGISTERED A VOTE FOR
21 INDIVIDUAL CANDIDATES OF THE SAME OR ANOTHER POLITICAL PARTY OR
22 POLITICAL BODY, IN WHICH CASE THE AUTOMATIC TABULATING EQUIPMENT
23 SHALL CREDIT THE VOTE FOR THAT OFFICE ONLY FOR THE CANDIDATE
24 INDIVIDUALLY SO SELECTED, NOTWITHSTANDING THE FACT THAT THE
25 VOTER MAY NOT HAVE INDIVIDUALLY VOTED FOR THE FULL NUMBER OF
26 CANDIDATES FOR THAT OFFICE FOR WHICH HE WAS ENTITLED TO VOTE.]

27 * * *

28 SECTION 1109-A. FORMS.-- (A) * * *

29 (2) THE PAGES PLACED ON THE VOTING DEVICE SHALL BE OF
30 SUFFICIENT NUMBER TO INCLUDE, FOLLOWING THE LISTING OF

1 PARTICULAR CANDIDATES, THE NAMES OF CANDIDATES FOR ANY
2 NONPARTISAN OFFICES AND ANY MEASURES FOR WHICH A VOTER MAY BE
3 QUALIFIED TO VOTE ON A GIVEN ELECTION DAY, PROVIDED FURTHER THAT
4 FOR MUNICIPAL, GENERAL OR SPECIAL ELECTIONS, THE FIRST BALLOT
5 PAGE SHALL LIST IN THE ORDER THAT SUCH POLITICAL PARTIES ARE
6 ENTITLED TO PRIORITY ON THE BALLOT, THE NAMES OF SUCH POLITICAL
7 PARTIES [WITH DESIGNATING ARROWS SO AS TO INDICATE THE VOTING
8 SQUARE OR POSITION ON THE BALLOT CARD WHERE THE VOTER MAY INSERT
9 BY ONE MARK OR PUNCH THE STRAIGHT PARTY TICKET OF HIS CHOICE].

10 * * *

11 [(D) IN PARTISAN ELECTIONS THE BALLOT CARDS SHALL INCLUDE A
12 VOTING SQUARE OR POSITION WHEREBY THE VOTER MAY BY ONE PUNCH OR
13 MARK RECORD A STRAIGHT PARTY TICKET VOTE FOR ALL THE CANDIDATES
14 OF ONE PARTY OR MAY VOTE A SPLIT TICKET FOR THE CANDIDATES OF
15 HIS CHOICE.]

16 * * *

17 SECTION 1112-A. ELECTION DAY PROCEDURES AND THE PROCESS OF
18 VOTING.--(A) IN AN ELECTION DISTRICT WHICH USES AN ELECTRONIC
19 VOTING SYSTEM IN WHICH VOTES ARE REGISTERED ELECTRONICALLY, THE
20 FOLLOWING PROCEDURES WILL BE APPLICABLE FOR THE CONDUCT OF THE
21 ELECTION AT THE ELECTION DISTRICT:

22 * * *

23 (2) AT [PRIMARY] ALL ELECTIONS, THE VOTER SHALL BE ABLE TO
24 VOTE FOR EACH CANDIDATE INDIVIDUALLY BY THE MEANS PROVIDED. [AT
25 ALL OTHER ELECTIONS, HE MAY VOTE FOR EACH CANDIDATE
26 INDIVIDUALLY, OR HE MAY VOTE A STRAIGHT POLITICAL PARTY TICKET
27 IN ONE OPERATION BY OPERATING THE STRAIGHT POLITICAL PARTY
28 MECHANISM OF THE POLITICAL PARTY OR POLITICAL BODY OF HIS
29 CHOICE. HE MAY ALSO, AFTER HAVING OPERATED THE STRAIGHT PARTY
30 MECHANISM AND BEFORE RECORDING HIS VOTE, CANCEL THE VOTE FOR ANY

1 CANDIDATE OF SUCH POLITICAL PARTY OR POLITICAL BODY AND MAY
2 THEREUPON VOTE FOR A CANDIDATE OF ANOTHER PARTY, OR POLITICAL
3 BODY FOR THE SAME OFFICE.] THE VOTER MAY ALSO VOTE INDIVIDUALLY
4 FOR OR AGAINST A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS.

5 * * *

6 (4) AT ANY GENERAL ELECTION AT WHICH PRESIDENTIAL ELECTORS
7 ARE TO BE CHOSEN, EACH ELECTOR SHALL BE PERMITTED TO VOTE BY ONE
8 OPERATION FOR ALL THE PRESIDENTIAL ELECTORS OF A POLITICAL PARTY
9 OR POLITICAL BODY. FOR EACH PARTY OR BODY NOMINATING
10 PRESIDENTIAL ELECTORS, A BALLOT LABEL SHALL BE PROVIDED
11 CONTAINING ONLY THE WORDS "PRESIDENTIAL ELECTORS," PRECEDED BY
12 THE NAMES OF THE PARTY OR BODY AND FOLLOWED BY THE NAMES OF THE
13 CANDIDATES THEREOF FOR THE OFFICE OF PRESIDENT AND VICE-
14 PRESIDENT, AND THE CORRESPONDING COUNTER OR REGISTERING DEVICE
15 SHALL REGISTER VOTES CAST FOR SAID ELECTORS WHEN THUS VOTED FOR
16 COLLECTIVELY. IF ANY ELECTOR DESIRES TO VOTE A TICKET FOR
17 PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS NOMINATED
18 BY DIFFERENT PARTIES OR BODIES, OR PARTIALLY OF NAMES OF PERSONS
19 SO IN NOMINATION AND PARTIALLY OF NAMES OF PERSONS NOT IN
20 NOMINATION BY ANY PARTY OR BODY, HE MAY WRITE OR DEPOSIT A PAPER
21 BALLOT PREPARED BY HIMSELF IN THE RECEPTACLE PROVIDED IN OR ON
22 THE VOTING DEVICE FOR THAT PURPOSE, OR HE MAY LIST THEIR NAMES
23 ON THE WRITE-IN BALLOT OR ENVELOPE PROVIDED FOR THAT PURPOSE.
24 THE VOTING DEVICE SHALL BE SO CONSTRUCTED THAT IT WILL NOT BE
25 POSSIBLE FOR ANY ONE VOTER TO VOTE A STRAIGHT PARTY TICKET FOR
26 PRESIDENTIAL ELECTORS AND AT THE SAME TIME TO DEPOSIT A BALLOT
27 FOR PRESIDENTIAL ELECTORS IN A RECEPTACLE AS [HEREINABOVE]
28 PROVIDED IN THIS SECTION. WHEN THE VOTES FOR PRESIDENTIAL
29 ELECTORS ARE COUNTED, THE VOTES APPEARING UPON THE COUNTER OR
30 REGISTERING DEVICE CORRESPONDING TO THE BALLOT LABEL CONTAINING

1 THE NAMES OF THE CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT OF
2 ANY PARTY OR BODY SHALL BE COUNTED AS VOTES FOR EACH OF THE
3 CANDIDATES FOR PRESIDENTIAL ELECTOR OF SUCH PARTY OR BODY, AND
4 THEREUPON ALL CANDIDATES FOR PRESIDENTIAL ELECTOR SHALL BE
5 CREDITED, IN ADDITION, WITH THE VOTES CAST FOR THEM UPON THE
6 BALLOTS DEPOSITED IN THE MACHINE, AS [HEREINABOVE] PROVIDED IN
7 THIS SECTION.

8 * * *

9 (B) IN AN ELECTION DISTRICT WHICH USES AN ELECTRONIC VOTING
10 SYSTEM WHICH UTILIZES PAPER BALLOTS OR BALLOT CARDS TO REGISTER
11 THE VOTES, THE FOLLOWING PROCEDURES WILL BE APPLICABLE FOR THE
12 CONDUCT OF THE ELECTION AT THE ELECTION DISTRICT:

13 * * *

14 (4) IF THE VOTER DESIRES TO VOTE FOR EVERY CANDIDATE OF A
15 POLITICAL PARTY OR POLITICAL BODY, EXCEPT ITS CANDIDATES FOR
16 OFFICES AS TO WHICH HE VOTES FOR INDIVIDUAL CANDIDATES IN THE
17 MANNER HEREINAFTER PROVIDED, HE MAY MAKE A CROSS (X) OR CHECK
18 () OR PUNCH OR MARK SENSE MARK IN THE SQUARE OPPOSITE THE NAME
19 OF THE PARTY OR POLITICAL BODY SO MARKED, INCLUDING ITS
20 CANDIDATES FOR PRESIDENTIAL ELECTORS, EXCEPT FOR THOSE OFFICES
21 AS TO WHICH HE HAS INDICATED A CHOICE FOR INDIVIDUAL CANDIDATES
22 OF THE SAME OR ANOTHER PARTY OR POLITICAL BODY, BY MAKING A
23 CROSS (X) OR CHECK () OR PUNCH OR MARK SENSE MARK OPPOSITE
24 THEIR NAMES IN THE MANNER HEREINABOVE PROVIDED, AS TO WHICH
25 OFFICES HIS BALLOT SHALL BE COUNTED ONLY FOR THE CANDIDATES
26 WHICH HE HAS THUS INDIVIDUALLY MARKED, NOTWITHSTANDING THE FACT
27 THAT HE MADE A MARK IN THE PARTY COLUMN, AND EVEN THOUGH IN THE
28 CASE OF AN OFFICE FOR WHICH MORE THAN ONE CANDIDATE IS TO BE
29 VOTED FOR, HE HAS NOT INDIVIDUALLY MARKED FOR SUCH OFFICE THE
30 FULL NUMBER OF CANDIDATES FOR WHICH HE IS ENTITLED TO VOTE. IF

1 HE DESIRES TO VOTE FOR THE ENTIRE GROUP OF PRESIDENTIAL ELECTORS
2 NOMINATED BY ANY PARTY OR POLITICAL BODY, HE MAY MAKE A CROSS
3 (X) OR CHECK () OR PUNCH OR MARK SENSE MARK IN THE APPROPRIATE
4 SPACE OPPOSITE THE NAMES OF THE CANDIDATES FOR PRESIDENT AND
5 VICE-PRESIDENT OF SUCH PARTY OR BODY. IF HE DESIRES TO VOTE A
6 TICKET FOR PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS
7 NOMINATED BY DIFFERENT PARTIES OR POLITICAL BODIES, OR PARTIALLY
8 OF NAMES OF PERSONS SO IN NOMINATION AND PARTIALLY OF NAMES OF
9 PERSONS NOT IN NOMINATION BY ANY PARTY OR POLITICAL BODY, OR
10 WHOLLY OF NAMES OF PERSONS NOT IN NOMINATION BY ANY PARTY OR
11 POLITICAL BODY, HE SHALL INSERT, BY WRITING OR STAMPING, THE
12 NAMES OF THE CANDIDATES FOR PRESIDENTIAL ELECTORS FOR WHOM HE
13 DESIRES TO VOTE IN THE BLANK SPACES PROVIDED THEREFOR ON THE
14 WRITE-IN BALLOT UNDER THE TITLE OF THE OFFICE "PRESIDENTIAL
15 ELECTORS". IN CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE
16 ELECTORS, HE MAY MAKE A CROSS (X) OR CHECK () OR PUNCH OR MARK
17 SENSE MARK IN THE APPROPRIATE SQUARE OPPOSITE THE ANSWER WHICH
18 HE DESIRES TO GIVE.

19 * * *

20 SECTION 1113-A. POST ELECTION PROCEDURES.--* * *

21 (D) IN RETURNING ANY VOTES CAST FOR ANY PERSON WHOSE NAME IS
22 NOT PRINTED ON THE OFFICIAL BALLOT, THE ELECTION OFFICERS SHALL
23 RECORD ANY SUCH NAMES EXACTLY AS THEY WERE WRITTEN[, STAMPED OR
24 APPLIED TO THE BALLOT BY STICKER] OR STAMPED.

25 * * *

26 SECTION 1210. MANNER OF APPLYING TO VOTE; PERSONS ENTITLED
27 TO VOTE; VOTER'S CERTIFICATES; ENTRIES TO BE MADE IN DISTRICT
28 REGISTER; NUMBERED LISTS OF VOTERS; CHALLENGES.--* * *

29 (A.4) (1) AT ALL ELECTIONS AN INDIVIDUAL WHO CLAIMS TO BE
30 PROPERLY REGISTERED AND ELIGIBLE TO VOTE AT THE ELECTION

1 DISTRICT BUT WHOSE NAME DOES NOT APPEAR ON THE DISTRICT REGISTER
2 AND WHOSE REGISTRATION CANNOT BE DETERMINED BY THE INSPECTORS OF
3 ELECTION OR THE COUNTY ELECTION BOARD SHALL BE PERMITTED TO CAST
4 A PROVISIONAL BALLOT. INDIVIDUALS WHO APPEAR TO VOTE SHALL BE
5 REQUIRED TO PRODUCE PROOF OF IDENTIFICATION PURSUANT TO
6 SUBSECTION (A) AND IF UNABLE TO DO SO SHALL BE PERMITTED TO CAST
7 A PROVISIONAL BALLOT. AN INDIVIDUAL PRESENTING A JUDICIAL ORDER
8 TO VOTE SHALL BE PERMITTED TO CAST A PROVISIONAL BALLOT. AN
9 ELECTOR WHO APPEARS TO VOTE ON ELECTION DAY HAVING REQUESTED AN
10 ABSENTEE BALLOT OR MAIL-IN BALLOT AND WHO IS NOT SHOWN ON THE
11 DISTRICT REGISTER AS HAVING VOTED AN ABSENTEE BALLOT OR MAIL-IN
12 BALLOT SHALL BE PERMITTED TO CAST A PROVISIONAL BALLOT.

13 * * *

14 (5) * * *

15 (II) A PROVISIONAL BALLOT SHALL NOT BE COUNTED IF:

16 (A) EITHER THE PROVISIONAL BALLOT ENVELOPE UNDER CLAUSE (3)
17 OR THE AFFIDAVIT UNDER CLAUSE (2) IS NOT SIGNED BY THE
18 INDIVIDUAL;

19 (B) THE SIGNATURE REQUIRED UNDER CLAUSE (3) AND THE
20 SIGNATURE REQUIRED UNDER CLAUSE (2) ARE EITHER NOT GENUINE OR
21 ARE NOT EXECUTED BY THE SAME INDIVIDUAL;

22 (C) A PROVISIONAL BALLOT ENVELOPE DOES NOT CONTAIN A SECRECY
23 ENVELOPE;

24 (D) IN THE CASE OF A PROVISIONAL BALLOT THAT WAS CAST UNDER
25 SUBSECTION (A.2) (1) (I), WITHIN SIX CALENDAR DAYS FOLLOWING THE
26 ELECTION THE ELECTOR FAILS TO APPEAR BEFORE THE COUNTY BOARD OF
27 ELECTIONS TO EXECUTE AN AFFIRMATION OR THE COUNTY BOARD OF
28 ELECTIONS DOES NOT RECEIVE AN ELECTRONIC, FACSIMILE OR PAPER
29 COPY OF AN AFFIRMATION AFFIRMING, UNDER PENALTY OF PERJURY, THAT
30 THE ELECTOR IS THE SAME INDIVIDUAL WHO PERSONALLY APPEARED

1 BEFORE THE DISTRICT ELECTION BOARD ON THE DAY OF THE ELECTION
2 AND CAST A PROVISIONAL BALLOT AND THAT THE ELECTOR IS INDIGENT
3 AND UNABLE TO OBTAIN PROOF OF IDENTIFICATION WITHOUT THE PAYMENT
4 OF A FEE; OR

5 (E) IN THE CASE OF A PROVISIONAL BALLOT THAT WAS CAST UNDER
6 SUBSECTION (A.2) (1) (II), WITHIN SIX CALENDAR DAYS FOLLOWING THE
7 ELECTION, THE ELECTOR FAILS TO APPEAR BEFORE THE COUNTY BOARD OF
8 ELECTIONS TO PRESENT PROOF OF IDENTIFICATION AND EXECUTE AN
9 AFFIRMATION OR THE COUNTY BOARD OF ELECTIONS DOES NOT RECEIVE AN
10 ELECTRONIC, FACSIMILE OR PAPER COPY OF THE PROOF OF
11 IDENTIFICATION AND AN AFFIRMATION AFFIRMING, UNDER PENALTY OF
12 PERJURY, THAT THE ELECTOR IS THE SAME INDIVIDUAL WHO PERSONALLY
13 APPEARED BEFORE THE DISTRICT ELECTION BOARD ON THE DAY OF THE
14 ELECTION AND CAST A PROVISIONAL BALLOT.

15 (F) THE ELECTOR'S ABSENTEE BALLOT OR MAIL-IN BALLOT IS
16 TIMELY RECEIVED BY A COUNTY BOARD OF ELECTIONS

17 * * *

18 SECTION 1215. METHOD OF MARKING BALLOTS AND DEPOSITING SAME
19 IN DISTRICTS IN WHICH BALLOTS ARE USED.--* * *

20 (B) AT PRIMARIES, THE ELECTOR SHALL PREPARE HIS BALLOT IN
21 THE FOLLOWING MANNER: HE SHALL VOTE FOR THE CANDIDATES OF HIS
22 CHOICE FOR NOMINATION OR ELECTION, ACCORDING TO THE NUMBER OF
23 PERSONS TO BE VOTED FOR BY HIM, FOR EACH OFFICE, BY MAKING A
24 CROSS (X) OR CHECK () MARK IN THE SQUARE OPPOSITE THE NAME OF
25 THE CANDIDATE, OR HE MAY INSERT BY WRITING[,] OR STAMPING [OR
26 STICKER,] IN THE BLANK SPACE PROVIDED THEREFOR, ANY NAME NOT
27 ALREADY PRINTED ON THE BALLOT, AND SUCH INSERTION SHALL COUNT AS
28 A VOTE WITHOUT THE MAKING OF A CROSS (X) OR CHECK () MARK. IN
29 DISTRICTS IN WHICH PAPER BALLOTS OR BALLOT CARDS ARE
30 ELECTRONICALLY TABULATED, STICKERS OR LABELS MAY NOT BE USED TO

1 MARK BALLOTS.

2 (C) AT ELECTIONS, THE ELECTOR SHALL PREPARE HIS BALLOT IN
3 THE FOLLOWING MANNER: HE MAY VOTE FOR THE CANDIDATES OF HIS
4 CHOICE FOR EACH OFFICE TO BE FILLED ACCORDING TO THE NUMBER OF
5 PERSONS TO BE VOTED FOR BY HIM FOR EACH OFFICE, BY MAKING A
6 CROSS (X) OR CHECK () MARK IN THE SQUARE OPPOSITE THE NAME OF
7 THE CANDIDATE, OR HE MAY INSERT BY WRITING[,] OR STAMPING [OR
8 STICKER,] IN THE BLANK SPACES PROVIDED THEREFOR, ANY NAME NOT
9 ALREADY PRINTED ON THE BALLOT, AND SUCH INSERTION SHALL COUNT AS
10 A VOTE WITHOUT THE MAKING OF A CROSS (X) OR CHECK () MARK. IN
11 DISTRICTS IN WHICH PAPER BALLOTS OR BALLOT CARDS ARE
12 ELECTRONICALLY TABULATED, STICKERS OR LABELS MAY NOT BE USED TO
13 MARK BALLOTS. IF HE DESIRES TO VOTE FOR EVERY CANDIDATE OF A
14 POLITICAL PARTY OR POLITICAL BODY, EXCEPT ITS CANDIDATES FOR
15 OFFICES AS TO WHICH HE VOTES FOR INDIVIDUAL CANDIDATES IN THE
16 MANNER HEREINAFTER PROVIDED, HE MAY MAKE A CROSS (X) OR CHECK
17 () MARK IN THE SQUARE OPPOSITE THE NAME OF THE PARTY OR
18 POLITICAL BODY OF HIS CHOICE IN THE PARTY COLUMN ON THE LEFT OF
19 THE BALLOT, AND EVERY SUCH CROSS (X) OR CHECK () MARK SHALL BE
20 EQUIVALENT TO AND BE COUNTED AS A VOTE FOR EVERY CANDIDATE OF A
21 PARTY OR POLITICAL BODY SO MARKED, INCLUDING ITS CANDIDATES FOR
22 PRESIDENTIAL ELECTORS, EXCEPT FOR THOSE OFFICES AS TO WHICH HE
23 HAS INDICATED A CHOICE FOR INDIVIDUAL CANDIDATES OF THE SAME OR
24 ANOTHER PARTY OR POLITICAL BODY, BY MAKING A CROSS (X) OR CHECK
25 () MARK OPPOSITE THEIR NAMES IN THE MANNER HEREINABOVE
26 PROVIDED, AS TO WHICH OFFICES HIS BALLOT SHALL BE COUNTED ONLY
27 FOR THE CANDIDATES WHICH HE HAS THUS INDIVIDUALLY MARKED,
28 NOTWITHSTANDING THE FACT THAT HE MADE A MARK IN THE PARTY
29 COLUMN, AND EVEN THOUGH IN THE CASE OF AN OFFICE FOR WHICH MORE
30 THAN ONE CANDIDATE IS TO BE VOTED FOR, HE HAS NOT INDIVIDUALLY

1 MARKED FOR SUCH OFFICE THE FULL NUMBER OF CANDIDATES FOR WHICH
2 HE IS ENTITLED TO VOTE. IF HE DESIRES TO VOTE FOR THE ENTIRE
3 GROUP OF PRESIDENTIAL ELECTORS NOMINATED BY ANY PARTY OR
4 POLITICAL BODY, HE MAY MAKE A CROSS (X) OR CHECK () MARK IN THE
5 APPROPRIATE SQUARE AT THE RIGHT OF THE NAMES OF THE CANDIDATES
6 FOR PRESIDENT AND VICE-PRESIDENT OF SUCH PARTY OR BODY. IF HE
7 DESIRES TO VOTE A TICKET FOR PRESIDENTIAL ELECTORS MADE UP OF
8 THE NAMES OF PERSONS NOMINATED BY DIFFERENT PARTIES OR POLITICAL
9 BODIES, OR PARTIALLY OF NAMES OF PERSONS SO IN NOMINATION AND
10 PARTIALLY OF NAMES OF PERSONS NOT IN NOMINATION BY ANY PARTY OR
11 POLITICAL BODY, OR WHOLLY OF NAMES OF PERSONS NOT IN NOMINATION
12 BY ANY PARTY OR POLITICAL BODY, HE SHALL INSERT, BY WRITING OR
13 STAMPING, THE NAMES OF THE CANDIDATES FOR PRESIDENTIAL ELECTORS
14 FOR WHOM HE DESIRES TO VOTE IN THE BLANK SPACES PROVIDED
15 THEREFOR UNDER THE TITLE OF THE OFFICE "PRESIDENTIAL ELECTORS."
16 IN CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS, HE
17 MAY MAKE A CROSS (X) OR CHECK () MARK IN THE APPROPRIATE SQUARE
18 OPPOSITE THE ANSWER WHICH HE DESIRES TO GIVE.

