

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1300 Session of
2021

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STRUZZI, MILLARD, MASSER, KERWIN, MERCURI, GILLESPIE AND
CAUSER, JUNE 10, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 21, 2021

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," as follows:
12 in preliminary provisions, further providing for definitions,
13 providing for legislative authority over elections,
14 establishing the Bureau of Election Audits and providing for
15 special standing in challenges to the Election Code;
16 in the Secretary of the Commonwealth, further providing for
17 powers and duties of the Secretary of the Commonwealth and
18 providing for reports on implementation of elections;
19 in county boards of elections, further providing for powers and
20 duties of county boards and providing for county boards of
21 elections and satellite offices;
22 in district election officers, further providing for
23 ~~compensation of district election officers~~ QUALIFICATIONS OF <--
24 ELECTION OFFICERS, FOR COMPENSATION OF DISTRICT ELECTION
25 OFFICERS AND FOR APPOINTMENT OF WATCHERS;
26 providing for registration of electors;
27 in ballots, further providing for form of official election
28 ballot and for number of ballots to be printed and specimen
29 ballots;

1 in voting machines, further providing for examination and
2 approval of voting machines by the Secretary of the
3 Commonwealth, for requirements of voting machines, for
4 preparation of voting machines by county election boards and
5 for delivery of voting machines and supplies by county
6 election boards to election officers;
7 in electronic voting systems, further providing for EXPERIMENTAL <--
8 USE OF ELECTRONIC VOTING SYSTEMS AND FOR statistical sample
9 and providing for requirements of accessible voting machines;
10 in voting apparatus bonds, providing for voting system defects,
11 disclosure, investigations and penalties;
12 in preparation for and conduct of primaries and elections,
13 providing for voter's bill of rights, for senior voter's bill
14 of rights, for disabled voter's bill of rights and further
15 providing for time for opening and closing polls, for manner
16 of applying to vote, persons entitled to vote, voter's
17 certificates, entries to be made in district register,
18 numbered lists of voters and challenges and for deadline for
19 receipt of valid voter registration application;
20 in voting by qualified absentee electors, further providing for
21 applications for official absentee ballots, for date of
22 application for absentee ballot, for delivering or mailing
23 ballots, for voting by absentee electors, providing for
24 supervised voting by qualified absentee electors in certain
25 facilities and further providing for canvassing of official
26 absentee ballots and mail-in ballots;
27 in voting by qualified mail-in electors, further providing for
28 applications for official mail-in ballots, for date of
29 application for mail-in ballot, for delivering or mailing
30 ballots and for voting by mail-in electors;
31 in Pennsylvania Election Law Advisory Board, further providing
32 for Pennsylvania Election Law Advisory Board;
33 providing for early voting by qualified electors;
34 in returns of primaries and elections, further providing for
35 returns to be open to public inspection and exceptions and
36 for computation of returns by county board, certification and
37 issuance of certificates of election;
38 in recounts and contest, providing for powers and duties of the
39 Attorney General relating to elections;
40 in penalties, further providing for disobeying lawful
41 instructions, for perjury, for false affidavits of
42 candidates, for refusal to permit inspection of papers,
43 destruction or removal and Secretary of the Commonwealth, for
44 refusal to permit inspection of papers, destruction or
45 removal and county boards of elections, for insertion and
46 alteration of entries in documents, removal and refusal to
47 deliver, for refusal to permit overseers, watchers, attorneys
48 or candidates to act, for driving away watchers, attorneys,
49 candidates or overseers, for refusal to permit election
50 officers, clerks and machine inspectors to act and driving
51 away said persons, for refusal to administer oath and acting
52 without being sworn, for violation of oath of office by
53 election officers, for peace officers, failure to render
54 assistance and hindering or delaying county board members and
55 others, for nomination petitions and papers and offenses by
56 signers, for false signatures and statements in nomination
57 petitions and papers, for nomination petitions, certificates
58 and papers, destruction, fraudulent filing and suppression,
59 for offenses by printers of ballots, for unlawful possession
60 of ballots and counterfeiting ballots, for forging and

1 destroying ballots, for tampering with voting machines, for
2 destroying, defacing or removing notices, et cetera, for
3 police officers at polling places and for peace officer,
4 failure to quell disturbances at polls, hindering or delaying
5 election officers and others, for election officers
6 permitting unregistered electors to vote, challenges and
7 refusing to permit qualified electors to vote, for election
8 officers refusing to permit elector to vote in proper party
9 at primaries, for frauds by election officers, for prying
10 into ballots, for interference with primaries and elections,
11 frauds and conspiracy, for persons interfering in other
12 districts, for assault and battery at polls, for unlawful
13 assistance in voting, for election officers permitting
14 unlawful assistance, for failure to keep and return record of
15 assisted voters, for unlawful voting, for elector voting
16 ballot of wrong party at primary, for repeat voting at
17 elections, for removing ballots, for commissioners to take
18 soldiers' votes, for fraudulent voting by soldiers, for
19 bribery at elections, for receipts and disbursements of
20 primary and election expenses by persons other than
21 candidates and treasurers, for receipts of primary and
22 election expenses by unauthorized persons, for contributions
23 by corporations or unincorporated associations, for failure
24 to file expense account, for prohibiting duress and
25 intimidation of voters and interference with the free
26 exercise of the elective franchise, for failure to perform
27 duty, for hindering or delaying performance of duty, for
28 violation of any provision of act, for violations of
29 provisions relating to absentee and mail-in ballots and
30 providing for unlawful collection of ballots AND PROHIBITING <--
31 DURESS AND INTIMIDATION OF ELECTIONS OFFICIALS;
32 providing for reimbursements and withholding; and
33 making a related repeal.

34 The General Assembly of the Commonwealth of Pennsylvania
35 hereby enacts as follows:

36 Section 1. Section 102(e), (n), (p), (r), (s), (t), (z-1),
37 (z.4) and (z.5) of the act of June 3, 1937 (P.L.1333, No.320),
38 known as the Pennsylvania Election Code, are amended and the
39 section is amended by adding subsections to read:

40 Section 102. Definitions.--The following words, when used in
41 this act, shall have the following meanings, unless otherwise
42 clearly apparent from the context:

43 * * *

44 (e) [The] Except as provided in section 700-A, the words
45 "district register" shall mean the [cards] electronic poll book
46 containing all or any part of the registry list of qualified

1 electors of the same election district, as prepared by the
2 registration commissions.

3 * * *

4 (n) [The] Except as provided in section 700-A, the word
5 "party" shall mean a political party, as defined in section 801
6 of this act.

7 * * *

8 (p) [The] Except as provided in section 700-A, the words
9 "political body" shall mean an independent body of electors, as
10 defined in section 801 of this act.

11 * * *

12 (r) [The] Except as provided in section 700-A, the words
13 "primary" or "primary election" shall mean any election held for
14 the purpose of electing party officers and nominating candidates
15 for public offices to be voted for at an election.

16 * * *

17 (s) [The] Except as provided in section 700-A, the words
18 "public office" shall include every public office to which
19 persons can be elected by a vote of the electors under the laws
20 of this State.

21 (t) [The] Except as provided in section 700-A, the words
22 "qualified elector" shall mean any person who shall possess all
23 of the qualifications for voting now or hereafter prescribed by
24 the Constitution of this Commonwealth, or who, being otherwise
25 qualified by continued residence in his election district, shall
26 obtain such qualifications before the next ensuing election.

27 * * *

28 (z-1) [The] Except as provided in section 700-A, the words
29 "in military service" shall mean the uniformed services as
30 defined in section 102 of the Career Compensation Act of 1949

1 (63 Stat. 804 U.S. Code, Title 37, Par. 231).

2 * * *

3 (z.4) [The] Except as provided in section 700-A, the word
4 "municipality" shall mean a city, borough, incorporated town,
5 township or any similar general purpose unit of government which
6 may be created by the General Assembly.

7 (z.5) The words "proof of identification" shall mean:

8 [(1) In the case of an elector who has a religious objection
9 to being photographed, a valid-without-photo driver's license or
10 a valid-without-photo identification card issued by the
11 Department of Transportation.

12 [(2) For an elector who appears to vote under section 1210, a
13 document that:

14 [(i) shows the name of the individual to whom the document
15 was issued and the name substantially conforms to the name of
16 the individual as it appears in the district register;

17 [(ii) shows a photograph of the individual to whom the
18 document was issued;

19 [(iii) includes an expiration date and is not expired,
20 except:

21 [(A) for a document issued by the Department of
22 Transportation which is not more than twelve (12) months past
23 the expiration date; or

24 [(B) in the case of a document from an agency of the Armed
25 forces of the United States or their reserve components,
26 including the Pennsylvania National Guard, establishing that the
27 elector is a current member of or a veteran of the United States
28 Armed Forces or National Guard which does not designate a
29 specific date on which the document expires, but includes a
30 designation that the expiration date is indefinite; and

1 (iv) was issued by one of the following:

2 (A) The United States Government.

3 (B) The Commonwealth of Pennsylvania.

4 (C) A municipality of this Commonwealth to an employee of
5 that municipality.

6 (D) An accredited Pennsylvania public or private institution
7 of higher learning.

8 (E) A Pennsylvania care facility.

9 (3) For a qualified absentee elector under section 1301 or a
10 qualified mail-in elector under section 1301-D:

11 (i) in the case of an elector who has been issued a current
12 and valid driver's license, the elector's driver's license
13 number;

14 (ii) in the case of an elector who has not been issued a
15 current and valid driver's license, the last four digits of the
16 elector's Social Security number;

17 (iii) in the case of an elector who has a religious
18 objection to being photographed, a copy of a document that
19 satisfies paragraph (1); or

20 (iv) in the case of an elector who has not been issued a
21 current and valid driver's license or Social Security number, a
22 copy of a document that satisfies paragraph (2).]

23 (1) In the case of any elector, at least one of the
24 following:

25 (i) the elector's driver's license;

26 (ii) in the case of an elector who has a religious objection
27 to being photographed, a copy of a valid-without-photo driver's
28 license or a valid-without-photo identification card issued by
29 the Department of Transportation;

30 (iii) the elector's voter registration card with scannable

1 identification number and a copy of the elector's signature, as
2 issued by a county under section 302;

3 (iv) a document from an agency of the armed forces of the
4 United States or their reserve components, including the
5 Pennsylvania National Guard, establishing that the elector is a
6 current member of or a veteran of the United States Armed Forces
7 or National Guard which does not designate a specific date on
8 which the document expires, but includes a designation that that
9 expiration date is indefinite;

10 (v) a document issued by the secretary under section 201(n);

11 (vi) an affidavit provided to an elector by elections
12 officers, on which the elector shall affirm his or her identity,
13 including his or her signature and the last four digits of his
14 or her Social Security number. The affidavit shall include
15 disclosure of the penalties under section 1802; or

16 (vii) a document that shows the name and photograph of the
17 individual to whom the document was issued, includes an
18 expiration date and is not expired and is issued by one of the
19 following:

20 (A) The United States Government.

21 (B) The Commonwealth of Pennsylvania.

22 (C) A municipality of this Commonwealth to an employe of
23 that municipality.

24 (D) An accredited public or private institution of higher
25 learning located in this Commonwealth.

26 (E) A care facility located in this Commonwealth.

27 (2) (Reserved).

28 * * *

29 (z.7) The words "ballot comparison risk-limiting audit"
30 shall mean a statistical audit that compares the interpretation

1 of individual ballots according to the voting system to a human
2 interpretation of the same individual ballots.

3 (z.8) The words "risk limit" shall mean the maximum chance
4 that an audit will not progress to a full hand recount if the
5 voting system record is incorrect.

6 (z.9) The words "ballot-polling risk-limiting audit" shall
7 mean a statistical audit that selects ballots at random and
8 interprets the ballots by hand until there is strong evidence
9 that the recorded outcome in an election is correct, or until
10 all the votes have been counted by hand.

11 (z.10) THE WORDS "CARE FACILITY" SHALL MEAN ANY OF THE <--
12 FOLLOWING:

13 (1) A LONG-TERM CARE NURSING FACILITY AS DEFINED IN SECTION
14 802.1 OF THE ACT OF JULY 19, 1979 (P.L.130, NO.48), KNOWN AS THE
15 "HEALTH CARE FACILITIES ACT."

16 (2) AN ASSISTED LIVING RESIDENCE OR A PERSONAL CARE HOME AS
17 DEFINED IN SECTION 1001 OF THE ACT OF JUNE 13, 1967 (P.L.31,
18 NO.21), KNOWN AS THE "HUMAN SERVICES CODE."

19 Section 2. The act is amended by adding sections to read:

20 Section 107. Legislative Authority Over Elections.--Article
21 I, section 5 of the Constitution of the United States and
22 Article VII of the Constitution of Pennsylvania vest authority
23 for prescribing election law in the General Assembly.

24 Section 108. Bureau of Election Audits.--(a) The Bureau of
25 Election Audits is established in the Department of the Auditor
26 General. The Bureau of Election Audits shall have subpoena power
27 to request from the department or a county any documents,
28 records, papers, data, ballots, election materials or testimony
29 necessary for the efficient completion of the audits required
30 under this section.

1 (b) The Auditor General shall conduct independent election
2 audits in accordance with generally accepted governmental audit
3 standards (GAGAS) and appropriate Service Organization Control
4 standards and shall ensure that the audit methodology will
5 verify the accuracy of the election and the accuracy of
6 election equipment used.

7 ~~(c) If the Auditor General is on the ballot FOR AUDITS THAT~~ <--
8 ~~OCCUR DURING AN ELECTION YEAR IN WHICH THE AUDITOR GENERAL~~
9 ~~STANDS FOR ELECTION, the Auditor General shall appoint an~~
10 ~~independent special auditor who shall be a licensed certified~~
11 ~~public accountant and shall have experience in completing~~
12 ~~election audits to oversee the operation of the Bureau of~~
13 ~~Election Audits.~~

14 (d) The Bureau of Election Audits shall ensure continuous
15 improvement of the election audits required under this section
16 to ensure the accuracy of election results and compliance with
17 Federal and State laws.

18 (e) The duties of the Bureau of Election Audits shall
19 include:

20 ~~(1) To EXCEPT IF A FULL MANUAL RECOUNT OF AN ELECTION IS~~ <--
21 ~~UNDERTAKEN OR AN ELECTION IS UNCONTESTED, TO conduct result-~~
22 ~~confirming audits of each election in this Commonwealth,~~
23 ~~completed by the third Friday following the election. The audits~~
24 ~~shall include:~~

25 ~~(i) A statistically sound, ballot comparison risk limiting~~ <--
26 ~~audit of ballots for each election, except for an election which~~
27 ~~is uncontested, and except as provided in section 1117-A where a~~
28 ~~ballot polling audit shall be conducted.~~

29 ~~(I) A STATISTICALLY SOUND, BALLOT-COMPARISON OR BALLOT-~~ <--
30 ~~POLLING, RISK-LIMITING AUDIT OF BALLOTS FOR EACH ELECTION, AS~~

1 PROVIDED UNDER SECTION 1117-A.

2 (ii) An audit of election machine logs.

3 (iii) An audit of the returned absentee and mail-in ballots
4 in each county, including a comparison of retained envelopes on
5 which the executed declarations appear, for mail-in and absentee
6 ballots, secrecy envelopes and the total number of absentee and
7 mail-in ballots canvassed.

8 (iv) An audit comparing each canvassed and retained paper
9 ballot in each county with the number of votes recorded.

10 (v) An audit of the pre-election testing of election
11 equipment conducted by each county.

12 (vi) Any other audit deemed necessary by the Bureau of
13 Election Audits to ensure public trust in the outcome of each
14 election.

15 (2) To conduct performance audits of the operations of
16 elections systems and processes at least once every five years.

17 The audits shall include:

18 (i) An audit of each county election office in the
19 Commonwealth.

20 (ii) An audit of the Department of State's election
21 equipment certification process.

22 (iii) An audit of the Statewide ~~voter registration~~ UNIFORM <--
23 REGISTRY OF ELECTORS (SURE) system, including an audit of the
24 accuracy of the list of registered electors.

25 (iv) An audit of the Department of State's administration of
26 elections.

27 (v) Any other audit deemed necessary by the Bureau of
28 Election Audits to ensure public trust in the election
29 administration in this Commonwealth.

30 (3) To publicly post audit methodologies for each of the

1 audits required under this section, including on the Auditor
2 General's publicly accessible Internet website and the
3 Department of State's publicly accessible Internet website.

4 (4) To publicly post the results of each audit required
5 under this section, including on the Auditor General's publicly
6 accessible Internet website, the Department of State's publicly
7 accessible Internet website and each county's publicly
8 accessible Internet website.

9 (5) To monitor corrective action plans developed by entities
10 audited under this section, ensuring that the corrective action
11 plan addresses deficiencies identified by an audit and that the
12 plan is successfully executed to remediate deficiencies.