19 * * *

20 SECTION 1216. INSTRUCTIONS OF VOTERS AND MANNER OF VOTING IN
21 DISTRICTS IN WHICH VOTING MACHINES ARE USED.--

22 * * *

23 (D) AT [PRIMARYES, HE] ALL ELECTIONS, THE ELECTOR SHALL VOTE
24 FOR EACH CANDIDATE INDIVIDUALLY BY OPERATING THE KEY, HANDLE,
25 POINTER OR KNOB, UPON OR ADJACENT TO WHICH THE NAME OF SUCH
26 CANDIDATE IS PLACED. [AT ELECTIONS, HE MAY VOTE FOR EACH
27 CANDIDATE INDIVIDUALLY BY OPERATING THE KEY, HANDLE, POINTER OR
28 KNOB, UPON OR ADJACENT TO WHICH THE NAMES OF CANDIDATES OF HIS
29 CHOICE ARE PLACED, OR HE MAY VOTE A STRAIGHT POLITICAL PARTY
30 TICKET IN ONE OPERATION BY OPERATING THE STRAIGHT POLITICAL

1 PARTY LEVER OF THE POLITICAL PARTY OR POLITICAL BODY OF HIS
2 CHOICE, IF SUCH MACHINE HAS THEREON A SEPARATE LEVER FOR ALL THE
3 CANDIDATES OF THE POLITICAL BODY. HE MAY ALSO, AFTER HAVING
4 OPERATED THE STRAIGHT PARTY LEVER, AND BEFORE RECORDING HIS
5 VOTE, CANCEL THE VOTE FOR ANY CANDIDATE OF SUCH POLITICAL PARTY
6 OR POLITICAL BODY BY REPLACING THE INDIVIDUAL KEY, HANDLE,
7 POINTER OR KNOB OF SUCH CANDIDATE, AND MAY THEREUPON VOTE FOR A
8 CANDIDATE OF ANOTHER PARTY, OR POLITICAL BODY FOR THE SAME
9 OFFICE BY OPERATING THE KEY, HANDLE, POINTER OR KNOB, UPON OR
10 ADJACENT TO WHICH THE NAME OF SUCH CANDIDATE APPEARS.] IN THE
11 CASE OF A QUESTION SUBMITTED TO THE VOTE OF THE ELECTORS, THE
12 ELECTOR SHALL OPERATE THE KEY, HANDLE, POINTER OR KNOB
13 CORRESPONDING TO THE ANSWER WHICH HE DESIRES TO GIVE.

14 * * *

15 (F) AT ANY GENERAL ELECTION AT WHICH PRESIDENTIAL ELECTORS
16 ARE TO BE CHOSEN, EACH ELECTOR SHALL BE PERMITTED TO VOTE BY ONE
17 OPERATION FOR ALL THE PRESIDENTIAL ELECTORS OF A POLITICAL PARTY
18 OR POLITICAL BODY. FOR EACH PARTY OR BODY NOMINATING
19 PRESIDENTIAL ELECTORS, A BALLOT LABEL SHALL BE PROVIDED
20 CONTAINING ONLY THE WORDS "PRESIDENTIAL ELECTORS," PRECEDED BY
21 THE NAMES OF THE PARTY OR BODY AND FOLLOWED BY THE NAMES OF THE
22 CANDIDATES THEREOF FOR THE OFFICE OF PRESIDENT AND VICE-
23 PRESIDENT, AND THE CORRESPONDING COUNTER OR REGISTERING DEVICE
24 SHALL REGISTER VOTES CAST FOR SAID ELECTORS WHEN THUS VOTED FOR
25 COLLECTIVELY. IF AN ELECTOR DESIRES TO VOTE A TICKET FOR
26 PRESIDENTIAL ELECTORS MADE UP OF THE NAMES OF PERSONS NOMINATED
27 BY DIFFERENT PARTIES OR BODIES, OR PARTIALLY OF NAMES OF PERSONS
28 SO IN NOMINATION AND PARTIALLY OF NAMES OF PERSONS NOT IN
29 NOMINATION BY ANY PARTY OR BODY, OR WHOLLY OF NAMES OF PERSONS
30 NOT IN NOMINATION BY ANY PARTY OR BODY, HE MAY WRITE OR DEPOSIT

1 A PAPER BALLOT PREPARED BY HIMSELF IN THE RECEPTACLE PROVIDED IN
2 OR ON THE MACHINE FOR THE PURPOSE. THE MACHINE SHALL BE SO
3 CONSTRUCTED THAT IT WILL NOT BE POSSIBLE FOR ANY ONE VOTER TO
4 VOTE A STRAIGHT PARTY TICKET FOR PRESIDENTIAL ELECTORS AND AT
5 THE SAME TIME TO DEPOSIT A BALLOT FOR PRESIDENTIAL ELECTORS IN A
6 RECEPTACLE AS [HEREINABOVE] PROVIDED IN THIS SECTION. WHEN THE
7 VOTES FOR PRESIDENTIAL ELECTORS ARE COUNTED, THE VOTES APPEARING
8 UPON THE COUNTER OR REGISTERING DEVICE CORRESPONDING TO THE
9 BALLOT LABEL CONTAINING THE NAMES OF THE CANDIDATES FOR
10 PRESIDENT AND VICE-PRESIDENT OF ANY PARTY OR BODY SHALL BE
11 COUNTED AS VOTES FOR EACH OF THE CANDIDATES FOR PRESIDENTIAL
12 ELECTOR OF SUCH PARTY OR BODY, AND THEREUPON ALL CANDIDATES FOR
13 PRESIDENTIAL ELECTOR SHALL BE CREDITED, IN ADDITION, WITH THE
14 VOTES CAST FOR THEM UPON THE BALLOTS DEPOSITED IN THE MACHINE,
15 AS [HEREINABOVE] PROVIDED IN THIS SECTION.

16 * * *

17 SECTION 1222. COUNT AND RETURN OF VOTES IN DISTRICTS IN
18 WHICH BALLOTS ARE USED.--

19 (A) AS SOON AS ALL THE BALLOTS HAVE BEEN PROPERLY ACCOUNTED
20 FOR, AND THOSE OUTSIDE THE BALLOT BOX, AS WELL AS THE "VOTING
21 CHECK LIST," NUMBERED LISTS OF VOTERS AND DISTRICT REGISTER
22 SEALED, THE ELECTION OFFICERS SHALL FORTHWITH OPEN THE BALLOT
23 BOX, AND TAKE THEREFROM ALL BALLOTS THEREIN, AND AT PRIMARIES,
24 SEPARATE THE SAME ACCORDING TO THE PARTY TO WHICH THEY BELONG.
25 THE BALLOTS SHALL THEN BE COUNTED ONE BY ONE, AND A RECORD MADE
26 OF THE TOTAL NUMBER, AND AT PRIMARIES OF THE TOTAL NUMBER CAST
27 FOR EACH PARTY. THEN THE JUDGE, UNDER THE SCRUTINY OF THE
28 MINORITY INSPECTOR, OR THE MINORITY INSPECTOR, UNDER THE
29 SCRUTINY OF THE JUDGE, IN THE PRESENCE OF THE OTHER OFFICERS,
30 CLERKS, AND OF THE OVERSEERS, IF ANY, AND WITHIN THE HEARING AND

1 SIGHT OF THE WATCHERS OUTSIDE THE ENCLOSED SPACE, SHALL READ
2 ALOUD THE NAMES OF THE CANDIDATES MARKED OR INSERTED UPON EACH
3 BALLOT (AT PRIMARIES THE BALLOTS OF EACH PARTY BEING READ IN
4 SEQUENCE), TOGETHER WITH THE OFFICE FOR WHICH THE PERSON NAMED
5 IS A CANDIDATE, AND THE ANSWERS CONTAINED ON THE BALLOTS TO THE
6 QUESTIONS SUBMITTED, IF ANY, AND THE MAJORITY INSPECTOR AND
7 CLERKS SHALL CAREFULLY ENTER EACH VOTE AS READ, AND KEEP ACCOUNT
8 OF THE SAME IN INK IN TRIPLICATE TALLY PAPERS (TRIPPLICATE TALLY
9 PAPERS FOR EACH PARTY AT PRIMARIES) TO BE PROVIDED BY THE COUNTY
10 BOARD OF ELECTIONS FOR THAT PURPOSE, ALL THREE OF WHICH SHALL BE
11 MADE AT THE SAME TIME. [PROVIDED, THAT AT ALL GENERAL,
12 MUNICIPAL AND SPECIAL ELECTIONS, IN ENTERING EACH VOTE RECEIVED
13 BY CANDIDATES AT SUCH ELECTION, IT SHALL NOT BE NECESSARY TO
14 ENTER SEPARATE TALLY MARKS FOR EACH VOTE RECEIVED BY SUCH
15 CANDIDATES UPON THE BALLOTS CONTAINING THE SAME VOTES FOR THE
16 SAME NAMES, COMMONLY KNOWN, AND IN THIS ACT DESIGNATED AS
17 "STRAIGHT PARTY TICKETS" FOR SUCH PURPOSE STRAIGHT PARTY TICKET
18 VOTES SHALL BE ENTERED CAREFULLY AS EACH STRAIGHT PARTY TICKET
19 VOTE IS READ ON THE TRIPLICATE TALLY SHEETS UNDER THE HEADING
20 "NUMBER OF VOTES RECEIVED UPON
21 THE STRAIGHT PARTY TICKETS." UPON
22 COMPLETING THE NUMBER OF VOTES RECEIVED BY EACH STRAIGHT PARTY
23 TICKET, THE NUMBER SO TALLIED FOR EACH PARTY SHALL BE ENTERED
24 NUMERICALLY ON THE EXTREME RIGHT HAND MARGIN OF EACH SUCH TALLY
25 PAPER.] ALL BALLOTS, AFTER BEING REMOVED FROM THE BOX, SHALL BE
26 KEPT WITHIN THE UNOBSTRUCTED VIEW OF ALL PERSONS IN THE VOTING
27 ROOM UNTIL REPLACED IN THE BOX. NO PERSON WHILE HANDLING THE
28 BALLOTS SHALL HAVE IN HIS HAND ANY PENCIL, PEN, STAMP OR OTHER
29 MEANS OF MARKING OR SPOILING ANY BALLOT. THE ELECTION OFFICERS
30 SHALL FORTHWITH PROCEED TO CANVASS AND COMPUTE THE VOTES CAST,

1 AND SHALL NOT ADJOURN OR POSTPONE THE CANVASS OR COMPUTATION
2 UNTIL IT SHALL HAVE BEEN FULLY COMPLETED.

3 (B) WHEN THE VOTE CAST FOR THE DIFFERENT PERSONS NAMED UPON
4 THE BALLOTS AND UPON THE QUESTIONS, IF ANY, APPEARING THEREON,
5 SHALL HAVE BEEN FULLY RECORDED IN THE TALLY PAPERS AND COUNTED,
6 THE ELECTION OFFICERS SHALL DULY CERTIFY TO THE NUMBER OF VOTES
7 CAST FOR EACH PERSON (UPON THE RESPECTIVE PARTY TICKETS AT
8 PRIMARIES), AND SHALL PREPARE IN INK TWO (2) GENERAL RETURNS,
9 SHOWING, IN ADDITION TO THE ENTRIES MADE THEREON AS AFORESAID,
10 THE TOTAL NUMBER OF BALLOTS RECEIVED FROM THE COUNTY BOARD (THE
11 TOTAL OF EACH PARTY AT PRIMARIES), THE NUMBER OF BALLOTS CAST
12 (THE NUMBER OF EACH PARTY AT PRIMARIES), THE NUMBER OF BALLOTS
13 (OF EACH PARTY AT PRIMARIES) DECLARED VOID, AND THE NUMBER OF
14 BALLOTS SPOILED AND CANCELLED, AND ANY BLANK BALLOTS CAST, AS
15 WELL AS THE VOTES CAST FOR EACH CANDIDATE. AT ELECTIONS, THE
16 NUMBER OF VOTES CAST FOR EACH CANDIDATE BY EACH POLITICAL PARTY
17 OR POLITICAL BODY OF WHICH SUCH CANDIDATE IS A NOMINEE SHALL BE
18 SEPARATELY STATED. [: PROVIDED, THAT THE NUMBER OF VOTES RECEIVED
19 BY EACH SET OF CANDIDATES UPON "STRAIGHT PARTY TICKETS" SHALL BE
20 ENTERED OPPOSITE THE NAMES OF THE RESPECTIVE CANDIDATES IN A
21 COLUMN IMMEDIATELY ADJOINING UPON THE LEFT WHICH COLUMN SHALL BE
22 OF CONVENIENT WIDTH AND SHALL BE HEADED "NUMBER OF VOTES
23 RECEIVED UPON STRAIGHT PARTY TICKETS."] IN AN IMMEDIATE COLUMN
24 TO THE LEFT THERETO, THE NUMBER OF VOTES RECEIVED BY EACH
25 CANDIDATE UPON ALL BALLOTS [OTHER THAN "STRAIGHT PARTY TICKETS"
26 INCLUDING ALL BALLOTS KNOWN AS "SPLIT TICKETS"] SHALL BE
27 ENTERED, SUCH COLUMN TO BE OF CONVENIENT WIDTH AND SHALL BE
28 HEADED "NUMBER OF VOTES [RECEIVED OTHER THAN UPON STRAIGHT PARTY
29 TICKETS." THE NUMBER OF VOTES RECEIVED BY EACH CANDIDATE AS
30 SHOWN IN THE COLUMN HEADED "NUMBER OF VOTES RECEIVED UPON

1 STRAIGHT PARTY TICKETS" SHALL THEN BE ADDED, TOGETHER WITH THE
2 NUMBER OF VOTES RECEIVED BY EACH CANDIDATE AS SHOWN IN THE
3 COLUMN HEADED "NUMBER OF VOTES RECEIVED OTHER THAN UPON STRAIGHT
4 PARTY TICKETS" AND THEREUPON, THE] RECEIVED." THE TOTAL NUMBER
5 OF VOTES RECEIVED BY EACH CANDIDATE SHALL BE ENTERED IN A COLUMN
6 ON THE EXTREME RIGHT-HAND SIDE OF THE RETURN SHEETS, WHICH
7 COLUMN SHALL BE OF CONVENIENT WIDTH AND SHALL BE HEADED "TOTAL
8 NUMBER OF VOTES."

9 NOTHING IN THIS SECTION CONTAINED SHALL BE CONSTRUED TO
10 AUTHORIZE OR PERMIT THE CANVASSING, COUNTING OR TALLYING BALLOTS
11 WITH ANY LESS DEGREE OF STRICTNESS THAN OTHERWISE REQUIRED BY
12 LAW. [, THE INTENTION OF THIS SECTION BEING TO DISPENSE WITH THE
13 INDIVIDUAL TALLY MARKS ONLY SO FAR AS THE SO-CALLED "STRAIGHT
14 PARTY TICKETS" ARE CONCERNED, AND ALL OTHER OPERATIONS OF
15 TALLYING, COUNTING, CANVASSING AND ANNOUNCING THE VOTES SHALL
16 PROCEED AS NEAR AS MAY BE IN ACCORDANCE WITH THE OTHER
17 PROVISIONS OF THIS ACT.]

18 (C) IN RETURNING ANY VOTES CAST FOR ANY PERSON WHOSE NAME IS
19 NOT PRINTED ON THE BALLOT, THE ELECTION OFFICERS SHALL RECORD
20 ANY SUCH NAMES EXACTLY AS THEY WERE WRITTEN[,] OR STAMPED [OR
21 APPLIED TO] UPON THE BALLOT [BY STICKER]. IN DISTRICTS IN WHICH
22 PAPER BALLOTS OR BALLOT CARDS ARE ELECTRONICALLY TABULATED,
23 STICKERS OR LABELS MAY NOT BE USED TO MARK BALLOTS. A VOTE CAST
24 BY MEANS OF A STICKER OR LABEL AFFIXED TO A BALLOT OR BALLOT
25 CARD SHALL BE VOID AND MAY NOT BE COUNTED.

26 SECTION 1223. WHAT BALLOTS SHALL BE COUNTED; MANNER OF
27 COUNTING; DEFECTIVE BALLOTS.--(A) NO BALLOT WHICH IS SO MARKED
28 AS TO BE CAPABLE OF IDENTIFICATION SHALL BE COUNTED. ANY BALLOT
29 THAT IS MARKED IN BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN
30 OR BALL POINT PEN, OR BLACK LEAD PENCIL OR INDELIBLE PENCIL,

1 SHALL BE VALID AND COUNTED: PROVIDED, THAT ALL MARKINGS ON THE
2 BALLOT ARE MADE BY THE SAME PEN OR PENCIL. ANY BALLOT MARKED BY
3 ANY OTHER MARK THAN AN (X) OR CHECK () IN THE SPACES PROVIDED
4 FOR THAT PURPOSE SHALL BE VOID AND NOT COUNTED: PROVIDED,
5 HOWEVER, THAT NO VOTE RECORDED THEREON SHALL BE DECLARED VOID
6 BECAUSE A CROSS (X) OR CHECK () MARK THEREON IS IRREGULAR IN
7 FORM. [ANY ERASURE, MUTILATION OR DEFECTIVE MARKING OF THE
8 STRAIGHT PARTY COLUMN AT NOVEMBER ELECTIONS SHALL RENDER THE
9 ENTIRE BALLOT VOID, UNLESS THE VOTER HAS PROPERLY INDICATED HIS
10 CHOICE FOR CANDIDATES IN ANY OFFICE BLOCK, IN WHICH CASE THE
11 VOTE OR VOTES FOR SUCH CANDIDATES ONLY SHALL BE COUNTED.] ANY
12 ERASURE OR MUTILATION IN THE VOTE IN ANY OFFICE BLOCK SHALL
13 RENDER VOID THE VOTE FOR ANY CANDIDATES IN SAID BLOCK, BUT SHALL
14 NOT INVALIDATE THE VOTES CAST ON THE REMAINDER OF THE BALLOT, IF
15 OTHERWISE PROPERLY MARKED. ANY BALLOT INDICATING A VOTE FOR ANY
16 PERSON WHOSE NAME IS NOT PRINTED ON THE BALLOT, BY WRITING[,
17 STAMPING OR STICKER] OR STAMPING, SHALL BE COUNTED AS A VOTE FOR
18 SUCH PERSON, IF PLACED IN THE PROPER SPACE OR SPACES PROVIDED
19 FOR THAT PURPOSE, WHETHER OR NOT AN (X) OR CHECK () IS PLACED
20 AFTER THE NAME OF SUCH PERSON: PROVIDED, HOWEVER, THAT IF SUCH
21 WRITING[, STAMPING OR STICKER] OR STAMPING IS PLACED OVER THE
22 NAME OF A CANDIDATE PRINTED ON THE BALLOT, IT SHALL RENDER THE
23 ENTIRE VOTE IN SAID OFFICE BLOCK VOID. IN DISTRICTS IN WHICH
24 PAPER BALLOTS OR BALLOT CARDS ARE ELECTRONICALLY TABULATED,
25 STICKERS OR LABELS MAY NOT BE USED TO MARK BALLOTS. A VOTE CAST
26 BY MEANS OF A STICKER OR LABEL AFFIXED TO A BALLOT OR BALLOT
27 CARD SHALL BE VOID AND MAY NOT BE COUNTED. IF AN ELECTOR SHALL
28 MARK HIS BALLOT FOR MORE PERSONS FOR ANY OFFICE THAN THERE ARE
29 CANDIDATES TO BE VOTED FOR FOR SUCH OFFICE, OR IF, FOR ANY
30 REASON, IT MAY BE IMPOSSIBLE TO DETERMINE HIS CHOICE FOR ANY

1 OFFICE, HIS BALLOT SHALL NOT BE COUNTED FOR SUCH OFFICE, BUT THE
2 BALLOT SHALL BE COUNTED FOR ALL OFFICES FOR WHICH IT IS PROPERLY
3 MARKED. BALLOTS NOT MARKED, OR IMPROPERLY OR DEFECTIVELY MARKED,
4 SO THAT THE WHOLE BALLOT IS VOID, SHALL BE SET ASIDE AND SHALL
5 BE PRESERVED WITH THE OTHER BALLOTS.

6 * * *

7 SECTION 1227. CANVASS AND RETURN OF VOTES IN DISTRICTS IN
8 WHICH VOTING MACHINES ARE USED.--* * *

9 (D) THE ELECTION OFFICERS, ON THE FOREGOING RETURNS, SHALL
10 RECORD ANY VOTES WHICH HAVE BEEN CAST FOR A PERSON WHOSE NAME IS
11 NOT PRINTED ON THE BALLOT LABELS, BY MEANS OF AN IRREGULAR
12 BALLOT, AS DEFINED HEREIN. IN RETURNING ANY SUCH VOTES WHICH
13 HAVE BEEN WRITTEN[,] OR DEPOSITED [OR AFFIXED] UPON RECEPTACLES
14 OR DEVICES PROVIDED FOR THE PURPOSE, THE ELECTION OFFICERS SHALL
15 RECORD ANY SUCH NAMES EXACTLY AS THEY WERE WRITTEN[,] OR
16 DEPOSITED [OR AFFIXED].

17 SECTION 4. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

18 SECTION 1231. DEADLINE FOR RECEIPT OF VALID VOTER
19 REGISTRATION APPLICATION.-- (A) EXCEPT AS PROVIDED UNDER
20 SUBSECTION (B), EACH COMMISSION, COMMISSIONER AND REGISTRAR OR
21 CLERK APPOINTED BY THE COMMISSION SHALL RECEIVE, DURING ORDINARY
22 BUSINESS HOURS AND DURING ADDITIONAL HOURS AS THE COMMISSION
23 PRESCRIBES, AT THE OFFICE OF THE COMMISSION AND AT ADDITIONAL
24 PLACES AS THE COMMISSION DESIGNATES, APPLICATIONS FROM
25 INDIVIDUALS WHO APPLY TO BE REGISTERED TO VOTE AS PROVIDED UNDER
26 25 PA.C.S. PART IV (RELATING TO VOTER REGISTRATION) WHO APPEAR
27 AND CLAIM THAT THEY ARE ENTITLED TO BE REGISTERED AS ELECTORS OF
28 A MUNICIPALITY.

29 (B) IN THE ADMINISTRATION OF VOTER REGISTRATION, EACH
30 COMMISSION SHALL ENSURE THAT AN APPLICANT WHO IS A QUALIFIED

1 ELECTOR IS REGISTERED TO VOTE IN AN ELECTION WHEN THE APPLICANT
2 HAS MET ANY OF THE FOLLOWING CONDITIONS:

3 (1) IN THE CASE OF VOTER REGISTRATION WITH A MOTOR VEHICLE
4 DRIVER'S LICENSE APPLICATION UNDER 25 PA.C.S. § 1323 (RELATING
5 TO APPLICATION WITH DRIVER'S LICENSE APPLICATION), IF THE VALID
6 VOTER REGISTRATION APPLICATION IS RECEIVED BY THE APPROPRIATE
7 COMMISSION NOT LATER THAN FIFTEEN DAYS BEFORE THE ELECTION.

8 (2) (RESERVED).

9 (3) IN THE CASE OF VOTER REGISTRATION AT A VOTER
10 REGISTRATION AGENCY UNDER 25 PA.C.S. § 1325 (RELATING TO
11 GOVERNMENT AGENCIES), IF THE VALID VOTER REGISTRATION
12 APPLICATION IS RECEIVED BY THE APPROPRIATE COMMISSION NOT LATER
13 THAN FIFTEEN DAYS BEFORE THE ELECTION.

14 (4) IN ANY OTHER CASE, IF THE VALID VOTER REGISTRATION
15 APPLICATION OF THE APPLICANT IS RECEIVED BY THE APPROPRIATE
16 COMMISSION NOT LATER THAN FIFTEEN DAYS BEFORE THE ELECTION.

17 (C) (1) IN THE CASE OF A SPECIAL ELECTION WITHIN A
18 CONGRESSIONAL, SENATORIAL OR REPRESENTATIVE DISTRICT HELD ON A
19 DAY OTHER THAN THE DAY OF A PRIMARY, GENERAL OR MUNICIPAL
20 ELECTION, THE REGISTRATION APPLICATION FORMS SHALL NOT BE
21 PROCESSED IN THE WARDS AND ELECTION DISTRICTS COMPRISING THE
22 DISTRICT FOR THE FIFTEEN DAYS PRIOR TO THE SPECIAL ELECTION FOR
23 SUCH ELECTION.

24 (2) NO APPLICATIONS SHALL BE RECEIVED AS FOLLOWS:

25 (I) ON SUNDAYS.

26 (II) ON HOLIDAYS.

27 (III) ON THE DAY OF THE ELECTION.

28 (IV) DURING THE FIFTEEN DAYS NEXT PRECEDING EACH GENERAL,
29 MUNICIPAL AND PRIMARY ELECTION EXCEPT AS PROVIDED UNDER
30 SUBSECTION (B).

1 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
2 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
3 THE CONTEXT CLEARLY INDICATES OTHERWISE:

4 "COMMISSION" SHALL MEAN A REGISTRATION COMMISSION ESTABLISHED
5 UNDER 25 PA.C.S. § 1203 (RELATING TO COMMISSIONS).

6 "COMMISSIONER" SHALL MEAN A MEMBER OF A COMMISSION.

7 SECTION 1232. APPEALS.--(A) AN INDIVIDUAL WHOSE APPLICATION
8 TO BE REGISTERED HAS BEEN DENIED UNDER SECTION 1231 OR 25 <--
9 PA.C.S. PT. IV (RELATING TO VOTER REGISTRATION) MAY FILE WITH
10 THE COMMISSION A PETITION TO BE REGISTERED, SETTING FORTH THE
11 GROUND OF THE PETITION UNDER OATH OR AFFIRMATION. THE PETITION
12 MUST BE FILED BY THE EIGHTH DAY PRIOR TO AN ELECTION.

13 (B) (1) THE COMMISSION SHALL FIX A TIME FOR A PUBLIC
14 HEARING AT ITS OFFICE NOT LATER THAN THE FIFTH DAY PRIOR TO THE
15 ELECTION.

16 (2) THE COMMISSION SHALL GIVE THE PERSON RESPONSIBLE FOR THE
17 REJECTION FORTY-EIGHT HOURS' NOTICE OF THE HEARING.

18 (3) AT THE HEARING, A CLERK, INSPECTOR OF REGISTRATION OR
19 QUALIFIED ELECTOR OF THE COUNTY MAY OFFER EVIDENCE AS TO WHY THE
20 PETITIONER SHOULD NOT BE REGISTERED.

21 (4) THE COMMISSION, IF SATISFIED THAT THE PETITIONER IS
22 ENTITLED TO BE REGISTERED, SHALL DIRECT REGISTRATION.

23 (C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
24 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
25 THE CONTEXT CLEARLY INDICATES OTHERWISE:

26 "COMMISSION" SHALL MEAN A REGISTRATION COMMISSION ESTABLISHED
27 UNDER 25 PA.C.S. § 1203 (RELATING TO COMMISSIONS).

28 SECTION 1233. APPEALS TO COURT OF COMMON PLEAS.--(A) AN
29 APPLICANT WHOSE CLAIM FOR REGISTRATION UNDER SECTION 1231 AND 25
30 PA.C.S. PART IV (RELATING TO VOTER REGISTRATION) HAS BEEN DENIED

1 SHALL HAVE STANDING TO APPEAL AN ACTION OF A COMMISSION TO THE
2 APPROPRIATE COURT OF COMMON PLEAS.

3 (B) AN APPEAL UNDER SUBSECTION (A) MUST BE MADE BY THE THIRD
4 DAY PRECEDING AN ELECTION.

5 (C) THE APPEAL MUST REQUEST RELIEF AND SPECIFY THE GROUNDS
6 FOR RELIEF.

7 (D) UPON TIMELY RECEIPT OF AN APPEAL UNDER THIS SECTION, THE
8 COURT SHALL CONDUCT A HEARING.

9 (E) IF THE COURT FINDS THAT AN INJUSTICE HAS BEEN DONE, THE
10 COURT SHALL REVERSE OR MODIFY THE RULING OF THE COMMISSION AND
11 ISSUE APPROPRIATE INJUNCTIVE RELIEF.

12 (F) THE FOLLOWING SHALL APPLY:

13 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), THE COURT MAY AWARD
14 COSTS FOR THE APPEAL TO THE PREVAILING PARTY.

15 (2) COSTS MAY NOT BE ASSESSED AGAINST A COMMISSION OR A
16 COUNTY.

17 (G) AS USED IN THIS SECTION, "COMMISSION" SHALL MEAN A
18 REGISTRATION COMMISSION ESTABLISHED UNDER 25 PA.C.S. § 1203
19 (RELATING TO COMMISSIONS).

20 SECTION 5. SECTION ~~1302(C)~~ 1302(B), (C), (D), (E.1) AND (I) <--
21 OF THE ACT ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A <--
22 ~~SUBSECTION~~ SUBSECTIONS TO READ: <--

23 SECTION 1302. APPLICATIONS FOR OFFICIAL ABSENTEE BALLOTS.--*

24 * *

25 (B) [THE APPLICATION] AN APPLICATION FOR A QUALIFIED ELECTOR <--
26 UNDER SUBSECTION (A) SHALL CONTAIN THE FOLLOWING INFORMATION:
27 HOME RESIDENCE AT THE TIME OF ENTRANCE INTO ACTUAL MILITARY
28 SERVICE OR FEDERAL EMPLOYMENT, LENGTH OF TIME A CITIZEN, LENGTH
29 OF RESIDENCE IN PENNSYLVANIA, DATE OF BIRTH, LENGTH OF TIME A
30 RESIDENT OF VOTING DISTRICT, VOTING DISTRICT IF KNOWN, PARTY

1 CHOICE IN CASE OF PRIMARY, NAME AND, FOR A MILITARY ELECTOR, HIS
2 STATESIDE MILITARY ADDRESS, FPO OR APO NUMBER AND SERIAL NUMBER.
3 ANY ELECTOR OTHER THAN A MILITARY ELECTOR SHALL IN ADDITION
4 SPECIFY THE NATURE OF HIS EMPLOYMENT, THE ADDRESS TO WHICH
5 BALLOT IS TO BE SENT, RELATIONSHIP WHERE NECESSARY, AND SUCH
6 OTHER INFORMATION AS MAY BE DETERMINED AND PRESCRIBED BY THE
7 SECRETARY OF THE COMMONWEALTH. WHEN SUCH APPLICATION IS RECEIVED
8 BY THE SECRETARY OF THE COMMONWEALTH IT SHALL BE FORWARDED TO
9 THE PROPER COUNTY BOARD OF ELECTION.

10 (B.1) AN APPLICATION FOR A QUALIFIED ELECTOR OTHER THAN
11 UNDER SUBSECTION (A) SHALL CONTAIN THE FOLLOWING INFORMATION:
12 DATE OF BIRTH, LENGTH OF TIME A RESIDENT OF VOTING DISTRICT,
13 VOTING DISTRICT IF KNOWN, PARTY CHOICE IN CASE OF PRIMARY AND
14 NAME. THE ELECTOR SHALL IN ADDITION SPECIFY THE NATURE OF HIS OR
15 HER EMPLOYMENT, THE ADDRESS TO WHICH BALLOT IS TO BE SENT,
16 RELATIONSHIP WHERE NECESSARY, AND OTHER INFORMATION AS MAY BE
17 DETERMINED AND PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH.
18 WHEN THE APPLICATION IS RECEIVED BY THE SECRETARY OF THE
19 COMMONWEALTH IT SHALL BE FORWARDED TO THE PROPER COUNTY BOARD OF
20 ELECTION.

21 (C) [THE APPLICATION OF ANY QUALIFIED ELECTOR, AS DEFINED IN
22 SECTION 1301(A), (B), (C), (D), (E), (F), (G) AND (H), FOR AN
23 OFFICIAL ABSENTEE BALLOT IN ANY PRIMARY OR ELECTION MAY NOT BE
24 MADE OVER THE SIGNATURE OF ANY PERSON, OTHER THAN THE QUALIFIED
25 ELECTOR OR AN ADULT MEMBER OF HIS IMMEDIATE FAMILY, AS REQUIRED
26 IN THE PRECEDING SUBSECTION.] A QUALIFIED ABSENTEE MILITARY OR
27 OVERSEAS ELECTOR, AS DEFINED BY THE UNIFORMED AND OVERSEAS
28 CITIZENS ABSENTEE VOTING ACT (PUBLIC LAW 99-410, 100 STAT. 924),
29 MAY SUBMIT HIS APPLICATION FOR AN OFFICIAL ABSENTEE BALLOT BY
30 [FACSIMILE METHOD IF THE ORIGINAL APPLICATION IS RECEIVED PRIOR

1 TO THE ELECTION BY THE COUNTY ELECTION OFFICE. THE ABSENTEE
2 BALLOT OF THE QUALIFIED MILITARY OR OVERSEAS ELECTOR SHALL NOT
3 BE COUNTED UNLESS THE ELECTOR'S ORIGINAL APPLICATION IS RECEIVED
4 PRIOR TO THE ELECTION BY THE COUNTY ELECTION OFFICE. THE
5 FACSIMILE] ELECTRONIC TRANSMISSION METHOD. THE ELECTRONIC
6 TRANSMISSION METHOD SHALL NOT BE ACCEPTABLE FOR THE OFFICIAL
7 ABSENTEE BALLOT. AS USED IN THIS SUBSECTION, "ELECTRONIC
8 TRANSMISSION METHOD" MEANS ANY TECHNOLOGY THAT CAN TRANSMIT A
9 DOCUMENT OR AN IMAGE OF A DOCUMENT VIA ELECTRONIC OR
10 ELECTROMECHANICAL MEANS, INCLUDING, BUT NOT LIMITED TO,
11 FACSIMILE METHOD. AN ELECTOR ENTITLED TO SUBMIT AN APPLICATION
12 FOR AN OFFICIAL ABSENTEE BALLOT UNDER A METHOD AUTHORIZED UNDER
13 25 PA.C.S. CH. 35 (RELATING TO UNIFORM MILITARY AND OVERSEAS
14 VOTERS) MAY SUBMIT AN APPLICATION USING A METHOD AUTHORIZED
15 UNDER 25 PA.C.S. CH. 35, IN ADDITION TO THE METHODS AUTHORIZED
16 IN THIS ARTICLE.

17 (D) THE APPLICATION OF ANY QUALIFIED ELECTOR, AS DEFINED IN
18 PRECEDING SECTION 1301, SUBSECTIONS [(B)] (A) TO (H), INCLUSIVE,
19 FOR AN OFFICIAL ABSENTEE BALLOT IN ANY PRIMARY OR ELECTION SHALL
20 BE SIGNED BY THE APPLICANT[.], EXCEPT THAT FOR ELECTORS UNDER
21 SECTION 1301(A), AN ADULT MEMBER OF THE APPLICANT'S IMMEDIATE
22 FAMILY MAY SIGN THE APPLICATION ON THE ELECTOR'S BEHALF.

23 * * *

24 (E.1) ANY QUALIFIED REGISTERED ELECTOR[, INCLUDING ANY
25 QUALIFIED BEDRIDDEN OR HOSPITALIZED VETERAN,] WHO IS UNABLE
26 BECAUSE OF ILLNESS OR PHYSICAL DISABILITY TO ATTEND HIS POLLING
27 PLACE ON THE DAY OF ANY PRIMARY OR ELECTION OR OPERATE A VOTING
28 MACHINE AND STATE DISTINCTLY AND AUDIBLY THAT HE IS UNABLE TO DO
29 SO AS REQUIRED BY SECTION 1218 OF THIS ACT MAY, WITH THE
30 CERTIFICATION BY HIS ATTENDING PHYSICIAN THAT HE IS PERMANENTLY

1 DISABLED, AND PHYSICALLY UNABLE TO ATTEND THE POLLS OR OPERATE A
2 VOTING MACHINE AND MAKE THE DISTINCT AND AUDIBLE STATEMENT
3 REQUIRED BY SECTION 1218 APPENDED TO THE APPLICATION
4 HEREINBEFORE REQUIRED, BE PLACED ON A PERMANENTLY DISABLED
5 ABSENTEE BALLOT LIST FILE. AN ABSENTEE BALLOT APPLICATION SHALL
6 BE MAILED TO EVERY SUCH PERSON [FOR EACH PRIMARY OR ELECTION]
7 OTHERWISE ELIGIBLE TO RECEIVE ONE, BY THE FIRST MONDAY IN
8 FEBRUARY EACH YEAR, SO LONG AS HE DOES NOT LOSE HIS VOTING
9 RIGHTS BY FAILURE TO VOTE AS OTHERWISE REQUIRED BY THIS ACT.
10 SUCH PERSON SHALL NOT BE REQUIRED TO FILE A PHYSICIAN'S
11 CERTIFICATE OF DISABILITY WITH EACH APPLICATION AS REQUIRED IN
12 SUBSECTION (E) OF THIS SECTION [BUT SUCH PERSON MUST SUBMIT A
13 WRITTEN STATEMENT ASSERTING CONTINUING DISABILITY EVERY FOUR
14 YEARS IN ORDER TO MAINTAIN HIS ELIGIBILITY TO VOTE UNDER THE
15 PROVISIONS OF THIS SUBSECTION]. SHOULD ANY SUCH PERSON LOSE HIS
16 DISABILITY HE SHALL INFORM THE COUNTY BOARD OF ELECTIONS OF THE
17 COUNTY OF HIS RESIDENCE. AN ABSENTEE BALLOT APPLICATION MAILED
18 TO A VOTER UNDER THIS SECTION, WHICH IS COMPLETED AND TIMELY
19 RETURNED BY THE VOTER, SHALL SERVE AS AN APPLICATION FOR ANY AND
20 ALL PRIMARY, GENERAL OR SPECIAL ELECTIONS TO BE HELD IN THE
21 REMAINDER OF THAT CALENDAR YEAR AND FOR ALL SPECIAL ELECTIONS TO
22 BE HELD BEFORE THE THIRD MONDAY IN FEBRUARY OF THE SUCCEEDING
23 YEAR.

24 * * *

25 (I) (1) APPLICATION FOR OFFICIAL ABSENTEE BALLOTS SHALL BE
26 ON PHYSICAL AND ELECTRONIC FORMS PRESCRIBED BY THE SECRETARY OF
27 THE COMMONWEALTH. THE APPLICATION SHALL STATE THAT [A VOTER] AN
28 ELECTOR WHO RECEIVES AND VOTES AN ABSENTEE BALLOT PURSUANT TO
29 SECTION 1301 [AND WHO, ON ELECTION DAY, IS CAPABLE OF VOTING AT
30 THE APPROPRIATE POLLING PLACE MUST VOID THE ABSENTEE BALLOT AND

1 VOTE IN THE NORMAL MANNER AT THE APPROPRIATE VOTING PLACE] SHALL
2 NOT BE ELIGIBLE TO VOTE AT A POLLING PLACE ON ELECTION DAY. SUCH
3 PHYSICAL APPLICATION FORMS SHALL BE MADE FREELY AVAILABLE TO THE
4 PUBLIC AT COUNTY BOARD OF ELECTIONS, MUNICIPAL BUILDINGS AND AT
5 SUCH OTHER LOCATIONS DESIGNATED BY THE SECRETARY. SUCH
6 ELECTRONIC APPLICATION FORMS SHALL BE MADE FREELY AVAILABLE TO
7 THE PUBLIC THROUGH PUBLICLY ACCESSIBLE MEANS. NO WRITTEN
8 APPLICATION OR PERSONAL REQUEST SHALL BE NECESSARY TO RECEIVE OR
9 ACCESS THE APPLICATION FORMS. COPIES AND RECORDS OF ALL
10 COMPLETED PHYSICAL AND ELECTRONIC APPLICATIONS FOR OFFICIAL
11 ABSENTEE BALLOTS SHALL BE RETAINED BY THE COUNTY BOARD OF
12 ELECTIONS.

13 (2) NOTHING IN THIS ACT SHALL PROHIBIT A PRIVATE
14 ORGANIZATION OR INDIVIDUAL FROM PRINTING BLANK VOTER
15 APPLICATIONS FOR ABSENTEE BALLOTS OR SHALL PROHIBIT THE USE OF
16 SUCH APPLICATIONS BY ANOTHER INDIVIDUAL, PROVIDED THE FORM,
17 CONTENT AND PAPER QUALITY HAVE BEEN APPROVED BY THE SECRETARY OF
18 THE COMMONWEALTH.

19 * * *

20 (K) THE SECRETARY OF THE COMMONWEALTH MAY DEVELOP AN
21 ELECTRONIC SYSTEM THROUGH WHICH ALL QUALIFIED ELECTORS MAY APPLY
22 FOR AN ABSENTEE BALLOT AND REQUEST PERMANENT ABSENTEE VOTER
23 STATUS UNDER SUBSECTION (E.1), PROVIDED THE SYSTEM IS ABLE TO
24 CAPTURE A DIGITIZED OR ELECTRONIC SIGNATURE OF THE APPLICANT. A
25 COUNTY BOARD OF ELECTIONS SHALL TREAT ANY APPLICATION OR REQUEST
26 RECEIVED THROUGH THE ELECTRONIC SYSTEM AS IF THE APPLICATION OR
27 REQUEST HAD BEEN SUBMITTED ON A PAPER FORM OR ANY OTHER FORMAT
28 USED BY THE COUNTY.

29 SECTION 5.1. SECTIONS 1302.1, 1302.2, 1302.3 HEADING, (A)
30 AND (C), 1303(D) AND (E) AND 1305(B) OF THE ACT ARE AMENDED TO

1 READ:

2 SECTION 1302.1. DATE OF APPLICATION FOR ABSENTEE BALLOT.--

3 (A) EXCEPT AS PROVIDED IN [SUBSECTIONS (A.1) AND (A.2)]

4 SUBSECTION (A.3), APPLICATIONS FOR ABSENTEE BALLOTS SHALL BE

5 RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NOT

6 EARLIER THAN FIFTY (50) DAYS BEFORE THE PRIMARY OR ELECTION

7 [AND], EXCEPT THAT IF A COUNTY BOARD OF ELECTIONS DETERMINES

8 THAT IT WOULD BE APPROPRIATE TO ITS OPERATIONAL NEEDS, ANY

9 APPLICATIONS FOR ABSENTEE BALLOTS RECEIVED MORE THAN FIFTY (50)

10 DAYS BEFORE THE PRIMARY OR ELECTION MAY BE PROCESSED BEFORE THAT

11 TIME. APPLICATIONS FOR ABSENTEE BALLOTS SHALL BE PROCESSED IF

12 RECEIVED NOT LATER THAN FIVE O'CLOCK P.M. OF THE FIRST TUESDAY

13 PRIOR TO THE DAY OF ANY PRIMARY OR ELECTION.

14 [(A.1) EXCEPT AS PROVIDED IN SUBSECTION (A.2), IN THE EVENT

15 ANY ELECTOR OTHERWISE QUALIFIED WHO IS SO PHYSICALLY DISABLED OR

16 ILL ON OR BEFORE THE FIRST TUESDAY PRIOR TO ANY PRIMARY OR

17 ELECTION THAT HE IS UNABLE TO FILE HIS APPLICATION OR WHO

18 BECOMES PHYSICALLY DISABLED OR ILL AFTER THE FIRST TUESDAY PRIOR

19 TO ANY PRIMARY OR ELECTION AND IS UNABLE TO APPEAR AT HIS

20 POLLING PLACE OR ANY ELECTOR OTHERWISE QUALIFIED WHO BECAUSE OF

21 THE CONDUCT OF HIS BUSINESS, DUTIES OR OCCUPATION WILL

22 NECESSARILY BE ABSENT FROM THE MUNICIPALITY OF HIS RESIDENCE ON

23 THE DAY OF THE PRIMARY OR ELECTION, WHICH FACT WAS NOT AND COULD

24 NOT REASONABLY BE KNOWN TO SAID ELECTOR ON OR BEFORE THE FIRST

25 TUESDAY PRIOR TO ANY PRIMARY OR ELECTION, THE ELECTOR SHALL BE

26 ENTITLED TO AN ABSENTEE BALLOT AT ANY TIME PRIOR TO FIVE O'CLOCK

27 P.M. ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION UPON

28 EXECUTION OF AN EMERGENCY APPLICATION IN SUCH FORM PRESCRIBED BY

29 THE SECRETARY OF THE COMMONWEALTH.

30 (A.2) IN THE EVENT ANY ELECTOR OTHERWISE QUALIFIED WHO

1 BECOMES SO PHYSICALLY DISABLED OR ILL BETWEEN FIVE O'CLOCK P.M.
2 ON THE FIRST FRIDAY PRECEDING ANY PRIMARY OR ELECTION AND EIGHT
3 O'CLOCK P.M. ON THE DAY OF ANY PRIMARY OR ELECTION THAT HE IS
4 UNABLE TO APPEAR AT HIS POLLING PLACE OR ANY ELECTOR OTHERWISE
5 QUALIFIED WHO BECAUSE OF THE CONDUCT OF HIS BUSINESS, DUTIES OR
6 OCCUPATION WILL NECESSARILY BE ABSENT FROM THE MUNICIPALITY OF
7 HIS RESIDENCE ON THE DAY OF THE PRIMARY OR ELECTION, WHICH FACT
8 WAS NOT AND COULD NOT REASONABLY BE KNOWN TO SAID ELECTOR PRIOR
9 TO FIVE O'CLOCK P.M. ON THE FIRST FRIDAY PRECEDING ANY PRIMARY
10 OR ELECTION, THE ELECTOR SHALL BE ENTITLED TO AN ABSENTEE BALLOT
11 IF THE ELECTOR COMPLETES AND FILES WITH THE COURT OF COMMON
12 PLEAS IN THE COUNTY IN WHICH THE ELECTOR IS QUALIFIED TO VOTE AN
13 EMERGENCY APPLICATION OR A LETTER OR OTHER SIGNED DOCUMENT,
14 WHICH INCLUDES THE SAME INFORMATION AS IS PROVIDED ON THE
15 EMERGENCY APPLICATION. UPON A DETERMINATION THAT THE ELECTOR IS
16 A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301, THE JUDGE SHALL
17 ISSUE AN ABSENTEE BALLOT TO THE ELECTOR.]