13 (6) If a full manual recount of an election is undertaken,
14 the Bureau of Election audits shall not be required to perform
15 the audit required under paragraph (1)(i).

16 (f) The duties of the county board of elections shall
17 include:

18 (1) Cooperating with the Bureau of Election Audits to enable
19 efficient conduct of audits required under subsection (d).

20 (2) Cooperating with the Bureau of Election Audits to post
21 the results of audits conducted in that county as required under
22 subsection (e)(4).

23 (3) Holding a public meeting between the third Saturday
24 after an election and the fourth Thursday after an election, at
25 which the board shall make publicly available to the residents
26 of the county the results of audits conducted under subsection
27 (d).

28 (4) Submitting to the Department of State, along with the
29 certified results of the election, a report with the results of
30 the audits conducted under subsection (e)(3). The report shall

1 include the following:

2 (i) The overall accuracy of election results as confirmed by
3 the audits under subsection (e) (3).

4 (ii) A description of any problem or discrepancies
5 encountered in the administration of the election.

6 (iii) The identified causes of any problems or
7 discrepancies.

8 ~~(iv) Recommended (4.1) SUBMITTING TO THE DEPARTMENT OF~~ <--
9 ~~STATE, WITHIN NINETY (90) DAYS AFTER ANY ELECTION, RECOMMENDED~~
10 ~~corrective actions with respect to avoiding or mitigating any~~
11 ~~problems or discrepancies in future elections.~~

12 (5) Developing a corrective action plan to address any
13 findings of error or deficiency within an audit conducted under
14 this section.

15 (g) The duties of the Department of State shall include:

16 (1) Cooperating with the Bureau of Election Audits to enable
17 efficient conduct of each audit required under subsection (e).

18 (2) Cooperating with the Bureau of Election Audits to post
19 the methodologies and results of audits conducted in this
20 Commonwealth as required under subsection (e) (3) and (4).

21 (3) To develop a corrective action plan to address any
22 findings of error or deficiency within an audit conducted under
23 this section.

24 Section 109. Special Standing in Challenges to the Election
25 Code.--(a) In a judicial proceeding in which all or part of
26 this act is alleged to be unconstitutional, either or both
27 chambers of the General Assembly, subject to subsection (b),
28 shall have special standing to intervene as a party in the
29 action and to defend the act.

30 (b) The following shall apply:

1 (1) Special standing to intervene as a party under
2 subsection (a) for the Senate shall require an action of the
3 Senate Subcommittee on Management Operation as provided under
4 section 2.1 of the act of January 10, 1968 (1967 P.L.925,
5 No.417), referred to as the Legislative Officers and Employes
6 Law.

7 (2) Special standing to intervene as a party under
8 subsection (a) for the House of Representatives shall require an<--
9 action of the Bi-partisan Management Committee as provided under
10 section 21.1 of the Legislative Officers and Employes Law. A <--
11 MAJORITY VOTE BY THE HOUSE OF REPRESENTATIVES.

12 (c) Intervention by either or both chambers of the General
13 Assembly under this section shall not constitute a waiver of
14 sovereign immunity, legislative privilege or other privilege or
15 immunity.

16 (d) This section shall not make either or both chambers of
17 the General Assembly a necessary or indispensable party to an
18 action. A party to an action may not name either or both
19 chambers of the General Assembly as a party or move to join
20 either or both chambers of the General Assembly as a party based
21 on this section.

22 (e) Nothing in this section shall be construed to limit the
23 standing of either or both chambers or an individual member of
24 the General Assembly in a judicial proceeding in which the
25 subject matter relates to specific powers unique to a
26 legislator's functions under the Constitution of Pennsylvania
27 being diminished or impaired.

28 Section 3. Section 201 of the act is amended to read:

29 Section 201. Powers and Duties of the Secretary of the
30 Commonwealth.--The Secretary of the Commonwealth shall exercise

1 in the manner provided by this act all powers granted to him by
2 this act, and shall perform all the duties imposed upon him by
3 this act, which shall include the following:

4 (a) To determine, in accordance with the provisions of this
5 act, the forms of nomination petitions and papers, expense
6 accounts and all other forms and records, the form of which he
7 is required to determine under the provisions of this act.

8 (b) To examine and reexamine voting machines, and to approve
9 or disapprove them for use in this State, in accordance with the
10 provisions of this act. The secretary shall not approve any
11 voting machine for any election, Federal or State, in this
12 Commonwealth, that does not comply with the requirements of
13 section 301 of the Help America Vote Act of 2002 (Public Law
14 107-252, 42 U.S.C. § 15481).

15 (c) To certify to county boards of elections for primaries
16 and elections the names of the candidates for President and
17 Vice-President of the United States, presidential electors,
18 United States senators, representatives in Congress and all
19 State offices, including senators, representatives, and judges
20 of all courts of record, and delegates and alternate delegates
21 to National Conventions, and members of State committees, and
22 the form and wording of constitutional amendments or other
23 questions to be submitted to the electors of the State at large.

24 (d) To receive and determine, as hereinafter provided, the
25 sufficiency of nomination petitions, certificates and papers of
26 candidates for President of the United States, presidential
27 electors, United States senators, representatives in Congress
28 and all State offices, including senators, representatives and
29 judges of all courts of record, and delegates and alternate
30 delegates to National Conventions and members of State

1 committees.

2 (e) To receive such reports from county boards of elections
3 as are required by this act, and to demand such additional
4 reports on special matters as he may deem necessary.

5 (e.1) To receive from county boards of elections information
6 on voting system errors or difficulties or other election data
7 pursuant to regulation.

8 (f) To receive from county boards of elections the returns
9 of primaries and elections, to canvass and compute the votes
10 cast for candidates and upon questions as required by the
11 provisions of this act; to proclaim the results of such
12 primaries and elections, within three days after receipt of
13 returns from all counties and to issue certificates of election
14 to the successful candidates at such elections, except in cases
15 where that duty is imposed by law on another officer or board.

16 [(f.1) To develop a voluntary professional certification and
17 poll worker training program for county election officials in
18 consultation with county boards of elections.]

19 (f.2) To order a county board to conduct a recount or
20 recanvass of an election under section 1404 for a public office
21 which appears on the ballot in every election district in this
22 Commonwealth or for a ballot question which appears on the
23 ballot in every election district in this Commonwealth.

24 (g) To perform only such other duties relating to elections
25 as [may be prescribed by law.] authorized by this act or by 25
26 Pa.C.S. (relating to elections).

27 (h) To establish a system for the remedy of complaints
28 regarding the administration of the provisions of Title III of
29 the Help America Vote Act of 2002 (Public Law 107-252, 42 U.S.C.
30 § 15481 et seq.).

1 (i) To obtain and maintain uniformity in the interpretation
2 and implementation of election laws.

3 (j) To provide uniform standards for the proper, accurate
4 and uniform implementation of voter registration laws and
5 records.

6 (k) To actively seek out and collect the data and statistics
7 necessary to knowledgeably scrutinize the effectiveness of
8 election laws.

9 (l) To provide technical assistance to election directors.

10 (m) To maintain a ~~voter fraud hotline~~ and HOTLINE FOR THE <--
11 REPORTING OF ANY KNOWN OR SUSPECTED ELECTION FRAUD OR
12 INTIMIDATION OR DURESS OF POLL WORKERS, JUDGES OF ELECTIONS,
13 ELECTION OFFICIALS OR ELECTION OBSERVERS, AND TO provide
14 election fraud education to the public.

15 (n) To provide to any registered elector upon request, and
16 free of charge, a durable photo identification card which may be
17 used for the purposes of voting.

18 (o) To ~~publish~~ SUBMIT TO THE LEGISLATIVE REFERENCE BUREAU <--
19 FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN by December 31 of
20 each odd-numbered year the official instructions and procedures
21 manual prescribed by the Pennsylvania Election Law Advisory
22 Board.

23 (p) To receive any private donations intended to contribute
24 to election administration or voter education in this
25 Commonwealth, and to distribute the funds, or any public funds
26 used for the purposes of voter education, equally across this
27 Commonwealth based upon the most recent census estimate of
28 citizen voting age population. A distribution of private funds
29 must be approved by the Election Law Advisory Board.

30 (q) To maintain a publicly accessible Internet website using

1 a .gov domain name, on which the secretary shall post
2 information required by this act. The website shall additionally
3 adhere to generally accepted accessibility standards, including
4 compatibility with screen reading software.