18 (A.3) (1) THE FOLLOWING CATEGORIES OF ELECTORS MAY APPLY
19 FOR AN ABSENTEE BALLOT UNDER THIS SUBSECTION, IF OTHERWISE
20 QUALIFIED:

21 (I) AN ELECTOR WHOSE PHYSICAL DISABILITY OR ILLNESS
22 PREVENTED THE ELECTOR FROM APPLYING FOR AN ABSENTEE BALLOT
23 BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY
24 OF THE PRIMARY OR ELECTION.

25 (II) AN ELECTOR WHO, BECAUSE OF THE ELECTOR'S BUSINESS,
26 DUTIES OR OCCUPATION, WAS UNABLE TO APPLY FOR AN ABSENTEE BALLOT
27 BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY
28 OF THE PRIMARY OR ELECTION.

29 (III) AN ELECTOR WHO BECOMES SO PHYSICALLY DISABLED OR ILL
30 AFTER FIVE O'CLOCK P.M. ON THE FIRST TUESDAY PRIOR TO THE DAY OF

1 THE PRIMARY OR ELECTION THAT THE ELECTOR IS UNABLE TO APPEAR AT
2 THE POLLING PLACE ON THE DAY OF THE PRIMARY OR ELECTION.

3 (IV) AN ELECTOR WHO, BECAUSE OF THE CONDUCT OF THE ELECTOR'S
4 BUSINESS, DUTIES OR OCCUPATION, WILL NECESSARILY BE ABSENT FROM
5 THE ELECTOR'S MUNICIPALITY OF RESIDENCE ON THE DAY OF THE
6 PRIMARY OR ELECTION, WHICH FACT WAS NOT AND COULD NOT REASONABLY
7 BE KNOWN TO THE ELECTOR ON OR BEFORE FIVE O'CLOCK P.M. ON THE
8 FIRST TUESDAY PRIOR TO THE DAY OF THE PRIMARY OR ELECTION.

9 (2) AN ELECTOR DESCRIBED IN PARAGRAPH (1) MAY SUBMIT AN
10 APPLICATION FOR AN ABSENTEE BALLOT AT ANY TIME UP UNTIL THE TIME
11 OF THE CLOSING OF THE POLLS ON THE DAY OF THE PRIMARY OR
12 ELECTION. THE APPLICATION SHALL INCLUDE A DECLARATION DESCRIBING
13 THE CIRCUMSTANCES THAT PREVENTED THE ELECTOR FROM APPLYING FOR
14 AN ABSENTEE BALLOT BEFORE FIVE O'CLOCK P.M. ON THE FIRST TUESDAY
15 PRIOR TO THE DAY OF THE PRIMARY OR ELECTION OR THAT PREVENT THE
16 ELECTOR FROM APPEARING AT THE POLLING PLACE ON THE DAY OF THE
17 PRIMARY OR ELECTION, AND THE ELECTOR'S QUALIFICATIONS UNDER
18 PARAGRAPH (1). THE DECLARATION SHALL BE MADE SUBJECT TO THE
19 PROVISIONS OF 18 P.A.C.S. § 4904 (RELATING TO UNSWORN
20 FALSIFICATION TO AUTHORITIES).

21 (3) IF THE COUNTY BOARD OF ELECTIONS DETERMINES THAT THE
22 ELECTOR MEETS THE REQUIREMENTS OF THIS SECTION, THE BOARD SHALL
23 ISSUE AN ABSENTEE BALLOT TO THE ELECTOR.

24 (4) IF THE ELECTOR IS UNABLE TO APPEAR [IN COURT] AT THE
25 OFFICE OF THE COUNTY BOARD OF ELECTIONS TO RECEIVE THE BALLOT,
26 THE [JUDGE] BOARD SHALL GIVE THE ELECTOR'S ABSENTEE BALLOT TO AN
27 AUTHORIZED REPRESENTATIVE OF THE ELECTOR WHO IS DESIGNATED IN
28 WRITING BY THE ELECTOR. THE AUTHORIZED REPRESENTATIVE SHALL
29 DELIVER THE ABSENTEE BALLOT TO THE ELECTOR AND RETURN THE
30 COMPLETED ABSENTEE BALLOT, SEALED IN THE OFFICIAL ABSENTEE

1 BALLOT ENVELOPES, TO THE OFFICE OF THE COUNTY BOARD OF
2 ELECTIONS, [WHO] WHICH SHALL [DISTRIBUTE] RETAIN THE BALLOT,
3 UNOPENED, [TO THE ABSENTEE VOTER'S ELECTION DISTRICT] UNTIL THE
4 CANVASSING OF ALL ABSENTEE BALLOTS.

5 (5) MULTIPLE PEOPLE QUALIFIED UNDER THIS SUBSECTION MAY
6 DESIGNATE THE SAME PERSON, AND A SINGLE PERSON MAY SERVE AS THE
7 AUTHORIZED REPRESENTATIVE FOR MULTIPLE QUALIFIED ELECTORS.

8 (6) IF THE ELECTOR IS UNABLE TO APPEAR [IN COURT] AT THE
9 OFFICE OF THE COUNTY BOARD OF ELECTIONS OR UNABLE TO OBTAIN
10 ASSISTANCE FROM AN AUTHORIZED REPRESENTATIVE, THE COUNTY BOARD
11 MAY PROVIDE AN AUTHORIZED REPRESENTATIVE OR ASK THE JUDGE
12 [SHALL] OF THE COURT OF COMMON PLEAS IN THE COUNTY IN WHICH THE
13 ELECTOR IS QUALIFIED TO VOTE TO DIRECT A DEPUTY SHERIFF OF THE
14 COUNTY TO DELIVER THE ABSENTEE BALLOT TO THE ELECTOR IF THE
15 ELECTOR IS AT A PHYSICAL LOCATION WITHIN THE COUNTY AND RETURN
16 THE COMPLETED ABSENTEE BALLOT, SEALED IN THE OFFICIAL ABSENTEE
17 BALLOT ENVELOPES, TO THE COUNTY BOARD OF ELECTIONS[, WHO SHALL
18 DISTRIBUTE THE BALLOTS, UNOPENED, TO THE ABSENTEE VOTER'S
19 RESPECTIVE ELECTION DISTRICT]. IF THERE IS NO AUTHORIZED
20 REPRESENTATIVE AND A DEPUTY SHERIFF IS UNAVAILABLE TO DELIVER AN
21 ABSENTEE BALLOT UNDER THIS SECTION, THE JUDGE MAY DIRECT A
22 CONSTABLE TO MAKE SUCH DELIVERY IN ACCORDANCE WITH THE
23 PROVISIONS OF THIS SECTION.

24 (7) IN THE CASE OF AN ELECTOR WHO REQUIRES ASSISTANCE IN
25 MARKING THE ELECTOR'S BALLOT, THE ELECTOR SHALL DESIGNATE IN
26 WRITING THE PERSON WHO WILL ASSIST IN MARKING THE BALLOT. SUCH
27 PERSON SHALL BE OTHERWISE ELIGIBLE TO PROVIDE ASSISTANCE TO
28 ELECTORS ELIGIBLE FOR ASSISTANCE, AND SUCH PERSON SHALL DECLARE
29 IN WRITING THAT ASSISTANCE WAS RENDERED. ANY PERSON OTHER THAN
30 THE DESIGNEE WHO SHALL RENDER ASSISTANCE IN MARKING A BALLOT OR

1 ANY PERSON RENDERING ASSISTANCE WHO SHALL FAIL TO EXECUTE A
2 DECLARATION SHALL BE GUILTY OF A VIOLATION OF THIS ACT.

3 (8) NO ABSENTEE BALLOT UNDER THIS SUBSECTION SHALL BE
4 COUNTED WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF
5 ELECTIONS LATER THAN [EIGHT O'CLOCK P.M. ON THE DAY OF THE
6 PRIMARY OR ELECTION] THE DEADLINE FOR ITS RECEIPT AS PROVIDED IN
7 SECTION 1308(G).

8 (B) IN THE CASE OF AN ELECTOR WHOSE APPLICATION FOR AN
9 ABSENTEE BALLOT IS RECEIVED BY THE OFFICE OF THE COUNTY BOARD OF
10 ELECTIONS EARLIER THAN FIFTY (50) DAYS BEFORE THE PRIMARY OR
11 ELECTION, THE APPLICATION SHALL BE HELD AND PROCESSED UPON
12 COMMENCEMENT OF THE FIFTY-DAY PERIOD OR AT SUCH EARLIER TIME AS
13 THE COUNTY BOARD OF ELECTIONS DETERMINES MAY BE APPROPRIATE.

14 [(C) IN THE CASE OF AN ELECTOR WHO IS PHYSICALLY DISABLED OR
15 ILL ON OR BEFORE THE FIRST TUESDAY PRIOR TO A PRIMARY OR
16 ELECTION OR BECOMES PHYSICALLY DISABLED OR ILL AFTER THE FIRST
17 TUESDAY PRIOR TO A PRIMARY OR ELECTION, SUCH EMERGENCY
18 APPLICATION, LETTER OR OTHER SIGNED DOCUMENT SHALL CONTAIN A
19 SUPPORTING AFFIDAVIT FROM HIS ATTENDING PHYSICIAN STATING THAT
20 DUE TO PHYSICAL DISABILITY OR ILLNESS SAID ELECTOR WAS UNABLE TO
21 APPLY FOR AN ABSENTEE BALLOT ON OR BEFORE THE FIRST TUESDAY
22 PRIOR TO THE PRIMARY OR ELECTION OR BECAME PHYSICALLY DISABLED
23 OR ILL AFTER THAT PERIOD.

24 (D) IN THE CASE OF AN ELECTOR WHO IS NECESSARILY ABSENT
25 BECAUSE OF THE CONDUCT OF HIS BUSINESS, DUTIES OR OCCUPATION
26 UNDER THE UNFORESEEN CIRCUMSTANCES SPECIFIED IN SUBSECTIONS
27 (A.1) AND (A.2), SUCH EMERGENCY APPLICATION, LETTER OR OTHER
28 SIGNED DOCUMENT SHALL CONTAIN A SUPPORTING AFFIDAVIT FROM SUCH
29 ELECTOR STATING THAT BECAUSE OF THE CONDUCT OF HIS BUSINESS,
30 DUTIES OR OCCUPATION SAID ELECTOR WILL NECESSARILY BE ABSENT

1 FROM THE MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY
2 OR ELECTION WHICH FACT WAS NOT AND COULD NOT REASONABLY BE KNOWN
3 TO SAID ELECTOR ON OR BEFORE THE FIRST TUESDAY PRIOR TO THE
4 PRIMARY OR ELECTION.]

5 SECTION 1302.2. APPROVAL OF APPLICATION FOR ABSENTEE
6 BALLOT.--

7 (A) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY
8 APPLICATION FILED BY A QUALIFIED ELECTOR NOT REQUIRED TO BE
9 REGISTERED UNDER PRECEDING SECTION 1301, SHALL ASCERTAIN FROM
10 THE INFORMATION ON SUCH APPLICATION, DISTRICT REGISTER OR FROM
11 ANY OTHER SOURCE THAT SUCH APPLICANT POSSESSES ALL THE
12 QUALIFICATIONS OF A QUALIFIED ELECTOR OTHER THAN BEING
13 REGISTERED OR ENROLLED. IF THE BOARD IS SATISFIED THAT THE
14 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,
15 THE APPLICATION SHALL BE MARKED APPROVED SUCH APPROVAL DECISION
16 SHALL BE FINAL AND BINDING EXCEPT THAT CHALLENGES MAY BE MADE
17 ONLY ON THE GROUND THAT THE APPLICANT DID NOT POSSESS
18 QUALIFICATIONS OF AN ABSENTEE ELECTOR. SUCH CHALLENGES MUST BE
19 MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR TO [5:00 O'CLOCK
20 P.M. ON THE FIRST FRIDAY PRIOR TO THE ELECTION.] THE APPLICABLE
21 DEADLINE FOR THE ABSENTEE BALLOTS TO BE RECEIVED, AS PROVIDED IN
22 SECTION 1308(G). WHEN SO APPROVED, THE COUNTY BOARD OF ELECTIONS
23 SHALL CAUSE THE APPLICANT'S NAME AND RESIDENCE (AND AT A
24 PRIMARY, THE PARTY ENROLLMENT) TO BE INSERTED IN THE MILITARY,
25 VETERANS AND EMERGENCY CIVILIANS ABSENTEE VOTERS FILE AS
26 PROVIDED IN SECTION 1302.3, SUBSECTION (B): PROVIDING, HOWEVER,
27 THAT NO APPLICATION OF ANY QUALIFIED ELECTOR IN MILITARY SERVICE
28 SHALL BE REJECTED FOR FAILURE TO INCLUDE ON [HIS] THE ELECTOR'S
29 APPLICATION ANY INFORMATION IF SUCH INFORMATION MAY BE
30 ASCERTAINED WITHIN A REASONABLE TIME BY THE COUNTY BOARD OF

1 ELECTIONS.

2 (B) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY
3 APPLICATION FILED BY A QUALIFIED ELECTOR WHO IS ENTITLED, UNDER
4 THE PROVISIONS OF THE PERMANENT REGISTRATION LAW AS NOW OR
5 HEREINAFTER ENACTED BY THE GENERAL ASSEMBLY, TO ABSENTEE
6 REGISTRATION PRIOR TO OR CONCURRENTLY WITH THE TIME OF VOTING AS
7 PROVIDED UNDER PRECEDING SECTION 1301, SHALL ASCERTAIN FROM THE
8 INFORMATION ON SUCH APPLICATION OR FROM ANY OTHER SOURCE THAT
9 SUCH APPLICANT POSSESSES ALL THE QUALIFICATIONS OF A QUALIFIED
10 ELECTOR. IF THE BOARD IS SATISFIED THAT THE APPLICANT IS
11 ENTITLED, UNDER THE PROVISIONS OF THE PERMANENT REGISTRATION LAW
12 AS NOW OR HEREINAFTER ENACTED BY THE GENERAL ASSEMBLY, TO
13 ABSENTEE REGISTRATION PRIOR TO OR CONCURRENTLY WITH THE TIME OF
14 VOTING AND THAT THE APPLICANT IS QUALIFIED TO RECEIVE AN
15 OFFICIAL ABSENTEE BALLOT, THE APPLICATION SHALL BE MARKED
16 "APPROVED." SUCH APPROVAL DECISION SHALL BE FINAL AND BINDING
17 EXCEPT THAT CHALLENGES MAY BE MADE ONLY ON THE GROUND THAT THE
18 APPLICANT DID NOT POSSESS THE QUALIFICATIONS OF AN ABSENTEE
19 ELECTOR PRIOR TO OR CONCURRENTLY WITH THE TIME OF VOTING. SUCH
20 CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR
21 TO [5:00 O'CLOCK P.M. ON THE FIRST FRIDAY PRIOR TO THE
22 ELECTION.] THE APPLICABLE DEADLINE FOR THE ABSENTEE BALLOTS TO
23 BE RECEIVED, AS PROVIDED IN SECTION 1308(G). WHEN SO APPROVED,
24 THE COUNTY BOARD OF ELECTIONS SHALL CAUSE THE APPLICANT'S NAME
25 AND RESIDENCE (AND AT A PRIMARY, THE PARTY ENROLLMENT) TO BE
26 INSERTED IN THE MILITARY, VETERANS AND EMERGENCY CIVILIAN
27 ABSENTEE VOTERS FILE AS PROVIDED IN SECTION 1302.3 SUBSECTION
28 (B).

29 (C) THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT OF ANY
30 APPLICATION OF A QUALIFIED ELECTOR REQUIRED TO BE REGISTERED

1 UNDER THE PROVISIONS OF PRECEDING SECTION 1301, SHALL DETERMINE
2 THE QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF
3 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH
4 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S
5 PERMANENT REGISTRATION CARD. IF THE BOARD IS SATISFIED THAT THE
6 APPLICANT IS QUALIFIED TO RECEIVE AN OFFICIAL ABSENTEE BALLOT,
7 THE APPLICATION SHALL BE MARKED "APPROVED." SUCH APPROVAL
8 DECISION SHALL BE FINAL AND BINDING, EXCEPT THAT CHALLENGES MAY
9 BE MADE ONLY ON THE GROUND THAT THE APPLICANT DID NOT POSSESS
10 THE QUALIFICATIONS OF AN ABSENTEE ELECTOR. SUCH CHALLENGES MUST
11 BE MADE TO THE COUNTY BOARD OF ELECTIONS PRIOR TO [5:00 O'CLOCK
12 P.M. ON THE FIRST FRIDAY PRIOR TO THE ELECTION.] THE APPLICABLE
13 DEADLINE FOR THE ABSENTEE BALLOTS TO BE RECEIVED, AS PROVIDED IN
14 SECTION 1308(G). WHEN SO APPROVED, THE REGISTRATION COMMISSION
15 SHALL CAUSE AN ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD TO
16 BE INSERTED IN THE DISTRICT REGISTER ON TOP OF AND ALONG WITH
17 THE PERMANENT REGISTRATION CARD. THE ABSENTEE VOTER'S TEMPORARY
18 REGISTRATION CARD SHALL BE IN THE COLOR AND FORM PRESCRIBED IN
19 SUBSECTION (E) OF THIS SECTION:

20 PROVIDED, HOWEVER, THAT THE DUTIES OF THE COUNTY BOARDS OF
21 ELECTIONS AND THE REGISTRATION COMMISSIONS WITH RESPECT TO THE
22 INSERTION OF THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD OF
23 ANY ELECTOR FROM THE DISTRICT REGISTER AS SET FORTH IN SECTION
24 1302.2 SHALL INCLUDE ONLY SUCH APPLICATIONS AND EMERGENCY
25 APPLICATIONS AS ARE RECEIVED ON OR BEFORE THE FIRST TUESDAY
26 PRIOR TO THE PRIMARY OR ELECTION. IN ALL CASES WHERE
27 APPLICATIONS ARE RECEIVED AFTER THE FIRST TUESDAY PRIOR TO THE
28 PRIMARY OR ELECTION AND BEFORE [FIVE O'CLOCK P. M. ON THE FIRST
29 FRIDAY PRIOR TO] EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR
30 ELECTION, THE COUNTY BOARD OF ELECTIONS SHALL DETERMINE THE

1 QUALIFICATIONS OF SUCH APPLICANT BY VERIFYING THE PROOF OF
2 IDENTIFICATION AND COMPARING THE INFORMATION SET FORTH ON SUCH
3 APPLICATION WITH THE INFORMATION CONTAINED ON THE APPLICANT'S
4 DUPLICATE REGISTRATION CARD ON FILE IN THE GENERAL REGISTER
5 (ALSO REFERRED TO AS THE MASTER FILE) IN THE OFFICE OF THE
6 REGISTRATION COMMISSION AND SHALL CAUSE THE NAME AND RESIDENCE
7 (AND AT PRIMARIES, THE PARTY ENROLLMENT) TO BE INSERTED IN THE
8 MILITARY, VETERANS AND EMERGENCY CIVILIAN ABSENTEE VOTERS FILE
9 AS PROVIDED IN SECTION 1302.3, SUBSECTION (B). [IN ADDITION, THE
10 LOCAL DISTRICT BOARDS OF ELECTIONS SHALL, UPON CANVASSING THE
11 OFFICIAL ABSENTEE BALLOTS UNDER SECTION 1308, EXAMINE THE VOTING
12 CHECK LIST OF THE ELECTION DISTRICT OF SAID ELECTOR'S RESIDENCE
13 AND SATISFY ITSELF THAT SUCH ELECTOR DID NOT CAST ANY BALLOT
14 OTHER THAN THE ONE PROPERLY ISSUED TO HIM UNDER HIS ABSENTEE
15 BALLOT APPLICATION. IN ALL CASES WHERE THE EXAMINATION OF THE
16 LOCAL DISTRICT BOARD OF ELECTIONS DISCLOSES THAT AN ELECTOR DID
17 VOTE A BALLOT OTHER THAN THE ONE PROPERLY ISSUED TO HIM UNDER
18 THE ABSENTEE BALLOT APPLICATION, THE LOCAL DISTRICT BOARD OF
19 ELECTIONS SHALL THEREUPON CANCEL SAID ABSENTEE BALLOT AND SAID
20 ELECTOR SHALL BE SUBJECT TO THE PENALTIES AS HEREINAFTER SET
21 FORTH.]

22 (D) IN THE EVENT THAT ANY APPLICATION FOR AN OFFICIAL
23 ABSENTEE BALLOT IS NOT APPROVED BY THE COUNTY BOARD OF
24 ELECTIONS, THE ELECTOR SHALL BE NOTIFIED IMMEDIATELY TO THAT
25 EFFECT WITH A STATEMENT BY THE COUNTY BOARD OF THE REASONS FOR
26 THE DISAPPROVAL. FOR THOSE APPLICANTS WHOSE PROOF OF
27 IDENTIFICATION WAS NOT PROVIDED WITH THE APPLICATION OR COULD
28 NOT BE VERIFIED BY THE BOARD, THE BOARD SHALL SEND NOTICE TO THE
29 ELECTOR WITH THE ABSENTEE BALLOT REQUIRING THE ELECTOR TO
30 PROVIDE PROOF OF IDENTIFICATION WITH THE ABSENTEE BALLOT OR THE

1 BALLOT WILL NOT BE COUNTED.

2 (E) THE ABSENTEE VOTER'S TEMPORARY REGISTRATION CARD SHALL
3 BE IN DUPLICATE AND THE SAME SIZE AS THE PERMANENT REGISTRATION
4 CARD, IN A DIFFERENT AND CONTRASTING COLOR TO THE PERMANENT
5 REGISTRATION CARD AND SHALL CONTAIN THE ABSENTEE VOTER'S NAME
6 AND ADDRESS AND SHALL CONSPICUOUSLY CONTAIN THE WORDS "ABSENTEE
7 VOTER." [SUCH CARD SHALL ALSO CONTAIN THE AFFIDAVIT REQUIRED BY
8 SUBSECTION (B) OF SECTION 1306.]