5 (r) To retain and make publicly available any communications
6 relating to election administration and sent between the
7 department and at least three county election directors.

8 (s) To develop a uniform application for registered electors
9 to update their signature of record or to provide a medical
10 doctor's assessment of signature inconsistency due to a medical
11 condition.

12 (t) To cooperate with an independent prosecutor appointed by
13 the Attorney General for each election cycle to review election
14 complaints received by the secretary and the county boards of
15 elections.

16 (u) To publish on the department's publicly accessible
17 Internet website the list of registered electors in each county
18 and Statewide, at least five days prior to an election.

19 (v) To reimburse counties for the cost of annual training
20 required under section 1302-E.

21 (w) To create and publish, prior to the proclamation of
22 results in a primary or election, a combined record of the
23 registered electors in this Commonwealth as of the date of the
24 primary or election, together with the record of participation
25 in the primary or election by each registered elector, submitted
26 by counties under section 1404(c). The record shall be published
27 on the department's publicly accessible Internet website, made
28 available upon request to any elector and retained for a period
29 of five years. A physical copy of the record required under this
30 subsection must be created, dated and retained for a period of

1 five years.

2 (x) In addition to the requirements of 25 Pa.C.S. Ch. 15
3 (relating to changes in record), to seek a record of all deaths
4 among residents of this Commonwealth, and each month to compare
5 the records with the list of electors in the Statewide Uniform
6 Registry of Electors, and for any elector found to be deceased,
7 to notify the elector's county of residence.

8 (y) In addition to the requirements of 25 Pa.C.S. Ch. 15, to
9 fully participate in the Electronic Registration Information
10 Center (ERIC) and to utilize all available information received
11 through that system and through the National Change of Address
12 system to ensure the accuracy of the Statewide Uniform Registry
13 of Electors and the continued eligibility of all registered
14 electors in this Commonwealth.

15 (z) To receive from counties a monthly report of any newly
16 registered elector who was previously registered in another
17 state and to notify the chief elections administrator in that
18 state of the elector's registration in this Commonwealth.

19 (z.1) To create and maintain a tracking system for each
20 qualified mail-in or absentee elector to track the status of an
21 application for a mail-in or absentee ballot, the date on which
22 an elector's ballot is prepared, the date on which an elector's
23 ballot is mailed, the date on which an elector's ballot is
24 received and the date on which an elector's ballot is pre-
25 canvassed or canvassed.

26 (Z.2) TO DEVELOP AND OFFER THE TRAINING PRESCRIBED BY THE <--
27 ELECTION LAW ADVISORY BOARD UNDER SECTION 1302-E, AND TO MAKE
28 SUCH TRAINING AVAILABLE FREE OF CHARGE TO ANY INDIVIDUAL
29 REQUIRED TO COMPLETE THE TRAINING.

30 Section 4. The act is amended by adding a section to read:

1 Section 209. Reports on Implementation of Elections.--(a)
2 No later than 60 75 days after an election, the Bureau of <--
3 Commissions, elections and legislation of the Department of
4 State shall issue a report to the chair and minority chair of
5 the State Government Committee of the Senate and the chair and
6 minority chair of the State Government Committee of the House of
7 Representatives. A copy of the report shall also be made
8 available on the Department of State's publicly accessible
9 Internet website.

10 (b) The report under subsection (a) shall include only the
11 following information relating to the administration of the
12 election by the Department of State, a county board of elections
13 or a registration commission established under 25 Pa.C.S. §
14 1203(a) (relating to commissions):

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

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

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

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

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

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

1 number of mail-in ballots which were voted by qualified
2 electors.

3 (7) For each county and the sum for this Commonwealth, the
4 number of provisional ballots cast under section 1210(a.4).

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

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

11 (10) For each county and the sum for this Commonwealth, the
12 number of provisional ballots under paragraph (7) which were
13 canvassed.

14 (11) For each county and the sum for this Commonwealth, the
15 number of provisional ballots under paragraph (8) which were
16 canvassed.

17 (12) For each county and the sum for this Commonwealth, the
18 number of provisional ballots under paragraph (9) which were
19 canvassed.

20 (13) (Reserved).

21 (14) For each county and the sum for this Commonwealth, the
22 number of polling places in school buildings.

23 (15) For each county, the date, starting time and ending
24 time that the county board of elections met to pre-canvass
25 absentee ballots and mail-in ballots under section 1308(g) (1.1).

26 (16) For each county, the date, starting time and ending
27 time that the county board of elections met to canvass absentee
28 ballots and mail-in ballots under section 1308(g) (2).

29 (17) For each county and the sum for this Commonwealth, the
30 number of absentee ballots which were challenged under section

1 1302.2(c).

2 (18) For each county and the sum for this Commonwealth, the
3 number of mail-in ballots which were challenged under section
4 1302.2-D(a)(2).

5 (19) For each county and the sum for this Commonwealth, the
6 number of absentee ballots subject to challenges under paragraph
7 (17) which were not canvassed.

8 (20) For each county and the sum for this Commonwealth, the
9 number of mail-in ballots subject to challenges under paragraph
10 (18) which were not canvassed.

11 (21) The number of incidents known to the Department of
12 State, county boards of elections or registration commissions
13 relating to each of the following categories:

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

16 (ii) An absentee ballot or mail-in ballot which was voted by
17 an individual other than the individual who applied for the
18 absentee ballot or mail-in ballot.

19 (iii) An absentee ballot or mail-in ballot which was
20 returned to the county board of elections by a means other than
21 permitted by law.

22 (22) To the extent consistent with Federal and State law, a
23 review of any action taken by the Department of State, county
24 board of elections or registration commissions in response to an
25 incident under paragraph (21), including determinations made on
26 the incident, legal actions filed and referrals to law
27 enforcement.

28 (23) A review of issues or incidents encountered with an
29 electronic voting system that received the approval of the
30 Secretary of the Commonwealth under section 1105-A, including

1 technical issues encountered at polling places.

2 (c) The Department of State shall develop a process to
3 collect data required to be included in the report under
4 subsection (b) from each county board of elections which
5 conducts an election and each registration commission under 25
6 Pa.C.S. Pt. IV (relating to voter registration) in a county
7 which conducts an election, as applicable. A county board of
8 elections or registration commission under this subsection shall
9 comply with the process for submission of data under this
10 subsection no later than ~~45~~ 60 days after an election. <--

11 Section 5. Section 302(f), (k) and (m) of the act are
12 amended and the section is amended by adding subsections to
13 read:

14 Section 302. Powers and Duties of County Boards.--The county
15 boards of elections, within their respective counties, shall
16 exercise, in the manner provided by this act, all powers granted
17 to them by this act, and shall perform all the duties imposed
18 upon them by this act, which shall include the following:

19 * * *

20 (f) [To make and issue such rules, regulations and
21 instructions, not inconsistent with law, as they may deem
22 necessary for the guidance of voting machine custodians,
23 elections officers and electors.] To follow and obey rules,
24 regulations and instructions as are included for each election
25 in the manual of operations published under section 201.

26 * * *

27 (k) To receive from district election officers the returns
28 of all primaries and elections, to canvass and compute the same,
29 and to certify, no later than the [third Monday] fourth Friday
30 following the primary or election, the results thereof to the

1 Secretary of the Commonwealth, as may be provided by law, and to
2 such other authorities as may be provided by law. The
3 certification shall include the number of votes received in each
4 election district by each candidate for the General Assembly[.]
5 and a complete record of each registered elector in the county
6 on the date of the election, including which registered electors
7 are recorded as participating in that election and the article
8 of this act under which each elector voted.

9 * * *

10 (m) To prepare and submit, within twenty days after the last
11 day to register to vote in each primary, municipal and general
12 election, a report to the Secretary of the Commonwealth in the
13 form prescribed by him, which shall contain a statement of the
14 total number of electors registered in each election district,
15 together with a breakdown of registration by each political
16 party or other designation. Copies of said statement shall be
17 furnished, upon request, to the county chairman of each
18 political party and political body[.] and shall be posted to the
19 county board of election's publicly accessible Internet website.
20 The Secretary of the Commonwealth shall forthwith submit such
21 information to the Legislative Data Processing Center and shall
22 publicly report the total number of registered electors for each
23 political party or other designation in each county not later
24 than five days prior to the primary, municipal or general
25 election.

26 * * *

27 (g) To maintain a publicly accessible Internet website using
28 a .gov domain name. The website shall additionally adhere to
29 generally accepted accessibility standards, including
30 compatibility with screen reading software.

1 (r) To decline to accept any private donation or
2 contribution for the purposes of operating elections, employing
3 staff or selecting and equipping a polling place or for use in
4 voter education, unless received from the secretary under a
5 distribution provided for in section 201(h).

6 (s) To provide to each registered elector in a county,
7 within one year of the effective date of this subsection and
8 upon new or updated registration after the effective date of
9 this subsection, or at the request of an elector, a durable
10 voter registration card, including a scannable identification
11 code and a likeness of a registered elector's signature. A
12 county board of elections shall investigate the circumstances of
13 any registration card returned as undeliverable by the United
14 States Postal Service. The investigation shall include
15 contacting the applicant, further attempts to have his or her
16 registration card delivered and the correction or
17 reconsideration of his or her registration status and registered
18 address, if they are found to be incorrect.

19 (t) To capture and store signatures submitted by an elector
20 for use in matching an elector's signature under the
21 requirements of this act.

22 (u) To implement the minimum voter education standards
23 established under section 1302-E and to conduct additional
24 nonpartisan education efforts as necessary to ensure that
25 electors have a working knowledge of the voting process.

26 (v) To report to the election law advisory board, by
27 December 31 of each general election year, a detailed
28 description of the voter education programs implemented and any
29 other information that may be useful in evaluating the
30 effectiveness of voter education.

1 (w) To purchase electronic poll books for use as the
2 district register in each election district within one year
3 after the effective date of this subsection. The electronic poll
4 books must provide an elector with the ability to scan his or
5 her driver's license or his or her voter registration card in
6 order to have his or her eligibility to vote verified, and must
7 have a means for an elector to electronically record his or her
8 signature. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, FOR <--
9 ELECTIONS HELD WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS
10 SECTION, PAPER DISTRICT REGISTER CARDS MAY STILL BE UTILIZED BY
11 ANY COUNTY. AFTER THE PURCHASE OF ELECTRONIC POLL BOOKS, PAPER
12 DISTRICT REGISTER CARDS MAY BE RETAINED FOR USE IN THE EVENT OF
13 AN UNFORESEEN ISSUE IN USING ELECTRONIC POLL BOOKS AT AN
14 ELECTION.

15 (x) To provide each election district with at least one
16 accessible voting machine approved by the secretary under this
17 act.

18 (y) To publish at each polling place the voter bill of
19 rights, senior voter bill of rights and disabled voter bill of
20 rights established by this act.

21 (z) To provide copies of the voter bill of rights, senior
22 voter bill of rights and disabled voter bill of rights during
23 the process of supervised voting established by this act.

24 (z.1) To review any polling place where voters waited longer
25 than 30 minutes to cast a ballot and to identify and enact plans
26 to alleviate any such waiting time for future elections.

27 (z.2) For counties with a population of fewer than 100,000
28 at the time of the most recent Federal decennial census, to
29 collaborate with other counties to share resources or property
30 required for the administration of voting by absentee and mail-

1 in electors. The collaboration is not required and participation
2 in any resource sharing shall be at the discretion of each
3 county board.

4 (z.3) In addition to the requirements of 25 Pa.C.S. Ch. 15,
5 to seek a record of all deaths among residents of the county and
6 each month to compare the records with the list of registered
7 electors in the county. A registered elector whose first and
8 last name, date of birth and last four digits of the elector's
9 Social Security number are found on a death record shall be
10 subject to immediate removal from the SURE system. The local
11 commission shall notify the elector by mail of its action.

12 (z.4) To enter into an agreement with the Unified Judicial
13 System of Pennsylvania to receive a record of any county
14 resident who claims ineligibility for service as a juror under
15 42 Pa.C.S. § 4502 (relating to qualifications of jurors) and to
16 investigate the registration status of any registered elector
17 who claimed ineligibility to serve as a juror on the basis of a
18 lack of citizenship.

19 (z.5) To cooperate with the department to any degree
20 necessary in the creation of the system required under section
21 201(z.1).

22 Section 6. The act is amended by adding a section to read:

23 Section 313. County Boards of Elections and Satellite
24 Offices.--In addition to the permanent offices operated by any
25 county board of elections, the board may, as necessary,
26 establish additional satellite election offices if the satellite
27 election office established under this section complies with the
28 requirements under this section. The following shall apply:

29 (a) A satellite election office must meet the requirements
30 for and be subject to the same restrictions as a polling place

1 under this act.

2 (b) A satellite election office must offer the same services
3 and capabilities as the permanent offices maintained by the
4 county board of elections.

5 (c) A satellite election office must be operated by paid
6 staff of the county board of elections.

7 (d) A board establishing satellite election offices must
8 ensure that the location of the offices are geographically
9 distributed across the county.

10 (e) A satellite election office must be established within a
11 permanent building. For purposes of this section, a permanent
12 building is any existing structure not temporarily erected for
13 use as a satellite election office.

14 (f) The location and hours of operation of a satellite
15 election office shall be ~~announced~~ PUBLISHED UNDER SECTION 106 <--
16 at least 30 days prior to its establishment.

17 (g) After the establishment of in-person early voting under
18 Article XIII-F, a satellite election office may only be
19 established at the same premises as early voting locations in a
20 county.

21 SECTION 6.1. SECTION 402(A) OF THE ACT IS AMENDED TO READ: <--

22 SECTION 402. QUALIFICATIONS OF ELECTION OFFICERS.--(A)
23 EXCEPT AS PROVIDED IN SUBSECTION (B), ELECTION OFFICERS SHALL BE
24 QUALIFIED REGISTERED ELECTORS OF THE [DISTRICT IN WHICH THEY ARE
25 ELECTED OR APPOINTED] COUNTY IN WHICH THE POLLING PLACE IS
26 LOCATED. AN ELECTION OFFICER SHALL NOT BE REQUIRED TO BE A
27 QUALIFIED REGISTERED ELECTOR IN THE ELECTION DISTRICT IN WHICH
28 THE ELECTION OFFICER IS APPOINTED. NO PERSON SHALL BE QUALIFIED
29 TO SERVE AS AN ELECTION OFFICER WHO SHALL HOLD, OR SHALL WITHIN
30 TWO MONTHS HAVE HELD, ANY OFFICE, APPOINTMENT OR EMPLOYMENT IN

1 OR UNDER THE GOVERNMENT OF THE UNITED STATES OR OF THIS STATE OR
2 OF ANY CITY OR COUNTY OR POOR DISTRICT, OF ANY MUNICIPAL BOARD,
3 COMMISSION OR TRUST IN ANY CITY, SAVE ONLY DISTRICT JUSTICES,
4 NOTARIES PUBLIC AND PERSONS IN THE MILITIA SERVICE OF THE STATE;
5 NOR SHALL ANY ELECTION OFFICER BE ELIGIBLE TO ANY CIVIL OFFICE
6 TO BE VOTED FOR AT A PRIMARY OR ELECTION AT WHICH HE SHALL
7 SERVE, EXCEPT THAT OF AN ELECTION OFFICER.

8 * * *

9 Section 7. Section 412.2(a) and (f) of the act are amended
10 and the section is amended by adding a subsection to read:

11 Section 412.2. Compensation of District Election Officers.--

12 (a) In all counties regardless of class, judges of election,
13 inspectors of election, clerks and machine operators shall be
14 paid compensation as fixed by the county board of elections for
15 each election, which amount shall be at least [~~\$75~~] \$175 and not
16 more than [~~\$200~~] \$300.

17 * * *

18 (f) The individual furnishing transportation to the judge of
19 election and the minority inspector in transmitting returns and
20 ballot boxes shall be entitled to [~~a minimum of 35¢~~] the
21 standard mileage rate set by the Internal Revenue Service for
22 the current year per circular mile from the polling place to the
23 county court house. The name of the individual shall appear on
24 the voucher of the judge of election and only one individual may
25 receive mileage compensation.

26 * * *

27 (j) The department shall reimburse counties for half the
28 cost of payments made under subsections (a) and (f).