9 (F) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A
10 QUALIFIED ABSENTEE ELECTOR SHALL NOT BE REQUIRED TO PROVIDE
11 PROOF OF IDENTIFICATION IF THE ELECTOR IS ENTITLED TO VOTE BY
12 ABSENTEE BALLOT UNDER THE UNIFORMED AND OVERSEAS CITIZENS
13 ABSENTEE VOTING ACT (PUBLIC LAW 99-410, 100 STAT. 924) OR BY AN
14 ALTERNATIVE BALLOT UNDER THE VOTING ACCESSIBILITY FOR THE
15 ELDERLY AND HANDICAPPED ACT (PUBLIC LAW 98-435, 98 STAT. 1678).

16 SECTION 1302.3. ABSENTEE AND MAIL-IN ELECTORS FILES AND
17 LISTS.-- (A) THE COUNTY BOARD OF ELECTIONS SHALL MAINTAIN AT ITS
18 OFFICE A FILE CONTAINING THE DUPLICATE ABSENTEE VOTER'S
19 TEMPORARY REGISTRATION CARDS OF EVERY REGISTERED ELECTOR TO WHOM
20 AN ABSENTEE BALLOT HAS BEEN SENT. SUCH DUPLICATE ABSENTEE
21 VOTER'S TEMPORARY REGISTRATION CARDS SHALL BE FILED BY ELECTION
22 DISTRICTS AND WITHIN EACH ELECTION DISTRICT IN EXACT
23 ALPHABETICAL ORDER AND INDEXED. THE REGISTRATION CARDS AND THE
24 REGISTRATION CARDS UNDER SECTION 1302.3-D SO FILED SHALL
25 CONSTITUTE THE REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE FOR
26 THE PRIMARY OR ELECTION OF (DATE OF PRIMARY OR ELECTION) AND
27 SHALL BE KEPT ON FILE FOR A PERIOD COMMENCING THE TUESDAY PRIOR
28 TO THE DAY OF THE PRIMARY OR ELECTION UNTIL THE DAY FOLLOWING
29 THE PRIMARY OR ELECTION OR THE DAY THE COUNTY BOARD OF ELECTIONS
30 CERTIFIES THE RETURNS OF THE PRIMARY OR ELECTION, WHICHEVER DATE

1 IS LATER. SUCH FILE SHALL BE OPEN TO PUBLIC INSPECTION AT ALL
2 TIMES SUBJECT TO REASONABLE SAFEGUARDS, RULES AND REGULATIONS.

3 * * *

4 (C) NOT LESS THAN FIVE DAYS PRECEDING THE ELECTION, THE
5 CHIEF CLERK SHALL PREPARE A LIST FOR EACH ELECTION DISTRICT
6 SHOWING THE NAMES AND POST OFFICE ADDRESSES OF ALL VOTING
7 RESIDENTS THEREOF TO WHOM OFFICIAL ABSENTEE OR MAIL-IN BALLOTS
8 SHALL HAVE BEEN ISSUED. EACH SUCH LIST SHALL BE PREPARED IN
9 DUPLICATE, SHALL BE HEADED "PERSONS IN (GIVE IDENTITY OF
10 ELECTION DISTRICT) TO WHOM ABSENTEE OR MAIL-IN BALLOTS HAVE BEEN
11 ISSUED FOR THE ELECTION OF (DATE OF ELECTION)," AND SHALL BE
12 SIGNED BY HIM NOT LESS THAN FOUR DAYS PRECEDING THE ELECTION. HE
13 SHALL POST THE ORIGINAL OF EACH SUCH LIST IN A CONSPICUOUS PLACE
14 IN THE OFFICE OF THE COUNTY ELECTION BOARD AND SEE THAT IT IS
15 KEPT SO POSTED UNTIL THE CLOSE OF THE POLLS ON ELECTION DAY. HE
16 SHALL CAUSE THE DUPLICATE OF EACH SUCH LIST TO BE DELIVERED TO
17 THE JUDGE OF ELECTION IN THE ELECTION DISTRICT IN THE SAME
18 MANNER AND AT THE SAME TIME AS ARE PROVIDED IN THIS ACT FOR THE
19 DELIVERY OF OTHER ELECTION SUPPLIES, AND IT SHALL BE THE DUTY OF
20 SUCH JUDGE OF ELECTION TO POST SUCH DUPLICATE LIST IN A
21 CONSPICUOUS PLACE WITHIN THE POLLING PLACE OF HIS DISTRICT AND
22 SEE THAT IT IS KEPT SO POSTED THROUGHOUT THE TIME THAT THE POLLS
23 ARE OPEN. UPON WRITTEN REQUEST, HE SHALL FURNISH A COPY OF SUCH
24 LIST TO ANY CANDIDATE OR PARTY COUNTY CHAIRMAN.

25 SECTION 1303. OFFICIAL ABSENTEE VOTERS BALLOTS.--* * *

26 (D) IN CASES WHERE THERE IS NOT TIME TO PRINT ON SAID
27 BALLOTS THE NAMES OF THE VARIOUS CANDIDATES, THE COUNTY BOARD OF
28 ELECTIONS SHALL PRINT SPECIAL WRITE-IN ABSENTEE BALLOTS WHICH
29 SHALL BE IN SUBSTANTIALLY THE FORM OF OTHER OFFICIAL ABSENTEE
30 BALLOTS EXCEPT THAT SUCH SPECIAL WRITE-IN ABSENTEE BALLOTS SHALL

1 CONTAIN BLANK SPACES ONLY UNDER THE TITLES OF SUCH OFFICES IN
2 WHICH ELECTORS MAY INSERT, BY WRITING OR STAMPING, THE NAMES OF
3 THE CANDIDATES FOR WHOM THEY DESIRE TO VOTE, AND IN SUCH CASES
4 THE COUNTY BOARD OF ELECTIONS SHALL FURNISH TO ELECTORS LISTS
5 CONTAINING THE NAMES OF ALL THE CANDIDATES NAMED IN NOMINATION
6 PETITIONS OR WHO HAVE BEEN REGULARLY NOMINATED UNDER THE
7 PROVISIONS OF THIS ACT, FOR THE USE OF SUCH ELECTORS IN
8 PREPARING THEIR BALLOTS. SPECIAL WRITE-IN ABSENTEE BALLOTS ALSO
9 SHALL INCLUDE ALL CONSTITUTIONAL AMENDMENTS AND OTHER QUESTIONS
10 TO BE VOTED ON BY THE ELECTORS.

11 (E) THE OFFICIAL ABSENTEE VOTER BALLOT SHALL STATE THAT A
12 VOTER WHO RECEIVES AN ABSENTEE BALLOT PURSUANT TO SECTION 1301
13 AND WHOSE BALLOT IS NOT TIMELY RECEIVED AND WHO, ON ELECTION
14 DAY, IS CAPABLE OF VOTING AT THE APPROPRIATE POLLING PLACE [MUST
15 VOID THE ABSENTEE BALLOT AND VOTE IN THE NORMAL MANNER AT THE
16 APPROPRIATE VOTING PLACE] MAY ONLY VOTE ON ELECTION DAY BY
17 PROVISIONAL BALLOT.

18 SECTION 1305. DELIVERING OR MAILING BALLOTS.--

19 * * *

20 (B) (1) THE COUNTY BOARD OF ELECTIONS UPON RECEIPT AND
21 APPROVAL OF AN APPLICATION FILED BY ANY ELECTOR QUALIFIED IN
22 ACCORDANCE WITH THE PROVISIONS OF SECTION 1301, SUBSECTIONS (I)
23 TO (L), INCLUSIVE, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL
24 ABSENTEE BALLOTS [ON] AS SOON AS A BALLOT IS CERTIFIED AND THE
25 BALLOTS ARE AVAILABLE. WHILE ANY PROCEEDING IS PENDING IN A
26 FEDERAL OR STATE COURT WHICH WOULD AFFECT THE CONTENTS OF ANY
27 BALLOT, THE COUNTY BOARD OF ELECTIONS MAY AWAIT A RESOLUTION OF
28 THAT PROCEEDING BUT IN ANY EVENT, SHALL COMMENCE TO DELIVER OR
29 MAIL OFFICIAL ABSENTEE BALLOTS NOT LATER THAN THE SECOND TUESDAY
30 PRIOR TO THE PRIMARY OR ELECTION. FOR THOSE APPLICANTS WHOSE

1 PROOF OF IDENTIFICATION WAS NOT PROVIDED WITH THE APPLICATION OR
2 COULD NOT BE VERIFIED BY THE BOARD, THE BOARD SHALL SEND THE
3 NOTICE REQUIRED UNDER SECTION 1302.2(D) WITH THE ABSENTEE
4 BALLOT. AS ADDITIONAL APPLICATIONS ARE RECEIVED AND APPROVED
5 AFTER THE TIME THAT THE COUNTY BOARD OF ELECTIONS BEGINS
6 DELIVERING OR MAILING OFFICIAL ABSENTEE AND MAIL-IN BALLOTS, THE
7 BOARD SHALL DELIVER OR MAIL OFFICIAL ABSENTEE BALLOTS TO SUCH
8 ADDITIONAL ELECTORS WITHIN FORTY-EIGHT HOURS.

9 (2) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT AND
10 NOTWITHSTANDING THE INCLUSION OF A MAILING ADDRESS ON AN
11 ABSENTEE OR MAIL-IN BALLOT APPLICATION, A VOTER WHO PRESENTS THE
12 VOTER'S OWN APPLICATION FOR AN ABSENTEE OR MAIL-IN BALLOT WITHIN
13 THE OFFICE OF THE COUNTY BOARD OF ELECTIONS DURING REGULAR
14 BUSINESS HOURS MAY REQUEST TO RECEIVE THE VOTER'S ABSENTEE OR
15 MAIL-IN BALLOT WHILE THE VOTER IS AT THE OFFICE. THIS REQUEST
16 MAY BE MADE ORALLY OR IN WRITING. UPON PRESENTATION OF THE
17 APPLICATION AND THE MAKING OF THE REQUEST AND UPON APPROVAL
18 UNDER SECTIONS 1302.2 AND 1302.2-D, THE COUNTY BOARD OF
19 ELECTIONS SHALL PROMPTLY PRESENT THE VOTER WITH THE VOTER'S
20 ABSENTEE OR MAIL-IN BALLOT. IF A VOTER PRESENTS THE VOTER'S
21 APPLICATION WITHIN THE COUNTY BOARD OF ELECTIONS' OFFICE IN
22 ACCORDANCE WITH THIS SECTION, A COUNTY BOARD OF ELECTIONS MAY
23 NOT DENY THE VOTER'S REQUEST TO HAVE THE BALLOT PRESENTED TO THE
24 VOTER WHILE THE VOTER IS AT THE OFFICE UNLESS THERE IS A BONA
25 FIDE OBJECTION TO THE ABSENTEE OR MAIL-IN BALLOT APPLICATION.

26 * * *

27 SECTION 6. SECTION 1306(A)(1) AND (B) OF THE ACT ARE AMENDED
28 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

29 SECTION 1306. VOTING BY ABSENTEE ELECTORS.--(A) EXCEPT AS
30 PROVIDED IN PARAGRAPHS [(1),] (2) AND (3), AT ANY TIME AFTER

1 RECEIVING AN OFFICIAL ABSENTEE BALLOT, BUT ON OR BEFORE [FIVE
2 O'CLOCK P.M. ON THE FRIDAY PRIOR TO] EIGHT O'CLOCK P.M. THE DAY
3 OF THE PRIMARY OR ELECTION, THE ELECTOR SHALL, IN SECRET,
4 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
5 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
6 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL
7 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR
8 ENDORSED "OFFICIAL ABSENTEE BALLOT."

9 [(1) ANY ELECTOR WHO SUBMITS AN EMERGENCY APPLICATION AND
10 RECEIVES AN ABSENTEE BALLOT IN ACCORDANCE WITH SECTION
11 1302.1(A.2) OR (C) SHALL MARK THE BALLOT ON OR BEFORE EIGHT
12 O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION. THIS
13 ENVELOPE SHALL THEN BE PLACED IN THE SECOND ONE, ON WHICH IS
14 PRINTED THE FORM OF DECLARATION OF THE ELECTOR, AND THE ADDRESS
15 OF THE ELECTOR'S COUNTY BOARD OF ELECTION AND THE LOCAL ELECTION
16 DISTRICT OF THE ELECTOR. THE ELECTOR SHALL THEN FILL OUT, DATE
17 AND SIGN THE DECLARATION PRINTED ON SUCH ENVELOPE. SUCH ENVELOPE
18 SHALL THEN BE SECURELY SEALED AND THE ELECTOR SHALL SEND SAME BY
19 MAIL, POSTAGE PREPAID, EXCEPT WHERE FRANKED, OR DELIVER IT IN
20 PERSON TO SAID COUNTY BOARD OF ELECTION.]

21 * * *

22 (B) [IN THE EVENT THAT ANY SUCH ELECTOR, EXCEPTING AN
23 ELECTOR IN MILITARY SERVICE OR ANY ELECTOR UNABLE TO GO TO HIS
24 POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL DISABILITY,
25 ENTITLED TO VOTE AN OFFICIAL ABSENTEE BALLOT SHALL BE IN THE
26 MUNICIPALITY OF HIS RESIDENCE ON THE DAY FOR HOLDING THE PRIMARY
27 OR ELECTION FOR WHICH THE BALLOT WAS ISSUED, OR IN THE EVENT ANY
28 SUCH ELECTOR SHALL HAVE RECOVERED FROM HIS ILLNESS OR PHYSICAL
29 DISABILITY SUFFICIENTLY TO PERMIT HIM TO PRESENT HIMSELF AT THE
30 PROPER POLLING PLACE FOR THE PURPOSE OF CASTING HIS BALLOT, SUCH

1 ABSENTEE BALLOT CAST BY SUCH ELECTOR SHALL, BE DECLARED VOID.

2 ANY SUCH ELECTOR REFERRED TO IN THIS SUBSECTION, WHO IS
3 WITHIN THE MUNICIPALITY OF HIS RESIDENCE, MUST PRESENT HIMSELF
4 AT HIS POLLING PLACE AND SHALL BE PERMITTED TO VOTE UPON
5 PRESENTING HIMSELF AT HIS REGULAR POLLING PLACE IN THE SAME
6 MANNER AS HE COULD HAVE VOTED HAD HE NOT RECEIVED AN ABSENTEE
7 BALLOT: PROVIDED, THAT SUCH ELECTOR HAS FIRST PRESENTED HIMSELF
8 TO THE JUDGE OF ELECTIONS IN HIS LOCAL ELECTION DISTRICT AND
9 SHALL HAVE SIGNED THE AFFIDAVIT ON THE ABSENTEE VOTER'S
10 TEMPORARY REGISTRATION CARD, WHICH AFFIDAVIT SHALL BE IN
11 SUBSTANTIALLY THE FOLLOWING FORM:

12 I HEREBY SWEAR THAT I AM A QUALIFIED REGISTERED ELECTOR WHO
13 HAS OBTAINED AN ABSENTEE BALLOT, HOWEVER, I AM PRESENT IN THE
14 MUNICIPALITY OF MY RESIDENCE AND PHYSICALLY ABLE TO PRESENT
15 MYSELF AT MY POLLING PLACE AND THEREFORE REQUEST THAT MY
16 ABSENTEE BALLOT BE VOIDED.

17

18 (DATE)

20

.....

21 (LOCAL JUDGE OF ELECTIONS)

(SIGNATURE OF ELECTOR)

22 AN ELECTOR WHO HAS RECEIVED AN ABSENTEE BALLOT UNDER THE
23 EMERGENCY APPLICATION PROVISIONS OF SECTION 1302.1, AND FOR
24 WHOM, THEREFORE, NO TEMPORARY ABSENTEE VOTER'S REGISTRATION CARD
25 IS IN THE DISTRICT REGISTER, SHALL SIGN THE AFOREMENTIONED
26 AFFIDAVIT IN ANY CASE, WHICH THE LOCAL JUDGE OF ELECTIONS SHALL
27 THEN CAUSE TO BE INSERTED IN THE DISTRICT REGISTER WITH THE
28 ELECTOR'S PERMANENT REGISTRATION CARD.]

29 (1) ANY ELECTOR WHO RECEIVES AND VOTES AN ABSENTEE BALLOT
30 PURSUANT TO SECTION 1301 SHALL NOT BE ELIGIBLE TO VOTE AT A

1 POLLING PLACE ON ELECTION DAY. THE DISTRICT REGISTER AT EACH
2 POLLING PLACE SHALL CLEARLY IDENTIFY ELECTORS WHO HAVE RECEIVED
3 AND VOTED ABSENTEE BALLOTS AS INELIGIBLE TO VOTE AT THE POLLING
4 PLACE, AND DISTRICT ELECTION OFFICERS SHALL NOT PERMIT ELECTORS
5 WHO VOTED AN ABSENTEE BALLOT TO VOTE AT THE POLLING PLACE.

6 (2) AN ELECTOR WHO REQUESTS AN ABSENTEE BALLOT AND WHO IS
7 NOT SHOWN ON THE DISTRICT REGISTER AS HAVING VOTED THE BALLOT
8 MAY VOTE BY PROVISIONAL BALLOT UNDER SECTION 1210(A.4) (1).

9 (C) EXCEPT AS PROVIDED UNDER 25 PA.C.S. § 3511 (RELATING TO
10 RECEIPT OF VOTED BALLOT), A COMPLETED ABSENTEE BALLOT MUST BE
11 RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NO LATER
12 THAN EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION.

13 SECTION 7. SECTIONS 1308 HEADING, (A), (B), (B.1), (D), (E),
14 (F), (G) (1), (2), (3), (4) AND (5) AND (H) AND 1309 OF THE ACT
15 ARE AMENDED TO READ:

16 SECTION 1308. CANVASSING OF OFFICIAL ABSENTEE BALLOTS AND
17 MAIL-IN BALLOTS.--(A) THE COUNTY BOARDS OF ELECTION, UPON
18 RECEIPT OF OFFICIAL ABSENTEE BALLOTS IN [SUCH] SEALED OFFICIAL
19 ABSENTEE BALLOT ENVELOPES AS PROVIDED UNDER THIS ARTICLE AND
20 MAIL-IN BALLOTS AS IN SEALED OFFICIAL MAIL-IN BALLOT ENVELOPES
21 AS PROVIDED UNDER ARTICLE XIII-D, SHALL SAFELY KEEP THE [SAME]
22 BALLOTS IN SEALED OR LOCKED CONTAINERS UNTIL THEY [DISTRIBUTE
23 SAME TO THE APPROPRIATE LOCAL ELECTION DISTRICTS IN A MANNER
24 PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH.

25 EXCEPT AS PROVIDED IN SECTION 1302.1(A.2), THE COUNTY BOARD
26 OF ELECTIONS SHALL THEN DISTRIBUTE THE ABSENTEE BALLOTS,
27 UNOPENED, TO THE ABSENTEE VOTER'S RESPECTIVE ELECTION DISTRICT
28 CONCURRENTLY WITH THE DISTRIBUTION OF THE OTHER ELECTION
29 SUPPLIES. ABSENTEE BALLOTS SHALL BE CANVASSED IMMEDIATELY AND
30 CONTINUOUSLY WITHOUT INTERRUPTION UNTIL COMPLETED AFTER THE

1 CLOSE OF THE POLLS ON THE DAY OF THE ELECTION IN EACH ELECTION
2 DISTRICT. THE RESULTS OF THE CANVASS OF THE ABSENTEE BALLOTS
3 SHALL THEN BE INCLUDED IN AND RETURNED TO THE COUNTY BOARD WITH
4 THE RETURNS OF THAT DISTRICT. EXCEPT AS PROVIDED IN SECTION
5 1302.1(A.2) AND SUBSECTION (G), NO ABSENTEE BALLOT SHALL BE
6 COUNTED WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF
7 ELECTION LATER THAN FIVE O'CLOCK P.M. ON THE FRIDAY IMMEDIATELY
8 PRECEDING THE PRIMARY OR NOVEMBER ELECTION.] ARE TO BE CANVASSED
9 BY THE COUNTY BOARD OF ELECTIONS. AN ABSENTEE BALLOT, WHETHER
10 ISSUED TO A CIVILIAN, MILITARY OR OTHER VOTER DURING THE REGULAR
11 OR EMERGENCY APPLICATION PERIOD, SHALL BE CANVASSED IN
12 ACCORDANCE WITH SUBSECTION (G). A MAIL-IN BALLOT SHALL BE
13 CANVASSED IN ACCORDANCE WITH SUBSECTION (G).

14 (B) WATCHERS SHALL BE PERMITTED TO BE PRESENT WHEN THE
15 ENVELOPES CONTAINING OFFICIAL ABSENTEE BALLOTS AND MAIL-IN
16 BALLOTS ARE OPENED AND WHEN SUCH BALLOTS ARE COUNTED AND
17 RECORDED.

18 [(B.1) IN ALL ELECTION DISTRICTS IN WHICH ELECTRONIC VOTING
19 SYSTEMS ARE USED, ABSENTEE BALLOTS SHALL BE OPENED AT THE
20 ELECTION DISTRICT, CHECKED FOR WRITE-IN VOTES IN ACCORDANCE WITH
21 SECTION 1113-A AND THEN EITHER HAND-COUNTED OR COUNTED BY MEANS
22 OF THE AUTOMATIC TABULATION EQUIPMENT, WHATEVER THE CASE MAY
23 BE.]

24 (D) WHENEVER IT SHALL APPEAR BY DUE PROOF THAT ANY ABSENTEE
25 ELECTOR OR MAIL-IN ELECTOR WHO HAS RETURNED HIS BALLOT IN
26 ACCORDANCE WITH THE PROVISIONS OF THIS ACT HAS DIED PRIOR TO THE
27 OPENING OF THE POLLS ON THE DAY OF THE PRIMARY OR ELECTION, THE
28 BALLOT OF SUCH DECEASED ELECTOR SHALL BE REJECTED BY THE
29 CANVASSERS BUT THE COUNTING OF THE BALLOT OF AN ABSENTEE ELECTOR
30 OR A MAIL-IN ELECTOR THUS DECEASED SHALL NOT OF ITSELF

1 INVALIDATE ANY NOMINATION OR ELECTION.

2 [(E) AT SUCH TIME THE LOCAL ELECTION BOARD SHALL THEN
3 FURTHER EXAMINE THE DECLARATION ON EACH ENVELOPE NOT SO SET
4 ASIDE AND SHALL COMPARE THE INFORMATION THEREON WITH THAT
5 CONTAINED IN THE "REGISTERED ABSENTEE VOTERS FILE," THE ABSENTEE
6 VOTERS' LIST AND THE "MILITARY VETERANS AND EMERGENCY CIVILIANS
7 ABSENTEE VOTERS FILE." IF THE LOCAL ELECTION BOARD IS SATISFIED
8 THAT THE DECLARATION IS SUFFICIENT AND THE INFORMATION CONTAINED
9 IN THE "REGISTERED ABSENTEE VOTERS FILE," THE ABSENTEE VOTERS'
10 LIST AND THE "MILITARY VETERANS AND EMERGENCY CIVILIANS ABSENTEE
11 VOTERS FILE" VERIFIES HIS RIGHT TO VOTE, THE LOCAL ELECTION
12 BOARD SHALL ANNOUNCE THE NAME OF THE ELECTOR AND SHALL GIVE ANY
13 WATCHER PRESENT AN OPPORTUNITY TO CHALLENGE ANY ABSENTEE ELECTOR
14 UPON THE GROUND OR GROUNDS (1) THAT THE ABSENTEE ELECTOR IS NOT
15 A QUALIFIED ELECTOR; OR (2) THAT THE ABSENTEE ELECTOR WAS WITHIN
16 THE MUNICIPALITY OF HIS RESIDENCE ON THE DAY OF THE PRIMARY OR
17 ELECTION DURING THE PERIOD THE POLLS WERE OPEN, EXCEPT WHERE HE
18 WAS IN MILITARY SERVICE OR EXCEPT IN THE CASE WHERE HIS BALLOT
19 WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR
20 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL
21 DISABILITY; OR (3) THAT THE ABSENTEE ELECTOR WAS ABLE TO APPEAR
22 PERSONALLY AT THE POLLING PLACE ON THE DAY OF THE PRIMARY OR
23 ELECTION DURING THE PERIOD THE POLLS WERE OPEN IN THE CASE HIS
24 BALLOT WAS OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR
25 PERSONALLY AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL
26 DISABILITY. UPON CHALLENGE OF ANY ABSENTEE ELECTOR, AS SET FORTH
27 HEREIN THE LOCAL ELECTION BOARD SHALL MARK "CHALLENGED" ON THE
28 ENVELOPE TOGETHER WITH THE REASON OR REASONS THEREFOR, AND THE
29 SAME SHALL BE SET ASIDE FOR RETURN TO THE COUNTY BOARD UNOPENED
30 PENDING DECISION BY THE COUNTY BOARD AND SHALL NOT BE COUNTED.