29 SECTION 7.1. SECTION 417(B) OF THE ACT IS AMENDED TO READ: <--

30 SECTION 417. APPOINTMENT OF WATCHERS.--

1 * * *

2 (B) EACH WATCHER SO APPOINTED MUST BE A QUALIFIED REGISTERED
3 ELECTOR OF THE COUNTY IN WHICH THE ELECTION DISTRICT FOR WHICH
4 THE WATCHER WAS APPOINTED IS LOCATED AND MUST HAVE COMPLETED
5 TRAINING REQUIRED FOR POLL WATCHERS UNDER SECTION 1302-E(C) (7).
6 EACH WATCHER SO APPOINTED SHALL BE AUTHORIZED TO SERVE IN THE
7 ELECTION DISTRICT FOR WHICH THE WATCHER WAS APPOINTED AND, WHEN
8 THE WATCHER IS NOT SERVING IN THE ELECTION DISTRICT FOR WHICH
9 THE WATCHER WAS APPOINTED, IN ANY OTHER ELECTION DISTRICT IN THE
10 COUNTY IN WHICH THE WATCHER IS A QUALIFIED REGISTERED ELECTOR:
11 PROVIDED, THAT ONLY ONE WATCHER FOR EACH CANDIDATE AT PRIMARIES,
12 OR FOR EACH PARTY OR POLITICAL BODY AT GENERAL, MUNICIPAL OR
13 SPECIAL ELECTIONS, SHALL BE PRESENT IN THE POLLING PLACE AT ANY
14 ONE TIME FROM THE TIME THAT THE ELECTION OFFICERS MEET PRIOR TO
15 THE OPENING OF THE POLLS UNDER SECTION 1208 UNTIL THE TIME THAT
16 THE COUNTING OF VOTES IS COMPLETE AND THE DISTRICT REGISTER AND
17 VOTING CHECK LIST IS LOCKED AND SEALED, AND ALL WATCHERS IN THE
18 ROOM SHALL REMAIN OUTSIDE THE ENCLOSED SPACE. IT SHALL NOT BE A
19 REQUIREMENT THAT A WATCHER BE A RESIDENT OF THE ELECTION
20 DISTRICT FOR WHICH THE WATCHER IS APPOINTED. AFTER THE CLOSE OF
21 THE POLLS AND WHILE THE BALLOTS ARE BEING COUNTED OR VOTING
22 MACHINE CANVASSED, ALL THE WATCHERS SHALL BE PERMITTED TO BE IN
23 THE POLLING PLACE OUTSIDE THE ENCLOSED SPACE. EACH WATCHER SHALL
24 BE PROVIDED WITH A CERTIFICATE FROM THE COUNTY BOARD OF
25 ELECTIONS, STATING HIS NAME AND THE NAME OF THE CANDIDATE, PARTY
26 OR POLITICAL BODY HE REPRESENTS. WATCHERS SHALL BE REQUIRED TO
27 SHOW THEIR CERTIFICATES WHEN REQUESTED TO DO SO. WATCHERS
28 ALLOWED IN THE POLLING PLACE UNDER THE PROVISIONS OF THIS ACT,
29 SHALL BE PERMITTED TO KEEP A LIST OF VOTERS AND SHALL BE
30 ENTITLED TO CHALLENGE ANY PERSON MAKING APPLICATION TO VOTE AND

1 TO REQUIRE PROOF OF HIS QUALIFICATIONS, AS PROVIDED BY THIS ACT.
2 DURING THOSE INTERVALS WHEN VOTERS ARE NOT PRESENT IN THE
3 POLLING PLACE EITHER VOTING OR WAITING TO VOTE, THE JUDGE OF
4 ELECTIONS SHALL PERMIT WATCHERS, UPON REQUEST, TO INSPECT THE
5 VOTING CHECK LIST AND EITHER OF THE TWO NUMBERED LISTS OF VOTERS
6 MAINTAINED BY THE COUNTY BOARD: PROVIDED, THAT THE WATCHER SHALL
7 NOT MARK UPON OR ALTER THESE OFFICIAL ELECTION RECORDS. THE
8 JUDGE OF ELECTIONS SHALL SUPERVISE OR DELEGATE THE INSPECTION OF
9 ANY REQUESTED DOCUMENTS.

10 * * *

11 Section 8. The act is amended by adding an article to read:

12 ARTICLE VII-A

13 REGISTRATION OF ELECTORS

14 SUBARTICLE A

15 PRELIMINARY PROVISIONS

16 Section 700-A. Definitions.

17 The following words and phrases when used in this article
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 "Applicant." An individual who applies to be registered to
21 vote as provided for under this article and 25 Pa.C.S. Pt. IV
22 (relating to voter registration).

23 "Commission." A registration commission established under 25
24 Pa.C.S. § 1203 (relating to commissions).

25 "Commissioner." A member of a commission.

26 "County." A county of this Commonwealth. The term includes a
27 county within which is located a city of the first class or with
28 which a city of the first class is coextensive.

29 "Department." The Department of State of the Commonwealth.

30 "District." An election district or precinct of a

1 municipality.

2 "District register." The list of registered electors
3 prepared by the commission under 25 Pa.C.S. § 1402 (relating to
4 district registers).

5 "Election." A general, special, municipal or primary
6 election.

7 "General election." The election which the Constitution of
8 Pennsylvania requires to be held in even-numbered years.

9 "General register." The list of registered electors prepared
10 by the commission under 25 Pa.C.S. § 1401 (relating to general
11 register).

12 "In military service." Serving in the uniformed services as
13 defined in section 102 of the Career Compensation Act of 1949
14 (Public Law 81-350, 63 Stat. 801) or serving in the Pennsylvania
15 National Guard.

16 "Members of the United States merchant marine." Any of the
17 following:

18 (1) Individuals employed as officers or members of crews
19 of vessels documented under the law of the United States or
20 of vessels owned by the United States or of vessels of
21 foreign-flag registry under charter to or control of the
22 United States. This paragraph does not include individuals in
23 military service.

24 (2) Individuals enrolled with the United States for
25 employment or for training for employment or maintained by
26 the United States for emergency relief service as officers or
27 members of crews of vessels referred to in paragraph (1). The
28 term does not include individuals in military service or
29 individuals employed or enrolled for employment or for
30 training for employment or maintained for emergency relief on

1 the Great Lakes or the inland waterways.

2 "Military elector." Any of the following:

3 (1) An individual in military service and the
4 individual's spouse and dependents.

5 (2) An individual in the merchant marine and the
6 individual's spouse and dependents.

7 (3) An individual in a religious or welfare group
8 officially attached to and serving with the armed forces of
9 the United States and the individual's spouse and dependents.

10 (4) An individual who is a civilian employee of the
11 United States outside the territorial limits of the United
12 States, whether or not the individual is subject to the civil
13 service laws and whether or not the individual is paid from
14 funds appropriated by Congress, and the individual's spouse
15 and dependents.

16 "Municipal election." The election which the Constitution of
17 Pennsylvania requires to be held in odd-numbered years.

18 "Municipality." A city, borough, town or township.

19 "Party." Any of the following:

20 (1) A party or political body, one of whose candidates
21 at the general election immediately preceding the primary:

22 (i) polled, in each of at least 10 counties, at
23 least 2% of the largest entire vote cast in the county
24 for any elected candidate; and

25 (ii) polled a total vote in this Commonwealth equal
26 to at least 2% of the largest entire vote cast in this
27 Commonwealth for any elected candidate.

28 (2) A party or political body, one of whose candidates
29 at either the general or municipal election preceding the
30 primary polled at least 5% of the largest entire vote cast

1 for any elected candidate in any county.

2 "Political body." A political body not recognized as a
3 political party which has filed proper nomination papers as
4 required by law.

5 "Primary election." An election for the nomination of
6 candidates.

7 "Public office." Any Federal, State or political
8 subdivision, office or position of employment requiring the
9 individual elected or appointed to render public service for a
10 fixed fee or compensation. The term does not include the office
11 of notary public or commissioner of deeds.

12 "Qualified elector." An applicant who possesses all of the
13 qualifications for voting prescribed by the Constitution of
14 Pennsylvania and the laws of this Commonwealth or who, being
15 otherwise qualified by continued residence in the election
16 district, obtains such qualifications before the next ensuing
17 election. The term does not include a military elector.

18 "Registrant" or "registered elector." A qualified elector
19 who is registered to vote in accordance with this article and 25
20 Pa.C.S. Pt. IV.

21 "Registration card." A registration record containing all
22 information required on the registration application, including
23 the elector's signature, and suitable space for the insertion by
24 the appropriate official of the following information:

25 (1) The ward and election district of residence.

26 (2) The registrant's street address.

27 (3) Data required to be given upon removal from the
28 registrant's residence.

29 (4) The date of each election at which the registrant
30 votes.

1 (5) The number and letter of the stub of the ballot
2 issued to the registrant or the registrant's number in the
3 order of admission to the voting machines.

4 (6) The initials of the election officer who enters the
5 record of voting in the district register.

6 (7) Whether the registrant needs assistance to vote and,
7 if so, the nature of the disability.