1 ALL ABSENTEE BALLOTS NOT CHALLENGED FOR ANY OF THE REASONS
2 PROVIDED HEREIN SHALL BE COUNTED AND INCLUDED WITH THE GENERAL
3 RETURN OF PAPER BALLOTS OR VOTING MACHINES, AS THE CASE MAY BE
4 AS FOLLOWS. THEREUPON, THE LOCAL ELECTION BOARD SHALL OPEN THE
5 ENVELOPE OF EVERY UNCHALLENGED ABSENTEE ELECTOR IN SUCH MANNER
6 AS NOT TO DESTROY THE DECLARATION EXECUTED THEREON. ALL OF SUCH
7 ENVELOPES ON WHICH ARE PRINTED, STAMPED OR ENDORSED THE WORDS
8 "OFFICIAL ABSENTEE BALLOT" SHALL BE PLACED IN ONE OR MORE
9 DEPOSITORIES AT ONE TIME AND SAID DEPOSITORY OR DEPOSITORIES
10 WELL SHAKEN AND THE ENVELOPES MIXED BEFORE ANY ENVELOPE IS TAKEN
11 THEREFROM. IF ANY OF THESE ENVELOPES SHALL CONTAIN ANY
12 EXTRANEOUS MARKS OR IDENTIFYING SYMBOLS OTHER THAN THE WORDS
13 "OFFICIAL ABSENTEE BALLOT," THE ENVELOPES AND THE BALLOTS
14 CONTAINED THEREIN SHALL BE SET ASIDE AND DECLARED VOID. THE
15 LOCAL ELECTION BOARD SHALL THEN BREAK THE SEALS OF SUCH
16 ENVELOPES, REMOVE THE BALLOTS AND RECORD THE VOTES IN THE SAME
17 MANNER AS DISTRICT ELECTION OFFICERS ARE REQUIRED TO RECORD
18 VOTES. WITH RESPECT TO THE CHALLENGED BALLOTS, THEY SHALL BE
19 RETURNED TO THE COUNTY BOARD WITH THE RETURNS OF THE LOCAL
20 ELECTION DISTRICT WHERE THEY SHALL BE PLACED UNOPENED IN A
21 SECURE, SAFE AND SEALED CONTAINER IN THE CUSTODY OF THE COUNTY
22 BOARD UNTIL IT SHALL FIX A TIME AND PLACE FOR A FORMAL HEARING
23 OF ALL SUCH CHALLENGES AND NOTICE SHALL BE GIVEN WHERE POSSIBLE
24 TO ALL ABSENTEE ELECTORS THUS CHALLENGED AND TO EVERY ATTORNEY,
25 WATCHER OR CANDIDATE WHO MADE SUCH CHALLENGE. THE TIME FOR THE
26 HEARING SHALL NOT BE LATER THAN SEVEN (7) DAYS AFTER THE DATE OF
27 SAID CHALLENGE. ON THE DAY FIXED FOR SAID HEARING, THE COUNTY
28 BOARD SHALL PROCEED WITHOUT DELAY TO HEAR SAID CHALLENGES AND,
29 IN HEARING THE TESTIMONY, THE COUNTY BOARD SHALL NOT BE BOUND BY
30 TECHNICAL RULES OF EVIDENCE. THE TESTIMONY PRESENTED SHALL BE

1 STENOGRAPHICALLY RECORDED AND MADE PART OF THE RECORD OF THE
2 HEARING. THE DECISION OF THE COUNTY BOARD IN UPHOLDING OR
3 DISMISSING ANY CHALLENGE MAY BE REVIEWED BY THE COURT OF COMMON
4 PLEAS OF THE COUNTY UPON A PETITION FILED BY ANY PERSON
5 AGGRIEVED BY THE DECISION OF THE COUNTY BOARD. SUCH APPEAL SHALL
6 BE TAKEN, WITHIN TWO (2) DAYS AFTER SUCH DECISION SHALL HAVE
7 BEEN MADE, WHETHER REDUCED TO WRITING OR NOT, TO THE COURT OF
8 COMMON PLEAS SETTING FORTH THE OBJECTIONS TO THE COUNTY BOARD'S
9 DECISION AND PRAYING FOR AN ORDER REVERSING SAME. PENDING THE
10 FINAL DETERMINATION OF ALL APPEALS, THE COUNTY BOARD SHALL
11 SUSPEND ANY ACTION IN CANVASSING AND COMPUTING ALL CHALLENGED
12 BALLOTS IRRESPECTIVE OF WHETHER OR NOT APPEAL WAS TAKEN FROM THE
13 COUNTY BOARD'S DECISION. UPON COMPLETION OF THE COMPUTATION OF
14 THE RETURNS OF THE COUNTY, THE VOTES CAST UPON THE CHALLENGED
15 OFFICIAL ABSENTEE BALLOTS SHALL BE ADDED TO THE OTHER VOTES CAST
16 WITHIN THE COUNTY.]

17 (F) ANY PERSON CHALLENGING AN APPLICATION FOR AN ABSENTEE
18 BALLOT [OR], AN ABSENTEE BALLOT, AN APPLICATION FOR A MAIL-IN
19 BALLOT OR A MAIL-IN BALLOT FOR ANY OF THE REASONS PROVIDED IN
20 THIS ACT SHALL DEPOSIT THE SUM OF TEN DOLLARS (\$10.00) IN CASH
21 WITH THE [LOCAL ELECTION] COUNTY BOARD, [IN CASES OF CHALLENGES
22 MADE TO THE LOCAL ELECTION BOARD AND WITH THE COUNTY BOARD IN
23 CASES OF CHALLENGES MADE TO THE COUNTY BOARD FOR WHICH HE SHALL
24 BE ISSUED A RECEIPT FOR EACH CHALLENGE MADE,] WHICH SUM SHALL
25 ONLY BE REFUNDED IF THE CHALLENGE IS SUSTAINED OR IF THE
26 CHALLENGE IS WITHDRAWN WITHIN FIVE (5) DAYS AFTER THE PRIMARY OR
27 ELECTION. IF THE CHALLENGE IS DISMISSED BY ANY LAWFUL ORDER THEN
28 THE DEPOSIT SHALL BE FORFEITED. [ALL DEPOSIT MONEY RECEIVED BY
29 THE LOCAL ELECTION BOARD SHALL BE TURNED OVER TO THE COUNTY
30 BOARD SIMULTANEOUSLY WITH THE RETURN OF THE CHALLENGED BALLOTS.]

1 THE COUNTY BOARD SHALL DEPOSIT ALL DEPOSIT MONEY IN THE GENERAL
2 FUND OF THE COUNTY.

3 NOTICE OF THE REQUIREMENTS OF SUBSECTION (B) OF SECTION 1306
4 SHALL BE PRINTED ON THE ENVELOPE FOR THE ABSENTEE BALLOT OR
5 MAIL-IN BALLOT.

6 (G) (1) (I) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE
7 ELECTOR AS DEFINED IN SECTION 1301(A), (B), (C), (D), (E), (F),
8 (G) AND (H) [WHICH IS RECEIVED IN THE OFFICE OF THE COUNTY BOARD
9 OF ELECTIONS AFTER FIVE O'CLOCK P.M. ON THE FRIDAY IMMEDIATELY
10 PRECEDING THE ELECTION AND NO LATER THAN FIVE O'CLOCK P.M. ON
11 THE SEVENTH DAY FOLLOWING AN ELECTION] SHALL BE CANVASSED IN
12 ACCORDANCE WITH THIS SUBSECTION IF [THE ABSENTEE BALLOT IS
13 POSTMARKED NO LATER THAN THE DAY IMMEDIATELY PRECEDING THE
14 ELECTION.] THE BALLOT IS CAST, SUBMITTED AND RECEIVED IN
15 ACCORDANCE WITH THE PROVISIONS OF 25 PA.C.S. CH. 35 (RELATING TO
16 UNIFORM MILITARY AND OVERSEAS VOTERS).

17 (II) AN ABSENTEE BALLOT CAST BY ANY ABSENTEE ELECTOR AS
18 DEFINED IN SECTION 1301(I), (J), (K), (L), (M) AND (N), AN
19 ABSENTEE BALLOT UNDER SECTION 1302(A.3) OR A MAIL-IN BALLOT CAST
20 BY A MAIL-IN ELECTOR SHALL BE CANVASSED IN ACCORDANCE WITH THIS
21 SUBSECTION IF THE ABSENTEE BALLOT OR MAIL-IN BALLOT IS RECEIVED
22 IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NO LATER THAN
23 EIGHT O'CLOCK P.M. ON THE DAY OF THE PRIMARY OR ELECTION.

24 (2) THE COUNTY BOARD OF ELECTIONS SHALL MEET [ON THE EIGHTH
25 DAY FOLLOWING THE ELECTION TO CANVASS] NO EARLIER THAN THE CLOSE
26 OF POLLS ON THE DAY OF THE ELECTION AND NO LATER THAN THE THIRD
27 DAY FOLLOWING THE ELECTION TO BEGIN CANVASSING THE ABSENTEE
28 BALLOTS AND MAIL-IN BALLOTS RECEIVED UNDER THIS SUBSECTION AND
29 SUBSECTION (H) (2). THE CANVASS SHALL CONTINUE THROUGH THE EIGHTH
30 DAY FOLLOWING THE ELECTION. ONE AUTHORIZED REPRESENTATIVE OF

1 EACH CANDIDATE IN AN ELECTION AND ONE REPRESENTATIVE FROM EACH
2 POLITICAL PARTY SHALL BE PERMITTED TO REMAIN IN THE ROOM IN
3 WHICH THE ABSENTEE BALLOTS AND MAIL-IN BALLOTS ARE CANVASSED.
4 REPRESENTATIVES SHALL BE PERMITTED TO CHALLENGE ANY ABSENTEE
5 ELECTOR OR MAIL-IN ELECTOR IN ACCORDANCE WITH THE PROVISIONS OF
6 PARAGRAPH (3).

7 (3) WHEN THE COUNTY BOARD MEETS TO CANVASS ABSENTEE BALLOTS
8 AND MAIL-IN BALLOTS UNDER PARAGRAPH (2), THE BOARD SHALL EXAMINE
9 THE DECLARATION ON THE ENVELOPE OF EACH BALLOT NOT SET ASIDE
10 UNDER SUBSECTION (D) AND SHALL COMPARE THE INFORMATION THEREON
11 WITH THAT CONTAINED IN THE "REGISTERED ABSENTEE AND MAIL-IN
12 VOTERS FILE," THE ABSENTEE VOTERS' LIST AND/OR THE "MILITARY
13 VETERANS AND EMERGENCY CIVILIANS ABSENTEE VOTERS FILE,"
14 WHICHEVER IS APPLICABLE. IF THE COUNTY BOARD HAS VERIFIED THE
15 PROOF OF IDENTIFICATION AS REQUIRED UNDER THIS ACT AND IS
16 SATISFIED THAT THE DECLARATION IS SUFFICIENT AND THE INFORMATION
17 CONTAINED IN THE "REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE,"
18 THE ABSENTEE VOTERS' LIST AND/OR THE "MILITARY VETERANS AND
19 EMERGENCY CIVILIANS ABSENTEE VOTERS FILE" VERIFIES HIS RIGHT TO
20 VOTE, THE COUNTY BOARD SHALL ANNOUNCE THE NAME OF THE ELECTOR
21 AND SHALL GIVE ANY CANDIDATE REPRESENTATIVE OR PARTY
22 REPRESENTATIVE PRESENT AN OPPORTUNITY TO CHALLENGE ANY ABSENTEE
23 ELECTOR UPON THE GROUND OR GROUNDS: (I) THAT THE ABSENTEE
24 ELECTOR OR MAIL-IN ELECTOR IS NOT A QUALIFIED ELECTOR; OR (II)
25 THAT THE ABSENTEE ELECTOR WAS WITHIN THE MUNICIPALITY OF HIS
26 RESIDENCE ON THE DAY OF THE PRIMARY OR ELECTION DURING THE
27 PERIOD THE POLLS WERE OPEN, EXCEPT WHERE HE WAS IN THE MILITARY
28 SERVICE OR EXCEPT IN THE CASE WHERE HIS BALLOT WAS OBTAINED FOR
29 THE REASON THAT HE WAS UNABLE TO APPEAR PERSONALLY AT THE
30 POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL DISABILITY; OR

1 (III) THAT THE ABSENTEE ELECTOR WAS ABLE TO APPEAR PERSONALLY AT
2 THE POLLING PLACE ON THE DAY OF THE PRIMARY OR ELECTION DURING
3 THE PERIOD THE POLLS WERE OPEN IN THE CASE HIS BALLOT WAS
4 OBTAINED FOR THE REASON THAT HE WAS UNABLE TO APPEAR PERSONALLY
5 AT THE POLLING PLACE BECAUSE OF ILLNESS OR PHYSICAL DISABILITY.
6 UPON CHALLENGE OF ANY ABSENTEE ELECTOR, AS SET FORTH HEREIN, THE
7 BOARD SHALL MARK "CHALLENGED" ON THE ENVELOPE TOGETHER WITH THE
8 REASONS THEREFOR, AND THE SAME SHALL BE SET ASIDE UNOPENED
9 PENDING FINAL DETERMINATION OF THE CHALLENGE ACCORDING TO THE
10 PROCEDURE DESCRIBED IN PARAGRAPH (5).

11 (4) ALL ABSENTEE BALLOTS AND MAIL-IN BALLOTS NOT CHALLENGED
12 FOR ANY OF THE REASONS PROVIDED IN PARAGRAPH (3) SHALL BE
13 COUNTED AND INCLUDED WITH THE RETURNS OF THE APPLICABLE ELECTION
14 DISTRICT AS FOLLOWS[.]:

15 (I) THE COUNTY BOARD SHALL OPEN THE ENVELOPE OF EVERY
16 UNCHALLENGED ABSENTEE ELECTOR AND MAIL-IN ELECTOR IN SUCH MANNER
17 AS NOT TO DESTROY THE DECLARATION EXECUTED THEREON.

18 (II) IF ANY OF THE ENVELOPES ON WHICH ARE PRINTED, STAMPED
19 OR ENDORSED THE WORDS "OFFICIAL ABSENTEE BALLOT" OR "OFFICIAL
20 MAIL-IN BALLOT" CONTAIN ANY EXTRANEOUS MARKS OR IDENTIFYING
21 SYMBOLS, THE ENVELOPES AND THE BALLOTS CONTAINED THEREIN SHALL
22 BE SET ASIDE AND DECLARED VOID.

23 (III) THE COUNTY BOARD SHALL THEN BREAK THE SEALS OF SUCH
24 ENVELOPES, REMOVE THE BALLOTS AND RECORD THE VOTES.

25 (5) WITH RESPECT TO THE CHALLENGED BALLOTS, THEY SHALL BE
26 PLACED UNOPENED IN A SECURE, SAFE AND SEALED CONTAINER IN THE
27 CUSTODY OF THE COUNTY BOARD UNTIL IT SHALL FIX A TIME AND PLACE
28 FOR A FORMAL HEARING OF ALL SUCH CHALLENGES, AND NOTICE SHALL BE
29 GIVEN WHERE POSSIBLE TO ALL ABSENTEE ELECTORS AND MAIL-IN
30 ELECTORS THUS CHALLENGED AND TO EVERY INDIVIDUAL WHO MADE A

1 CHALLENGE. THE TIME FOR THE HEARING SHALL NOT BE LATER THAN FIVE
2 (5) DAYS AFTER THE DATE OF THE CHALLENGE. ON THE DAY FIXED FOR
3 SAID HEARING, THE COUNTY BOARD SHALL PROCEED WITHOUT DELAY TO
4 HEAR SAID CHALLENGES, AND, IN HEARING THE TESTIMONY, THE COUNTY
5 BOARD SHALL NOT BE BOUND BY THE PENNSYLVANIA RULES OF EVIDENCE.
6 THE TESTIMONY PRESENTED SHALL BE STENOGRAPHICALLY RECORDED AND
7 MADE PART OF THE RECORD OF THE HEARING.

8 * * *

9 (H) FOR THOSE ABSENTEE BALLOTS OR MAIL-IN BALLOTS FOR WHICH
10 PROOF OF IDENTIFICATION HAS NOT BEEN RECEIVED OR COULD NOT BE
11 VERIFIED:

12 (1) IF THE PROOF OF IDENTIFICATION IS RECEIVED AND VERIFIED
13 BY THE COUNTY BOARD OF ELECTIONS PRIOR TO THE DISTRIBUTION OF
14 THE ABSENTEE BALLOTS OR MAIL-IN BALLOTS TO THE LOCAL ELECTION
15 DISTRICTS, THEN THE COUNTY SHALL DISTRIBUTE THE ABSENTEE BALLOTS
16 AND MAIL-IN BALLOTS FOR WHICH PROOF OF IDENTIFICATION IS
17 RECEIVED AND VERIFIED, ALONG WITH THE OTHER ABSENTEE BALLOTS AND
18 MAIL-IN BALLOTS, TO THE ABSENTEE VOTER'S RESPECTIVE ELECTION
19 DISTRICT OR THE MAIL-IN VOTER'S RESPECTIVE ELECTION DISTRICT. IF
20 THE COUNTY BOARD OF ELECTIONS DOES NOT RECEIVE OR IS NOT ABLE TO
21 VERIFY THE PROOF OF IDENTIFICATION FOR AN ELECTOR PRIOR TO THE
22 ABSENTEE BALLOTS' OR MAIL-IN BALLOTS' BEING SENT TO THE
23 APPROPRIATE LOCAL ELECTION DISTRICTS, THE COUNTY BOARD SHALL
24 KEEP THE ABSENTEE BALLOT OR MAIL-IN BALLOT AND FOLLOW THE
25 PROCEDURES SET FORTH IN PARAGRAPH (2) OR (3), WHICHEVER IS
26 APPLICABLE.

27 (2) IF THE PROOF OF IDENTIFICATION IS RECEIVED AND VERIFIED
28 AFTER THE ABSENTEE BALLOTS AND MAIL-IN BALLOTS HAVE BEEN
29 DISTRIBUTED TO THE APPROPRIATE LOCAL ELECTION DISTRICTS, BUT
30 PRIOR TO THE SIXTH CALENDAR DAY FOLLOWING THE ELECTION, THEN THE

1 COUNTY BOARD OF ELECTIONS SHALL CANVASS THE ABSENTEE BALLOTS AND
2 MAIL-IN BALLOTS UNDER THIS SUBSECTION IN ACCORDANCE WITH
3 SUBSECTION (G) (2), UNLESS THE ELECTOR APPEARED TO VOTE AT THE
4 PROPER POLLING PLACE FOR THE PURPOSE OF CASTING A BALLOT, THEN
5 THE ABSENTEE BALLOT OR MAIL-IN BALLOT CAST BY THAT ELECTOR SHALL
6 BE DECLARED VOID.

7 (3) IF AN ELECTOR FAILS TO PROVIDE PROOF OF IDENTIFICATION
8 THAT CAN BE VERIFIED BY THE COUNTY BOARD OF ELECTIONS BY THE
9 SIXTH CALENDAR DAY FOLLOWING THE ELECTION, THEN THE ABSENTEE
10 BALLOT OR MAIL-IN BALLOT SHALL NOT BE COUNTED.

11 * * *

12 SECTION 1309. PUBLIC RECORDS.--(A) ALL OFFICIAL ABSENTEE
13 BALLOTS, FILES, APPLICATIONS FOR SUCH BALLOTS AND ENVELOPES ON
14 WHICH THE EXECUTED DECLARATIONS APPEAR, AND ALL INFORMATION AND
15 LISTS ARE HEREBY DESIGNATED AND DECLARED TO BE PUBLIC RECORDS
16 AND SHALL BE SAFELY KEPT FOR A PERIOD OF TWO YEARS, EXCEPT THAT
17 NO PROOF OF IDENTIFICATION SHALL BE MADE PUBLIC, NOR SHALL
18 INFORMATION CONCERNING A MILITARY ELECTOR BE MADE PUBLIC WHICH
19 IS EXPRESSLY FORBIDDEN BY THE DEPARTMENT OF DEFENSE BECAUSE OF
20 MILITARY SECURITY.

21 (B) FOR EACH ELECTION, THE COUNTY BOARD SHALL MAINTAIN A
22 RECORD OF THE FOLLOWING INFORMATION, IF APPLICABLE, FOR EACH
23 ELECTOR WHO MAKES APPLICATION FOR AN ABSENTEE BALLOT:

24 (1) THE ELECTOR'S NAME AND VOTER REGISTRATION ADDRESS.

25 (2) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS RECEIVED
26 BY THE COUNTY BOARD.

27 (3) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS APPROVED
28 OR REJECTED BY THE COUNTY BOARD.

29 (4) THE DATE ON WHICH THE COUNTY BOARD MAILS OR DELIVERS THE
30 ABSENTEE BALLOT TO THE ELECTOR.

1 (5) THE DATE ON WHICH THE ELECTOR'S COMPLETED ABSENTEE
2 BALLOT IS RECEIVED BY THE COUNTY BOARD.

3 (6) THE DATE OF THE POSTMARK ON THE MAILING ENVELOPE OF THE
4 ELECTOR'S COMPLETED ABSENTEE BALLOT.

5 (C) THE COUNTY BOARD SHALL COMPILE THE RECORDS LISTED UNDER
6 SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY AVAILABLE UPON
7 REQUEST WITHIN FORTY-EIGHT HOURS.

8 SECTION 8. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

9 ARTICLE XIII-D

10 VOTING BY QUALIFIED MAIL-IN ELECTORS

11 SECTION 1301-D. QUALIFIED MAIL-IN ELECTORS.

12 (A) GENERAL RULE.--THE FOLLOWING INDIVIDUALS SHALL BE
13 ENTITLED TO VOTE BY AN OFFICIAL MAIL-IN BALLOT IN ANY PRIMARY OR
14 ELECTION HELD IN THIS COMMONWEALTH IN THE MANNER PROVIDED UNDER
15 THIS ARTICLE:

16 (1) ANY QUALIFIED ELECTOR WHO IS NOT ELIGIBLE TO BE A
17 QUALIFIED ABSENTEE ELECTOR UNDER ARTICLE XIII.

18 (2) (RESERVED).

19 (B) CONSTRUCTION.--THE TERM "QUALIFIED MAIL-IN ELECTOR"
20 SHALL NOT BE CONSTRUED TO INCLUDE A PERSON NOT OTHERWISE
21 QUALIFIED AS A QUALIFIED ELECTOR IN ACCORDANCE WITH THE
22 DEFINITION IN SECTION 102(T).

23 SECTION 1302-D. APPLICATIONS FOR OFFICIAL MAIL-IN BALLOTS.

24 (A) GENERAL RULE.--A QUALIFIED ELECTOR UNDER SECTION 1301-D
25 MAY APPLY AT ANY TIME BEFORE ANY PRIMARY OR ELECTION FOR AN
26 OFFICIAL MAIL-IN BALLOT IN PERSON OR ON ANY OFFICIAL COUNTY
27 BOARD OF ELECTION FORM ADDRESSED TO THE SECRETARY OF THE
28 COMMONWEALTH OR THE COUNTY BOARD OF ELECTION OF THE COUNTY IN
29 WHICH THE QUALIFIED ELECTOR'S VOTING RESIDENCE IS LOCATED.

30 (B) CONTENT.--THE FOLLOWING SHALL APPLY:

1 DISABILITY. I HAVE MADE OR HAVE RECEIVED ASSISTANCE IN
2 MAKING MY MARK IN LIEU OF MY SIGNATURE.

3 (MARK)

4 (DATE)

5 (COMPLETE ADDRESS OF WITNESS)

6 (SIGNATURE OF WITNESS)

7 (E) NUMBERING.--THE COUNTY BOARD OF ELECTIONS SHALL NUMBER,
8 IN CHRONOLOGICAL ORDER, THE APPLICATIONS FOR AN OFFICIAL MAIL-IN
9 BALLOT, WHICH NUMBER SHALL LIKEWISE APPEAR ON THE OFFICIAL MAIL-
10 IN BALLOT FOR THE QUALIFIED ELECTOR. THE NUMBERS SHALL APPEAR
11 LEGIBLY AND IN A CONSPICUOUS PLACE BUT BEFORE THE BALLOTS ARE
12 DISTRIBUTED, THE NUMBER ON THE BALLOT SHALL BE TORN OFF BY THE
13 COUNTY BOARD OF ELECTION. THE NUMBER INFORMATION SHALL BE
14 APPROPRIATELY INSERTED AND BECOME A PART OF THE REGISTERED
15 ABSENTEE AND MAIL-IN VOTERS FILE PROVIDED UNDER SECTION 1302.3.

16 (F) FORM.--APPLICATION FOR AN OFFICIAL MAIL-IN BALLOT SHALL
17 BE ON PHYSICAL AND ELECTRONIC FORMS PRESCRIBED BY THE SECRETARY
18 OF THE COMMONWEALTH. THE APPLICATION SHALL STATE THAT A VOTER
19 WHO RECEIVES AND VOTES A MAIL-IN BALLOT UNDER SECTION 1301-D
20 SHALL NOT BE ELIGIBLE TO VOTE AT A POLLING PLACE ON ELECTION
21 DAY. THE PHYSICAL APPLICATION FORMS SHALL BE MADE FREELY
22 AVAILABLE TO THE PUBLIC AT COUNTY BOARD OF ELECTIONS, MUNICIPAL
23 BUILDINGS AND AT OTHER LOCATIONS DESIGNATED BY THE SECRETARY OF
24 THE COMMONWEALTH. THE ELECTRONIC APPLICATION FORMS SHALL BE MADE
25 FREELY AVAILABLE TO THE PUBLIC THROUGH PUBLICLY ACCESSIBLE
26 MEANS. NO WRITTEN APPLICATION OR PERSONAL REQUEST SHALL BE
27 NECESSARY TO RECEIVE OR ACCESS THE APPLICATION FORMS. COPIES AND
28 RECORDS OF ALL COMPLETED PHYSICAL AND ELECTRONIC APPLICATIONS
29 FOR OFFICIAL MAIL-IN BALLOTS SHALL BE RETAINED BY THE COUNTY
30 BOARD OF ELECTIONS.

1 (G) PERMANENT MAIL-IN VOTING LIST.--

2 (1) ANY QUALIFIED REGISTERED ELECTOR MAY REQUEST TO BE
3 PLACED ON A PERMANENT MAIL-IN BALLOT LIST FILE. A MAIL-IN
4 BALLOT APPLICATION SHALL BE MAILED TO EVERY PERSON OTHERWISE
5 ELIGIBLE TO RECEIVE A MAIL-IN BALLOT APPLICATION BY THE FIRST
6 MONDAY IN FEBRUARY EACH YEAR, SO LONG AS THE PERSON DOES NOT
7 LOSE THE PERSON'S VOTING RIGHTS BY FAILURE TO VOTE AS
8 OTHERWISE REQUIRED BY THIS ACT. A MAIL-IN BALLOT APPLICATION
9 MAILED TO A VOTER UNDER THIS SECTION, WHICH IS COMPLETED AND
10 TIMELY RETURNED BY THE VOTER, SHALL SERVE AS AN APPLICATION
11 FOR ANY AND ALL PRIMARY, GENERAL OR SPECIAL ELECTIONS TO BE
12 HELD IN THE REMAINDER OF THAT CALENDAR YEAR AND FOR ALL
13 SPECIAL ELECTIONS TO BE HELD BEFORE THE THIRD MONDAY IN
14 FEBRUARY OF THE SUCCEEDING YEAR.

15 (2) THE SECRETARY OF THE COMMONWEALTH MAY DEVELOP AN
16 ELECTRONIC SYSTEM THROUGH WHICH ALL QUALIFIED ELECTORS MAY
17 APPLY FOR A MAIL-IN BALLOT AND REQUEST PERMANENT MAIL-IN
18 VOTER STATUS UNDER THIS SECTION, PROVIDED THE SYSTEM IS ABLE
19 TO CAPTURE A DIGITIZED OR ELECTRONIC SIGNATURE OF THE
20 APPLICANT. A COUNTY BOARD OF ELECTIONS SHALL TREAT AN
21 APPLICATION OR REQUEST RECEIVED THROUGH THE ELECTRONIC SYSTEM
22 AS IF THE APPLICATION OR REQUEST HAD BEEN SUBMITTED ON A
23 PAPER FORM OR ANY OTHER FORMAT USED BY THE COUNTY.

24 SECTION 1302.1-D. DATE OF APPLICATION FOR MAIL-IN BALLOT.

25 (A) GENERAL RULE.--APPLICATIONS FOR MAIL-IN BALLOTS SHALL BE
26 RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS NOT
27 EARLIER THAN 50 DAYS BEFORE THE PRIMARY OR ELECTION, EXCEPT THAT
28 IF A COUNTY BOARD OF ELECTIONS DETERMINES THAT IT WOULD BE
29 APPROPRIATE TO THE COUNTY BOARD OF ELECTIONS' OPERATIONAL NEEDS,
30 ANY APPLICATIONS FOR MAIL-IN BALLOTS RECEIVED MORE THAN 50 DAYS

1 BEFORE THE PRIMARY OR ELECTION MAY BE PROCESSED BEFORE THAT
2 TIME. APPLICATIONS FOR MAIL-IN BALLOTS SHALL BE PROCESSED IF
3 RECEIVED NOT LATER THAN FIVE O'CLOCK P.M. OF THE FIRST TUESDAY
4 PRIOR TO THE DAY OF ANY PRIMARY OR ELECTION.

5 (B) EARLY APPLICATIONS.--IN THE CASE OF AN ELECTOR WHOSE
6 APPLICATION FOR A MAIL-IN BALLOT IS RECEIVED BY THE OFFICE OF
7 THE COUNTY BOARD OF ELECTIONS EARLIER THAN 50 DAYS BEFORE THE
8 PRIMARY OR ELECTION, THE APPLICATION SHALL BE HELD AND PROCESSED
9 UPON COMMENCEMENT OF THE 50-DAY PERIOD OR AT SUCH EARLIER TIME
10 AS THE COUNTY BOARD OF ELECTIONS DETERMINES MAY BE APPROPRIATE.
11 SECTION 1302.2-D. APPROVAL OF APPLICATION FOR MAIL-IN BALLOT.

12 (A) APPROVAL PROCESS.--THE COUNTY BOARD OF ELECTIONS, UPON
13 RECEIPT OF ANY APPLICATION OF A QUALIFIED ELECTOR UNDER SECTION
14 1301-D, SHALL DETERMINE THE QUALIFICATIONS OF THE APPLICANT BY
15 VERIFYING THE PROOF OF IDENTIFICATION AND COMPARING THE
16 INFORMATION PROVIDED ON THE APPLICATION WITH THE INFORMATION
17 CONTAINED ON THE APPLICANT'S PERMANENT REGISTRATION CARD. THE
18 FOLLOWING SHALL APPLY:

19 (1) IF THE BOARD IS SATISFIED THAT THE APPLICANT IS
20 QUALIFIED TO RECEIVE AN OFFICIAL MAIL-IN BALLOT, THE
21 APPLICATION SHALL BE MARKED "APPROVED."

22 (2) THE APPROVAL DECISION SHALL BE FINAL AND BINDING,
23 EXCEPT THAT CHALLENGES MAY BE MADE ONLY ON THE GROUNDS THAT
24 THE APPLICANT DID NOT POSSESS THE QUALIFICATIONS OF A MAIL-IN
25 ELECTOR.

26 (3) CHALLENGES MUST BE MADE TO THE COUNTY BOARD OF
27 ELECTIONS PRIOR TO THE APPLICABLE DEADLINE FOR THE MAIL-IN
28 BALLOTS TO BE RECEIVED, AS PROVIDED IN SECTION 1308(G).

29 (4) WHEN APPROVED, THE REGISTRATION COMMISSION SHALL
30 CAUSE A MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD TO BE

1 INSERTED IN THE DISTRICT REGISTER ON TOP OF AND ALONG WITH
2 THE PERMANENT REGISTRATION CARD.

3 (5) THE MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD
4 SHALL BE IN THE COLOR AND FORM PRESCRIBED UNDER SUBSECTION
5 (D).

6 (B) DUTIES OF COUNTY BOARDS OF ELECTIONS AND REGISTRATION
7 COMMISSIONS.--THE DUTIES OF THE COUNTY BOARDS OF ELECTIONS AND
8 THE REGISTRATION COMMISSIONS WITH RESPECT TO THE INSERTION OF
9 THE MAIL-IN VOTER'S TEMPORARY REGISTRATION CARD OF ANY ELECTOR
10 FROM THE DISTRICT REGISTER AS PROVIDED UNDER THIS SECTION SHALL
11 INCLUDE ONLY THE APPLICATIONS AS ARE RECEIVED ON OR BEFORE THE
12 FIRST TUESDAY PRIOR TO THE PRIMARY OR ELECTION.

13 (C) NOTICE.--IN THE EVENT THAT AN APPLICATION FOR AN
14 OFFICIAL MAIL-IN BALLOT IS NOT APPROVED BY THE COUNTY BOARD OF
15 ELECTIONS, THE ELECTOR SHALL BE NOTIFIED IMMEDIATELY WITH A
16 STATEMENT BY THE COUNTY BOARD OF THE REASONS FOR THE
17 DISAPPROVAL. FOR APPLICANTS WHOSE PROOF OF IDENTIFICATION WAS
18 NOT PROVIDED WITH THE APPLICATION OR COULD NOT BE VERIFIED BY
19 THE BOARD, THE BOARD SHALL SEND NOTICE TO THE ELECTOR WITH THE
20 MAIL-IN BALLOT REQUIRING THE ELECTOR TO PROVIDE PROOF OF
21 IDENTIFICATION WITH THE MAIL-IN BALLOT OR THE BALLOT WILL NOT BE
22 COUNTED.

23 (D) TEMPORARY REGISTRATION CARD.--THE MAIL-IN VOTER'S
24 TEMPORARY REGISTRATION CARD SHALL BE IN DUPLICATE AND THE SAME
25 SIZE AS THE PERMANENT REGISTRATION CARD, IN A DIFFERENT AND
26 CONTRASTING COLOR TO THE PERMANENT REGISTRATION CARD AND SHALL
27 CONTAIN THE MAIL-IN VOTER'S NAME AND ADDRESS AND SHALL
28 CONSPICUOUSLY CONTAIN THE WORDS "MAIL-IN VOTER."

29 SECTION 1302.3-D. MAIL-IN ELECTORS FILES AND LISTS.

30 THE COUNTY BOARD OF ELECTIONS SHALL MAINTAIN AT ITS OFFICE A

1 FILE CONTAINING THE DUPLICATE MAIL-IN VOTER'S TEMPORARY
2 REGISTRATION CARDS OF EVERY REGISTERED ELECTOR TO WHOM A MAIL-IN
3 BALLOT HAS BEEN SENT. THE DUPLICATE MAIL-IN VOTER'S TEMPORARY
4 REGISTRATION CARDS SHALL BE FILED BY ELECTION DISTRICTS AND
5 WITHIN EACH ELECTION DISTRICT IN EXACT ALPHABETICAL ORDER AND
6 INDEXED. THE REGISTRATION CARDS FILED SHALL BE INCLUDED IN THE
7 REGISTERED ABSENTEE AND MAIL-IN VOTERS FILE FOR THE PRIMARY OR
8 ELECTION OF (DATE OF PRIMARY OR ELECTION) UNDER 1302.3(A).
9 SECTION 1303-D. OFFICIAL MAIL-IN ELECTOR BALLOTS.

10 (A) GENERAL RULE.--IN ELECTION DISTRICTS IN WHICH BALLOTS
11 ARE USED, THE BALLOTS FOR USE BY MAIL-IN VOTERS UNDER THIS ACT
12 SHALL BE THE OFFICIAL BALLOTS PRINTED IN ACCORDANCE WITH
13 SECTIONS 1002 AND 1003.

14 (A.1) DUTIES OF COUNTY BOARDS OF ELECTIONS.--THE COUNTY
15 BOARD OF ELECTIONS, WHEN DETACHING THE OFFICIAL BALLOTS FOR
16 MAIL-IN VOTERS, SHALL BE REQUIRED TO INDICATE ON THE STUB OF
17 EACH DETACHED BALLOT THE NAME OF THE APPLICANT TO WHICH THAT
18 PRECISE BALLOT IS BEING SENT. THE COUNTY BOARD OF ELECTIONS
19 SHALL ALSO REMOVE THE NUMBERED STUB FROM EACH BALLOT AND SHALL
20 PRINT, STAMP OR ENDORSE IN RED COLOR ON THE OFFICIAL BALLOTS THE
21 WORDS, "OFFICIAL MAIL-IN BALLOT." THE BALLOTS SHALL BE
22 DISTRIBUTED BY A BOARD AS PROVIDED UNDER THIS SECTION.

23 (B) PREPARATION OF BALLOTS.--IN ELECTION DISTRICTS IN WHICH
24 VOTING MACHINES ARE USED AND IN ELECTION DISTRICTS IN WHICH
25 PAPER BALLOTS ARE USED, THE COUNTY BOARD OF ELECTIONS IN THAT
26 ELECTION DISTRICT WILL NOT PRINT OFFICIAL MAIL-IN BALLOTS IN
27 ACCORDANCE WITH SECTIONS 1002 AND 1003. THE BALLOTS FOR USE BY
28 MAIL-IN VOTERS UNDER THIS SECTION SHALL BE PREPARED SUFFICIENTLY
29 IN ADVANCE BY THE COUNTY BOARD OF ELECTIONS AND SHALL BE
30 DISTRIBUTED BY THE BOARDS AS PROVIDED UNDER THIS ACT. THE

1 BALLOTS SHALL BE MARKED "OFFICIAL MAIL-IN BALLOT" BUT SHALL NOT
2 BE NUMBERED AND SHALL OTHERWISE BE IN SUBSTANTIALLY THE FORM FOR
3 BALLOTS REQUIRED BY ARTICLE X, WHICH FORM SHALL BE PRESCRIBED BY
4 THE SECRETARY OF THE COMMONWEALTH.

5 (C) USE OF BALLOT CARDS.--IN ELECTION DISTRICTS IN WHICH
6 ELECTRONIC VOTING SYSTEMS ARE UTILIZED, THE MAIL-IN BALLOT MAY
7 BE IN THE FORM OF A BALLOT CARD WHICH SHALL BE CLEARLY STAMPED
8 ON THE BALLOT CARD'S FACE "MAIL-IN BALLOT."

9 (D) SPECIAL WRITE-IN MAIL-IN BALLOTS.--IN CASES WHERE THERE
10 IS NOT TIME TO PRINT ON THE BALLOTS THE NAMES OF THE VARIOUS
11 CANDIDATES, THE COUNTY BOARD OF ELECTIONS SHALL PRINT SPECIAL
12 WRITE-IN MAIL-IN BALLOTS WHICH SHALL BE IN SUBSTANTIALLY THE
13 FORM OF OTHER OFFICIAL MAIL-IN BALLOTS, EXCEPT THAT THE SPECIAL
14 WRITE-IN MAIL-IN BALLOTS SHALL CONTAIN BLANK SPACES ONLY UNDER
15 THE TITLES OF THE OFFICES IN WHICH ELECTORS MAY INSERT BY
16 WRITING OR STAMPING THE NAMES OF THE CANDIDATES FOR WHOM THEY
17 DESIRE TO VOTE, AND IN THOSE CASES, THE COUNTY BOARD OF
18 ELECTIONS SHALL FURNISH TO ELECTORS LISTS CONTAINING THE NAMES
19 OF ALL THE CANDIDATES NAMED IN NOMINATION PETITIONS OR WHO HAVE
20 BEEN REGULARLY NOMINATED UNDER THE PROVISIONS OF THIS ACT, FOR
21 THE USE OF THE ELECTORS IN PREPARING THEIR BALLOTS. SPECIAL
22 WRITE-IN MAIL-IN BALLOTS SHALL INCLUDE ALL CONSTITUTIONAL
23 AMENDMENTS AND OTHER QUESTIONS TO BE VOTED ON BY THE ELECTORS.

24 (E) NOTICE.--THE OFFICIAL MAIL-IN VOTER BALLOT SHALL STATE
25 THAT A VOTER WHO RECEIVES A MAIL-IN BALLOT UNDER SECTION 1301-D
26 AND WHOSE MAIL-IN BALLOT IS NOT TIMELY RECEIVED MAY ONLY VOTE ON
27 ELECTION DAY BY PROVISIONAL BALLOT.

28 SECTION 1304-D. ENVELOPES FOR OFFICIAL MAIL-IN BALLOTS.

29 (A) ADDITIONAL ENVELOPES.--THE COUNTY BOARDS OF ELECTION
30 SHALL PROVIDE TWO ADDITIONAL ENVELOPES FOR EACH OFFICIAL MAIL-IN

1 BALLOT OF A SIZE AND SHAPE AS SHALL BE PRESCRIBED BY THE
2 SECRETARY OF THE COMMONWEALTH, IN ORDER TO PERMIT THE PLACING OF
3 ONE WITHIN THE OTHER AND BOTH WITHIN THE MAILING ENVELOPE. ON
4 THE SMALLER OF THE TWO ENVELOPES TO BE ENCLOSED IN THE MAILING
5 ENVELOPE SHALL BE PRINTED, STAMPED OR ENDORSED THE WORDS
6 "OFFICIAL MAIL-IN BALLOT," AND NOTHING ELSE. ON THE LARGER OF
7 THE TWO ENVELOPES, TO BE ENCLOSED WITHIN THE MAILING ENVELOPE,
8 SHALL BE PRINTED THE FORM OF THE DECLARATION OF THE ELECTOR AND
9 THE NAME AND ADDRESS OF THE COUNTY BOARD OF ELECTION OF THE
10 PROPER COUNTY. THE LARGER ENVELOPE SHALL ALSO CONTAIN
11 INFORMATION INDICATING THE LOCAL ELECTION DISTRICT OF THE MAIL-
12 IN VOTER.

13 (B) FORM OF DECLARATION AND ENVELOPE.--THE FORM OF
14 DECLARATION AND ENVELOPE SHALL BE AS PRESCRIBED BY THE SECRETARY
15 OF THE COMMONWEALTH AND SHALL CONTAIN, AMONG OTHER THINGS, A
16 STATEMENT OF THE ELECTOR'S QUALIFICATIONS, TOGETHER WITH A
17 STATEMENT THAT THE ELECTOR HAS NOT ALREADY VOTED IN THE PRIMARY
18 OR ELECTION.

19 (C) MAILING ENVELOPE.--THE MAILING ENVELOPE ADDRESSED TO THE
20 ELECTOR SHALL CONTAIN THE TWO ENVELOPES, THE OFFICIAL MAIL-IN
21 BALLOT, LISTS OF CANDIDATES, WHEN AUTHORIZED BY SECTION 1303-
22 D(B), THE UNIFORM INSTRUCTIONS IN FORM AND SUBSTANCE AS
23 PRESCRIBED BY THE SECRETARY OF THE COMMONWEALTH AND NOTHING
24 ELSE.

25 (D) NOTICE.--NOTICE OF THE REQUIREMENTS UNDER SECTION 1306-D
26 SHALL BE PRINTED ON THE ENVELOPE FOR THE MAIL-IN BALLOT.
27 SECTION 1305-D. DELIVERING OR MAILING BALLOTS.

28 THE COUNTY BOARD OF ELECTIONS, UPON RECEIPT AND APPROVAL OF
29 AN APPLICATION FILED BY A QUALIFIED ELECTOR UNDER SECTION 1301-
30 D, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL MAIL-IN BALLOTS ON

1 THE SECOND TUESDAY PRIOR TO THE PRIMARY OR ELECTION. FOR
2 APPLICANTS WHOSE PROOF OF IDENTIFICATION WAS NOT PROVIDED WITH
3 THE APPLICATION OR COULD NOT BE VERIFIED BY THE BOARD, THE BOARD
4 SHALL SEND THE NOTICE REQUIRED UNDER SECTION 1302.2-D(C) WITH
5 THE MAIL-IN BALLOT. AS ADDITIONAL APPLICATIONS ARE RECEIVED AND
6 APPROVED, THE BOARD SHALL DELIVER OR MAIL OFFICIAL MAIL-IN
7 BALLOTS TO THE ADDITIONAL ELECTORS WITHIN 48 HOURS.
8 SECTION 1306-D. VOTING BY MAIL-IN ELECTORS.