8 "Registration records." The general register, district
9 register and any other record of registration maintained by a
10 commission. The term includes any record maintained by the
11 commission on the Statewide Uniform Registry of Electors.

12 "Secretary." The Secretary of the Commonwealth.

13 "Statewide Uniform Registry of Electors" or "SURE system."
14 The integrated voter registration system of all registered
15 electors in this Commonwealth established in 25 Pa.C.S. Ch. 12
16 Subch. B (relating to Statewide Uniform Registry of Electors
17 (SURE)).

18 SUBARTICLE B

19 QUALIFICATIONS

20 Section 701-A. Qualifications to register.

21 (a) Eligibility.--An individual who will be at least 18
22 years of age on the day of the next election, who has been a
23 citizen of the United States for at least one month prior to the
24 next election and who has resided in this Commonwealth and the
25 election district where the individual offers to vote for at
26 least 30 days prior to the next ensuing election. SHALL BE <--
27 ELIGIBLE TO REGISTER AS PROVIDED IN THIS ACT.

28 (b) Effect.--No individual shall be permitted to vote at any
29 election unless the individual is registered under this
30 subsection, except as provided by law or by order of a court of

1 common pleas. No registered elector shall be required to
2 register again for any election while the elector continues to
3 reside at the same address.

4 (c) Removal of residence.--Except as otherwise provided
5 under this article and 25 Pa.C.S. Pt. IV (relating to voter
6 registration), a registered elector who removes residence from
7 one place to another outside the elector's last election
8 district shall not be entitled to vote in the election district
9 of the elector's last residence except pursuant to the
10 provisions of this section and 25 Pa.C.S. §§ 1501(b) (relating
11 to removal notices), 1502 (relating to transfer of registration)
12 and 1902 (relating to procedure for voting following failure to
13 return notification card).

14 Section 702-A. Residence of electors.

15 (a) General rule.--

16 (1) For the purpose of registration and voting, no
17 individual shall be deemed to have gained a residence by
18 reason of presence or lost a residence by reason of absence
19 in any of the following circumstances:

20 (i) Being employed in the service, either civil or
21 military, of this Commonwealth or of the United States.

22 (ii) Being engaged in the navigation of the waters
23 of this Commonwealth or of the United States or on the
24 high seas.

25 (iii) Being in an institution at public expense.
26 This subparagraph does not apply to a veteran who resides
27 in a home for disabled and indigent soldiers and sailors
28 maintained by the Commonwealth. Such a veteran may elect
29 to utilize that residence for registration and voting or
30 elect to vote as an absentee elector by the use of an

1 absentee ballot.

2 (2) Nothing in paragraph (1) shall preclude any elector
3 eligible under section 701-A from establishing the district
4 of residence as the election district of residence under
5 subsection (b).

6 (3) Except as otherwise provided in this subsection, no
7 individual who is confined in a penal institution shall be
8 deemed a resident of the election district where the
9 institution is located. The individual shall be deemed to
10 reside where the individual was last registered before being
11 confined in the penal institution, or, if there was no
12 registration prior to confinement, the individual shall be
13 deemed to reside at the last known address before
14 confinement.

15 (4) An individual who resides at a mental health
16 facility, if otherwise qualified under section 701-A, shall
17 be deemed at the individual's option a resident in one of the
18 following:

19 (i) The district where the institution is located.

20 (ii) The district where the individual was last
21 registered to vote before entering the institution. For
22 purposes of this subparagraph, if the individual was not
23 registered before entering the institution, the
24 individual shall be deemed to reside at the last known
25 address before entering the institution.

26 (b) Rules for determination.--The following apply:

27 (1) That the place shall be considered the residence of
28 an individual in which habitation is fixed and to which,
29 whenever the individual is absent, the individual has the
30 intention of returning.

1 (2) An individual shall not be considered to have lost
2 residence if the individual leaves home and goes into another
3 state or another election district for temporary purposes
4 only, with the intention of returning.

5 (3) An individual shall not be considered to have gained
6 a residence in an election district if the individual comes
7 into that district for temporary purposes only, without the
8 intention of making that election district a permanent place
9 of abode.

10 (4) If an individual removes to another state with the
11 intention of making that state the permanent residence, the
12 individual shall be considered to have lost residence in this
13 Commonwealth.

14 (5) If an individual removes to another state with the
15 intention of remaining there an indefinite time and making
16 that state the place of residence, the individual shall be
17 considered to have lost residence in this Commonwealth,
18 notwithstanding an intention to return at some indefinite
19 future period.

20 (6) If an individual goes into another state and, while
21 there, votes in an election held by that state, the
22 individual shall be considered to have lost residence in this
23 Commonwealth.

24 (7) An individual employed in the service of the Federal
25 Government or of the Commonwealth and required thereby to be
26 absent from the municipality where the individual resided
27 when entering that employment and the spouse of the
28 individual may remain registered in the district where the
29 individual resided immediately prior to entering that
30 employment, and the individual and the spouse shall be

1 enrolled in the political party designated by the individual
2 or spouse without declaring a residence by street and number
3 as follows:

4 (i) An individual who registers under this paragraph
5 for Commonwealth employment must produce a certificate
6 from the head of the State agency, under the seal of
7 office, providing that the individual or the individual's
8 spouse is actually employed in the service of the
9 Commonwealth and providing the nature of the employment
10 and the time when the employee first entered the
11 employment. The commission shall retain certificates
12 under this subparagraph.

13 (ii) The commission shall note on the registration
14 record of each individual registered under this paragraph
15 the fact of Federal or State employment.

16 (iii) At least once every two years the commission
17 shall verify the employment of the individuals registered
18 under this paragraph at the proper Federal or State
19 office. If an individual is found to be no longer a
20 Federal or State employee, the individual's registration
21 shall be canceled under 25 Pa.C.S. Ch. 15 (relating to
22 changes in records).

23 SUBARTICLE C

24 PROCEDURE

25 Section 721-A. Methods of voter registration.

26 An individual qualified to register to vote under section
27 701-A(a) may apply to register as follows:

28 (1) Under section 722-A.

29 (2) Under section 722.1-A.

30 (3) Under section 723-A.

1 (4) Under section 724-A.

2 (5) Under section 725-A.

3 Section 722-A. In-person voter registration.

4 (a) General rule.--Applications may be submitted to register
5 to vote or change party enrollment or name or address on a
6 current registration record in person before the commission or a
7 commissioner, a registrar or a clerk at the office of the
8 commission or at a place designated by the commission. The
9 applicant shall be advised that any intentional false statement
10 on the application constitutes perjury and will be punishable as
11 such. The applicant shall provide the information required on
12 the registration application and sign the registration
13 declaration. The commission shall prepare and provide voter
14 registration applications for the purpose of registering
15 qualified electors in accordance with this section.

16 Notwithstanding any other provision of this article and 25
17 Pa.C.S. Pt. IV (relating to voter registration), the commission
18 may use a mail registration application for in-person
19 registration. The commission shall mail the qualified elector an
20 identification card in accordance with section 728-A.

21 (b) Notice.--The commission shall, ~~within a reasonable time,~~ <--
22 ~~publicly announce~~ AT LEAST 30 DAYS PRIOR TO EACH ESTABLISHMENT'S <--
23 OPENING, PUBLISH UNDER SECTION 106, the address of each place of
24 registration, the address of each office of the commission
25 established for the registration of qualified electors other
26 than its main office and the days and hours when the place or
27 office is open for the registration of qualified electors. The
28 announcement shall be made by posting notice at the place or
29 office and at the commission's main office and by other means as
30 the commission deems advisable.

1 (c) Polls.--The election board of each county shall cause
2 any polling place to be open, in proper order for use, as a
3 place of registration on each day when the polling place is
4 desired by the commission or required by the provisions of this
5 article and 25 Pa.C.S. Pt. IV for use as a place of
6 registration. The appropriating authority of the county shall
7 provide for the payment of rentals for such polling places and
8 other places of registration.

9 (d) Schools.--The board of public education or the board of
10 school directors shall furnish suitable space in any public
11 school building under its jurisdiction or control and shall
12 cause the space to be open and in proper order for use as a
13 place of registration on each day when the space is desired by
14 the commission for use as a place of registration in accordance
15 with the provisions of this article and 25 Pa.C.S. Pt. IV. Use
16 under this subsection may not interfere with school instruction.

17 (e) Municipal buildings.--The proper authority in the county
18 or municipality shall furnish suitable space in a building under
19 its jurisdiction or control and shall cause the space to be open
20 and in proper order for use as a place of registration on each
21 day when the space is desired by the commission for use as a
22 place of registration. Use under this subsection may not
23 interfere with the use for which the space is primarily
24 designed.