9 (A) GENERAL RULE.--AT ANY TIME AFTER RECEIVING AN OFFICIAL
10 MAIL-IN BALLOT, BUT ON OR BEFORE EIGHT O'CLOCK P.M. THE DAY OF
11 THE PRIMARY OR ELECTION, THE MAIL-IN ELECTOR SHALL, IN SECRET,
12 PROCEED TO MARK THE BALLOT ONLY IN BLACK LEAD PENCIL, INDELIBLE
13 PENCIL OR BLUE, BLACK OR BLUE-BLACK INK, IN FOUNTAIN PEN OR BALL
14 POINT PEN, AND THEN FOLD THE BALLOT, ENCLOSE AND SECURELY SEAL
15 THE SAME IN THE ENVELOPE ON WHICH IS PRINTED, STAMPED OR
16 ENDORSED "OFFICIAL MAIL-IN BALLOT."

17 (A.1) SIGNATURE.--ANY ELECTOR WHO IS UNABLE TO SIGN THE
18 DECLARATION BECAUSE OF ILLNESS OR PHYSICAL DISABILITY, SHALL BE
19 EXCUSED FROM SIGNING UPON MAKING A DECLARATION WHICH SHALL BE
20 WITNESSED BY ONE ADULT PERSON IN SUBSTANTIALLY THE FOLLOWING
21 FORM:

22 I HEREBY DECLARE THAT I AM UNABLE TO SIGN MY DECLARATION
23 FOR VOTING MY MAIL-IN BALLOT WITHOUT ASSISTANCE BECAUSE I
24 AM UNABLE TO WRITE BY REASON OF MY ILLNESS OR PHYSICAL
25 DISABILITY. I HAVE MADE OR RECEIVED ASSISTANCE IN MAKING
26 MY MARK IN LIEU OF MY SIGNATURE.

27 (MARK)

28 (DATE)

29 (COMPLETE ADDRESS OF WITNESS)

30 (SIGNATURE OF WITNESS)

1 (B) ELIGIBILITY.--

2 (1) ANY ELECTOR WHO RECEIVES AND VOTES A MAIL-IN BALLOT
3 UNDER SECTION 1301-D SHALL NOT BE ELIGIBLE TO VOTE AT A
4 POLLING PLACE ON ELECTION DAY. THE DISTRICT REGISTER AT EACH
5 POLLING PLACE SHALL CLEARLY IDENTIFY ELECTORS WHO HAVE
6 RECEIVED AND VOTED MAIL-IN BALLOTS AS INELIGIBLE TO VOTE AT
7 THE POLLING PLACE, AND DISTRICT ELECTION OFFICERS SHALL NOT
8 PERMIT ELECTORS WHO VOTED A MAIL-IN BALLOT TO VOTE AT THE
9 POLLING PLACE.

10 (2) AN ELECTOR WHO REQUESTS A MAIL-IN BALLOT AND WHO IS
11 NOT SHOWN ON THE DISTRICT REGISTER AS HAVING VOTED MAY VOTE
12 BY PROVISIONAL BALLOT UNDER SECTION 1210(A.4) (1).

13 (C) DEADLINE.--EXCEPT AS PROVIDED UNDER 25 PA.C.S. § 3511
14 (RELATING TO RECEIPT OF VOTED BALLOT), A COMPLETED MAIL-IN
15 BALLOT MUST BE RECEIVED IN THE OFFICE OF THE COUNTY BOARD OF
16 ELECTIONS NO LATER THAN EIGHT O'CLOCK P.M. ON THE DAY OF THE
17 PRIMARY OR ELECTION.

18 SECTION 1307-D. PUBLIC RECORDS.

19 (A) GENERAL RULE.--ALL OFFICIAL MAIL-IN BALLOTS, FILES,
20 APPLICATIONS FOR BALLOTS AND ENVELOPES ON WHICH THE EXECUTED
21 DECLARATIONS APPEAR, AND ALL INFORMATION AND LISTS ARE
22 DESIGNATED AND DECLARED TO BE PUBLIC RECORDS AND SHALL BE SAFELY
23 KEPT FOR A PERIOD OF TWO YEARS, EXCEPT THAT NO PROOF OF
24 IDENTIFICATION SHALL BE MADE PUBLIC, NOR SHALL INFORMATION
25 CONCERNING A MILITARY ELECTOR BE MADE PUBLIC WHICH IS EXPRESSLY
26 FORBIDDEN BY THE DEPARTMENT OF DEFENSE BECAUSE OF MILITARY
27 SECURITY.

28 (B) RECORD.--FOR EACH ELECTION, THE COUNTY BOARD SHALL
29 MAINTAIN A RECORD OF THE FOLLOWING INFORMATION, IF APPLICABLE,
30 FOR EACH ELECTOR WHO MAKES APPLICATION FOR A MAIL-IN BALLOT:

1 (1) THE ELECTOR'S NAME AND VOTER REGISTRATION ADDRESS.

2 (2) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS
3 RECEIVED BY THE COUNTY BOARD.

4 (3) THE DATE ON WHICH THE ELECTOR'S APPLICATION IS
5 APPROVED OR REJECTED BY THE COUNTY BOARD.

6 (4) THE DATE ON WHICH THE COUNTY BOARD MAILS OR DELIVERS
7 THE MAIL-IN BALLOT TO THE ELECTOR.

8 (5) THE DATE ON WHICH THE ELECTOR'S COMPLETED MAIL-IN
9 BALLOT IS RECEIVED BY THE COUNTY BOARD.

10 (6) THE DATE OF THE POSTMARK ON THE MAILING ENVELOPE OF
11 THE ELECTOR'S COMPLETED MAIL-IN BALLOT.

12 (C) COMPILATION.--THE COUNTY BOARD SHALL COMPILE THE RECORDS
13 LISTED UNDER SUBSECTION (B) AND MAKE THE RECORDS PUBLICLY
14 AVAILABLE UPON REQUEST WITHIN 48 HOURS.

15 SECTION 1308-D. VIOLATION OF PROVISIONS RELATING TO MAIL-IN
16 VOTING.

17 (A) PENALTIES.--EXCEPT AS PROVIDED UNDER SUBSECTION (B), A
18 PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS ACT RELATING
19 TO MAIL-IN VOTING SHALL, UNLESS OTHERWISE PROVIDED, BE SUBJECT
20 TO THE PENALTIES PROVIDED UNDER SECTION 1850.

21 (B) PERSONS NOT QUALIFIED AS MAIL-IN VOTERS.--A PERSON WHO
22 KNOWINGLY ASSISTS ANOTHER PERSON WHO IS NOT A QUALIFIED MAIL-IN
23 VOTER IN FILLING OUT A MAIL-IN BALLOT APPLICATION OR MAIL-IN
24 BALLOT COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

25 SECTION 9. ~~SECTIONS 1405 AND 1626(C) OF THE ACT ARE SECTION~~ <--
26 1405 OF THE ACT IS AMENDED TO READ:

27 SECTION 1405. MANNER OF COMPUTING IRREGULAR BALLOTS.--THE
28 COUNTY BOARD, IN COMPUTING THE VOTES CAST AT ANY PRIMARY OR
29 ELECTION, SHALL COMPUTE AND CERTIFY VOTES CAST ON IRREGULAR
30 BALLOTS EXACTLY AS SUCH NAMES WERE WRITTEN, STAMPED[, AFFIXED TO

1 THE BALLOT BY STICKER,] OR DEPOSITED [OR AFFIXED] IN OR ON
2 RECEPTACLES FOR THAT PURPOSE, AND AS THEY HAVE BEEN SO RETURNED
3 BY THE ELECTION OFFICERS. IN DISTRICTS IN WHICH PAPER BALLOTS OR
4 BALLOTS CARDS ARE ELECTRONICALLY TABULATED, STICKERS OR LABELS
5 MAY NOT BE USED TO MARK BALLOTS. A VOTE CAST BY MEANS OF A
6 STICKER OR LABEL AFFIXED TO A BALLOT OR BALLOT CARD SHALL BE
7 VOID AND MAY NOT BE COUNTED. IN THE PRIMARY THE SECRETARY OF THE
8 COMMONWEALTH SHALL NOT CERTIFY THE VOTES CAST ON IRREGULAR
9 BALLOTS FOR ANY PERSON FOR A NATIONAL OFFICE INCLUDING THAT OF
10 THE PRESIDENT OF THE UNITED STATES, UNITED STATES SENATOR AND
11 REPRESENTATIVE IN CONGRESS; OR FOR ANY STATE OFFICE INCLUDING
12 THAT OF GOVERNOR AND LIEUTENANT GOVERNOR, AUDITOR GENERAL, STATE
13 TREASURER, SENATOR AND REPRESENTATIVE IN THE GENERAL ASSEMBLY,
14 JUSTICES AND JUDGES OF COURTS OF RECORD OR FOR ANY PARTY OFFICE
15 INCLUDING THAT OF DELEGATE OR ALTERNATE DELEGATE TO NATIONAL
16 CONVENTIONS AND MEMBER OF STATE COMMITTEE UNLESS THE TOTAL
17 NUMBER OF VOTES CAST FOR SAID PERSON IS EQUAL TO OR GREATER THAN
18 THE NUMBER OF SIGNATURES REQUIRED ON A NOMINATION PETITION FOR
19 THE PARTICULAR OFFICE. IN THE PRIMARY THE COUNTY BOARD SHALL NOT
20 CERTIFY THE VOTES CAST ON IRREGULAR BALLOTS FOR ANY PERSON FOR A
21 JUSTICE OF THE PEACE, CONSTABLE, NATIONAL, STATE, COUNTY, CITY,
22 BOROUGH, TOWN, TOWNSHIP, WARD, SCHOOL DISTRICT, ELECTION OR
23 LOCAL PARTY OFFICE UNLESS THE TOTAL NUMBER OF VOTES CAST FOR
24 SAID PERSON IS EQUAL TO OR GREATER THAN THE NUMBER OF SIGNATURES
25 REQUIRED ON A NOMINATION PETITION FOR THE PARTICULAR OFFICE.

26 ~~SECTION 1626. REPORTING BY CANDIDATE AND POLITICAL~~
27 ~~COMMITTEES AND OTHER PERSONS.~~

<--

28 * * *

29 ~~(C) [VOUCHERS OR COPIES OF VOUCHERS FOR ALL SUMS EXPENDED~~
30 ~~AMOUNTING TO MORE THAN TWENTY FIVE DOLLARS (\$25) SHALL BE~~

1 ~~RETAINED BY THE CANDIDATE OR THE COMMITTEE TREASURER AND SHALL~~
2 ~~BE AVAILABLE FOR PUBLIC INSPECTION AND COPYING AS HEREIN~~
3 ~~PROVIDED. ANY PERSON MAY INSPECT OR COPY SUCH VOUCHERS OR COPIES~~
4 ~~THEREOF BY FILING A WRITTEN REQUEST WITH THE APPROPRIATE~~
5 ~~SUPERVISORY OFFICE WHICH SHALL NOTIFY THE CANDIDATE OR POLITICAL~~
6 ~~COMMITTEE OF SUCH REQUEST. THE CANDIDATE OR POLITICAL COMMITTEE~~
7 ~~SHALL HAVE THE OPTION OF EITHER FORWARDING SUCH VOUCHERS OR COPY~~
8 ~~OF THE SAME TO THE SUPERVISOR FOR SUCH PURPOSE OR MAKING THE~~
9 ~~VOUCHERS OR COPY OF THE SAME AVAILABLE TO THE REQUESTING PERSON.~~
10 ~~IF A CANDIDATE OR A TREASURER OF A POLITICAL COMMITTEE SHALL~~
11 ~~FAIL TO MAKE SAID VOUCHERS OR COPIES THEREOF AVAILABLE FOR~~
12 ~~INSPECTION AND COPYING WHEN REQUESTED BY THE APPROPRIATE~~
13 ~~SUPERVISORY OFFICER, SUCH OFFICER SHALL DIRECT THE CANDIDATE OR~~
14 ~~POLITICAL COMMITTEE TO PROMPTLY DELIVER THE VOUCHERS OR COPIES~~
15 ~~THEREOF TO THE SUPERVISORY OFFICE FOR PURPOSES OF INSPECTION AND~~
16 ~~COPYING. COSTS OF COPYING AND COSTS OF DELIVERY BY THE CANDIDATE~~
17 ~~OR TREASURER OF THE REQUESTED VOUCHERS OR COPIES THEREOF SHALL~~
18 ~~BE BORNE BY THE PERSON REQUESTING SAME.] (1) VOUCHERS OR COPIES~~
19 ~~OF VOUCHERS FOR ALL SUMS EXPENDED AMOUNTING TO MORE THAN TWENTY~~
20 ~~FIVE DOLLARS (\$25) SHALL BE RETAINED BY THE CANDIDATE OR THE~~
21 ~~POLITICAL COMMITTEE TREASURER FOR A PERIOD OF THREE (3) YEARS AS~~
22 ~~REQUIRED UNDER SECTION 1622(C) AND SHALL BE AVAILABLE FOR PUBLIC~~
23 ~~INSPECTION AND COPYING.~~

24 ~~(2) A PERSON MAY INSPECT OR COPY VOUCHERS OR COPIES OF~~
25 ~~VOUCHERS BY FILING A WRITTEN REQUEST DIRECTLY WITH THE CANDIDATE~~
26 ~~OR POLITICAL COMMITTEE. THE CANDIDATE OR POLITICAL COMMITTEE~~
27 ~~SHALL MAKE THE VOUCHERS OR COPIES OF THE VOUCHERS AVAILABLE TO~~
28 ~~THE REQUESTING PERSON. COSTS OF COPYING AND COSTS OF DELIVERY BY~~
29 ~~THE CANDIDATE OR TREASURER OF THE REQUESTED VOUCHERS OR COPIES~~
30 ~~SHALL BE BORNE BY THE REQUESTING PERSON. IF A CANDIDATE OR A~~

1 ~~TREASURER OF A POLITICAL COMMITTEE FAILS TO MAKE THE VOUCHERS OR~~
2 ~~COPIES OF THE VOUCHERS AVAILABLE FOR INSPECTION AND COPYING WHEN~~
3 ~~REQUESTED, THE REQUESTING PERSON SHALL PROVIDE WRITTEN NOTICE OF~~
4 ~~THE VIOLATION TO THE CANDIDATE OR POLITICAL COMMITTEE. IF THE~~
5 ~~VIOLATION IS NOT CORRECTED WITHIN 30 DAYS AFTER RECEIPT OF A~~
6 ~~NOTICE, THE REQUESTING PERSON MAY FILE AN ACTION IN AN~~
7 ~~APPROPRIATE COURT OF COMMON PLEAS SEEKING DECLARATORY OR~~
8 ~~INJUNCTIVE RELIEF. IN AN ACTION UNDER THIS SUBSECTION, THE COURT~~
9 ~~MAY ALLOW THE PREVAILING PARTY REASONABLE ATTORNEY FEES,~~
10 ~~INCLUDING LITIGATION COSTS AND EXPENSES.~~

11 ~~(3) PRIOR TO GRANTING A REQUEST FOR INSPECTION AND COPYING~~
12 ~~VOUCHERS, A CANDIDATE OR POLITICAL COMMITTEE MAY REQUIRE A~~
13 ~~REQUESTER TO PREPAY AN ESTIMATE OF THE FEES AUTHORIZED UNDER~~
14 ~~THIS SECTION IF THE COSTS OF COPYING AND COSTS OF DELIVERY~~
15 ~~REQUIRED TO FULFILL THE REQUEST ARE EXPECTED TO EXCEED ONE~~
16 ~~HUNDRED DOLLARS (\$100). IF NO PREPAYMENT IS REQUESTED OR MADE, A~~
17 ~~CANDIDATE OR POLITICAL COMMITTEE MAY REQUIRE THE REQUESTOR TO~~
18 ~~PAY THE ACTUAL COSTS OF COPYING AND COSTS OF DELIVERY PRIOR TO~~
19 ~~THE RELEASE OF THE REQUESTED DOCUMENTS.~~

20 ~~(4) A PERSON WHO VIOLATES THIS SECTION SHALL BE SUBJECT TO~~
21 ~~THE PENALTIES UNDER THIS ACT. THE ATTORNEY GENERAL SHALL HAVE~~
22 ~~PROSECUTORIAL JURISDICTION OVER A VIOLATION COMMITTED UNDER THIS~~
23 ~~SECTION. THE DISTRICT ATTORNEY OF ANY COUNTY IN WHICH A~~
24 ~~VIOLATION OCCURRED HAS CONCURRENT POWERS AND RESPONSIBILITIES~~
25 ~~WITH THE ATTORNEY GENERAL OVER THE VIOLATIONS.~~

26 ~~(5) A CANDIDATE OR POLITICAL COMMITTEE MAY DENY A REQUESTING~~
27 ~~PERSON ACCESS TO A VOUCHER OR COPIES IF THE REQUESTING PERSON~~
28 ~~HAS MADE REPEATED REQUESTS FOR THE SAME RECORD AND THE REPEATED~~
29 ~~REQUESTS HAVE PLACED AN UNREASONABLE BURDEN ON THE CANDIDATE OR~~
30 ~~POLITICAL COMMITTEE. A DENIAL UNDER THIS PARAGRAPH SHALL NOT~~

1 ~~RESTRICT THE ABILITY TO REQUEST A DIFFERENT RECORD.~~

2 ~~(6) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS~~
3 ~~SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS PARAGRAPH~~
4 ~~UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:~~

5 ~~"COMMITTEE." AS DEFINED IN SECTION 1621.~~

6 ~~"COSTS OF COPYING." UP TO TWENTY FIVE CENTS (25¢) PER COPY~~
7 ~~FOR BLACK AND WHITE COPIES, AND UP TO FIFTY CENTS (50¢) PER COPY~~
8 ~~FOR COLOR COPIES. IF A CD OR DVD IS PROVIDED, THE COST OF~~
9 ~~COPYING WILL BE UP TO THE ACTUAL COST OF THE CD OR DVD, NOT TO~~
10 ~~EXCEED THREE DOLLARS (\$3) PER DISC. FOR A FLASH DRIVE THE COST~~
11 ~~OF COPYING WILL BE UP TO THE ACTUAL COST OF THE FLASH DRIVE.~~

12 ~~"COSTS OF DELIVERY." THE COST OF POSTAGE OR SHIPPING OF~~
13 ~~DOCUMENTS FROM THE CANDIDATE OR COMMITTEE TO THE REQUESTER. THE~~
14 ~~ALLOWABLE FEE FOR POSTAGE OR SHIPPING WILL BE UP TO THE ACTUAL~~
15 ~~COST OF THE UNITED STATES POSTAL SERVICE'S FIRST CLASS POSTAGE.~~

16 ~~"POLITICAL COMMITTEE." AS DEFINED IN SECTION 1621.~~

17 ~~"VOUCHER." A DOCUMENT THAT REASONABLY DESCRIBES THE CAMPAIGN~~
18 ~~EXPENSE.~~

19 * * *

20 SECTION 10. THE SECRETARY OF THE COMMONWEALTH SHALL PREPARE
21 AND DISSEMINATE INFORMATION TO THE PUBLIC REGARDING THE CHANGES
22 TO THE VOTING PROCEDURES UNDER THIS ACT.

23 SECTION 11. SECTIONS 1, 2, 3, 4, 5, 5.1, 6, 7, 8, 9 AND 12
24 OF THIS ACT ARE NONSEVERABLE. IF ANY PROVISION OF THIS ACT OR
25 ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID,
26 THE REMAINING PROVISIONS OR APPLICATIONS OF THIS ACT ARE VOID.

27 SECTION 12. REPEALS ARE AS FOLLOWS:

28 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
29 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF
30 SECTION 1231 OF THE ACT.

1 (2) 25 PA.C.S. § 1326 IS REPEALED.

2 (3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
3 PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF
4 SECTION 1232 OF THE ACT.

5 (4) 25 PA.C.S. § 1330 IS REPEALED.

6 (5) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
7 PARAGRAPH (6) IS NECESSARY TO EFFECTUATE THE ADDITION OF
8 SECTION 1233 OF THE ACT.

9 (6) 25 PA.C.S. § 1602(A)(1) IS REPEALED.

10 SECTION 13. THE FOLLOWING APPLY:

11 (1) THIS SECTION APPLIES TO THE AMENDMENT OR ADDITION OF
12 THE FOLLOWING PROVISIONS:

13 (I) SECTION 102.

14 (II) SECTION 1003(A).

15 (III) SECTION 1007(B).

16 (IV) SECTION 1107.

17 (V) SECTION 1110.

18 (VI) SECTION 1107-A.

19 (VII) SECTION 1109-A.

20 (VIII) SECTION 1112-A(A).

21 (IX) SECTION 1216(D).

22 (X) SECTION 1222(A) AND (B).

23 (XI) SECTION 1223.

24 (XII) SECTION 1231.

25 (XIII) SECTION 1232.

26 (XIV) SECTION 1233.

27 (XV) SECTION 1302.

28 (XVI) SECTION 1302.1.

29 (XVII) SECTION 1302.2.

30 (XVIII) SECTION 1305.

1 (XIX) SECTION 1306.

2 (XX) SECTION 1308.

3 (XXI) ARTICLE XIII-D.

4 (2) THE PENNSYLVANIA SUPREME COURT HAS EXCLUSIVE
5 JURISDICTION TO HEAR A CHALLENGE TO OR TO RENDER A
6 DECLARATORY JUDGMENT CONCERNING THE CONSTITUTIONALITY OF A
7 PROVISION REFERRED TO IN PARAGRAPH (1). THE SUPREME COURT MAY
8 TAKE ACTION IT DEEMS APPROPRIATE, CONSISTENT WITH THE SUPREME
9 COURT RETAINING JURISDICTION OVER THE MATTER, TO FIND FACTS
10 OR TO EXPEDITE A FINAL JUDGMENT IN CONNECTION WITH SUCH A
11 CHALLENGE OR REQUEST FOR DECLARATORY RELIEF.

12 (3) AN ACTION UNDER PARAGRAPH (2) MUST BE COMMENCED
13 WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS SECTION.

14 SECTION 14. THIS ACT SHALL APPLY TO ELECTIONS HELD ON OR
15 AFTER APRIL 28, 2020.

16 SECTION 15. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

17 (1) THE ADDITION OF SECTION 207 OF THE ACT SHALL TAKE
18 EFFECT IN 180 DAYS.

19 (2) THE AMENDMENT OF SECTION 908 OF THE ACT SHALL TAKE <--
20 EFFECT IN 60 DAYS.

21 ~~(2)~~ (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT <--
22 IMMEDIATELY.