25 Section 722.1-A. Online voter registration.

26 (a) Application.--An application may be submitted to
27 register to vote or change party enrollment or name or address
28 on a current registration record through an online application
29 developed by the secretary and provided on the department's
30 publicly accessible Internet website. The applicant shall

1 provide the information required on the registration application
2 and electronically sign the registration declaration.

3 (b) Prohibition.--Except for an application developed under
4 subsection (a), no other application or third-party interface
5 may be approved or used for the purposes of voter registration.
6 Section 723-A. Application with driver's license application.

7 (a) General rule.--

8 (1) The Department of Transportation shall provide for
9 simultaneous application for voter registration in
10 conjunction with the process under 75 Pa.C.S. § 1510
11 (relating to issuance and content of driver's license). An
12 application under this subsection shall serve as an
13 application to register to vote unless the applicant fails to
14 sign the voter registration application. The secretary has
15 the primary responsibility for implementing and enforcing the
16 driver's license voter registration system created under this
17 section. The secretary, in consultation with the Secretary of
18 Transportation, may promulgate regulations for implementing
19 this section.

20 (2) An application for voter registration submitted to
21 the Department of Transportation under this subsection shall
22 be considered as updating any previous voter registration
23 information by a registrant.

24 (3) Any change of address submitted to the Department of
25 Transportation for the purposes of driver licensing shall
26 serve as notification of change of address for voter
27 registration for the registrant involved unless the
28 registrant indicates that the change of address is not for
29 voter registration purposes.

30 (b) Process.--

1 (1) The Department of Transportation shall provide for
2 an application for voter registration as part of a driver's
3 license application.

4 (2) The format of the driver's license/voter
5 registration application shall be determined and prescribed
6 by the secretary and the Secretary of Transportation.

7 (3) The voter registration application portion of the
8 application shall contain all the requirements of an official
9 voter registration application specified in section 727-A.
10 The voter registration portion of the application:

11 (i) may not require any information that duplicates
12 information required in the driver's license portion of
13 the form, other than a second signature; and

14 (ii) may require only the minimum amount of
15 information necessary to prevent duplicate voter
16 registration, to enable the commission to assess the
17 eligibility of the applicant and to administer voter
18 registration and other parts of the election process.

19 (c) Transmission.--

20 (1) The Department of Transportation shall forward
21 completed applications or contents of the completed voter
22 registration applications in machine-readable format to the
23 department by the close of registration for the ensuing
24 election.

25 (2) The department shall transmit the material to the
26 appropriate commission within 10 days after the date of its
27 receipt by the Department of Transportation. If a voter
28 registration application is received by the Department of
29 Transportation within five days before the last day to
30 register before an election, the application shall be

1 transmitted to the appropriate commission not later than five
2 days after the date of its receipt by the Department of
3 Transportation.

4 (3) Upon receipt of the completed voter registration
5 information from the department, the commission shall make a
6 record of the date of the receipt of the application and
7 process the application. No applicant shall be deemed
8 eligible to vote until the commission has received and
9 approved the application.

10 (3.1) After the Department of Transportation is
11 connected to the SURE system and notwithstanding paragraphs
12 (1), (2) and (3), the Department of Transportation shall
13 transmit electronically the contents of a completed voter
14 registration application within five days of receipt of the
15 application. Upon receipt of the information from the
16 Department of Transportation, a commission shall make a
17 record of the date of the receipt of the application and
18 process the application in accordance with section 728-A. If
19 the commission of the county of residence has not been
20 connected to the SURE system, the Department of
21 Transportation shall forward the completed application or
22 contents of the completed application to the department in
23 accordance with paragraph (1). No applicant shall be deemed
24 eligible to vote until the commission has received and
25 approved an application in accordance with section 728-A.

26 (4) Changes of address shall comply with the following:

27 (i) Before the Department of Transportation is
28 connected to the SURE system, the Department of
29 Transportation shall notify the department of changes of
30 address received under subsection (a) (3). The department

1 shall notify the commission of the county of the
2 registrant's former residence. After the Department of
3 Transportation is connected to the SURE system, the
4 Department of Transportation shall notify the commission
5 of the county of the registrant's former residence. If
6 the registrant has moved to an address outside this
7 Commonwealth, the commission shall verify the address
8 change in accordance with 25 Pa.C.S. § 1901 (relating to
9 removal of electors). Except as provided in subparagraph
10 (ii), if the registrant confirms in accordance with 25
11 Pa.C.S. § 1901(d) that he or she has moved to another
12 county, the commission shall cancel the registration and
13 forward the registrant's registration information to the
14 commission of the registrant's new county of residence.
15 Except as provided in subparagraph (ii), if the
16 registrant has moved to an address within the
17 commission's jurisdiction, the commission shall promptly
18 update the registration record of the registrant in
19 accordance with section 728-A. All changes of address
20 received by the Department of Transportation under this
21 section at least 30 days before an election must be
22 processed by the commission for the ensuing election. For
23 the purpose of this paragraph, the term "registration
24 information" means the registration card and any other
25 record of registration maintained by a commission.

26 (ii) In the case of changes of address received by
27 the Department of Transportation which do not contain a
28 signature of the registrant, the commission receiving the
29 change of address notification shall mail a notice to the
30 registrant at the new residence address requesting

1 verification of the address change. If the change of
2 address is to a new residence outside the commission's
3 jurisdiction, the commission shall mail the following
4 notice:

5 Date.....

6 Office of the Registration Commission

7 County, Pennsylvania

8 (Address and Telephone No. of County)

9 We have been notified by the Department of Transportation
10 that you recently changed your address
11 from (old residence address)
12 to (new residence address) and that this
13 change of address is to serve as a change of address for
14 voter registration purposes. Unless you notify this
15 office within 10 days from the date of this notice that
16 this information is not correct, your voter registration
17 will be transferred to County. You may notify
18 this office by writing your residence address, the date
19 and your signature on the bottom of this form and mailing
20 this notice to this office. You need not notify this
21 office if this information is correct.

22

23 Chief Clerk

24 If the address change is within the commission's
25 jurisdiction, the commission shall mail a voter's
26 identification card to the registrant at the new
27 residence address.

28 (iii) If the registrant does not return the notice
29 under subparagraph (ii) within the 10-day period, the
30 commission shall process the change of address according

1 to subparagraph (i). If the registrant notifies the
2 commission that the information is incorrect and the
3 commission is satisfied with the registrant's explanation
4 of the discrepancy, the address of the registrant's
5 registration shall remain unchanged. If the verification
6 notification or voter identification card is returned by
7 the post office as undeliverable as addressed or with a
8 forwarding address, the commission shall send a
9 confirmation notice to the registrant's address of former
10 residence in accordance with 25 Pa.C.S. § 1901(d)(2).

11 (5) Upon notification and confirmation of any change of
12 address, a commission shall promptly update information
13 contained in its registration record.

14 (d) Prohibition.--An individual who is not a qualified
15 elector is ineligible to register to vote under this section.

16 (e) Effect.--Failure to properly complete a voter
17 registration application shall not affect the validity of an
18 application for a driver's license, a renewal application or an
19 identification card application.

20 (f) Use of information.--No information regarding a
21 declination to register to vote in connection with an
22 application made under this section may be used for any purpose
23 other than voter registration.

24 (g) Staff.--Agents and employees working on behalf of the
25 Department of Transportation assisting in the completion of
26 voter registration applications shall conduct themselves in a
27 manner consistent with the following principles:

28 (1) They shall not seek to influence an applicant's
29 political preference or party registration or display
30 political preference or party allegiance.

1 (2) They shall not make a statement to an applicant or
2 take an action the purpose or effect of which is to
3 discourage the applicant from registering to vote.

4 (3) Applicants wishing to register to vote under this
5 section shall be given the same degree of assistance with the
6 voter registration application as with all other Department
7 of Transportation forms.

8 Agency employees who violate this subsection shall be removed
9 from employment, provided that the agency at its discretion may
10 impose a penalty of suspension without pay for at least 30 days,
11 but not more than 120 days, if it finds that the violation does
12 not warrant termination.

13 (h) Retention.--The Department of Transportation shall
14 retain complete records of voter registration information
15 received, processed and submitted to the SURE system by the
16 Department of Transportation. The records shall only be for the
17 purpose of supporting audit and accounting controls established
18 to ensure accurate and complete electronic transmission of
19 records between the SURE system and the Department of
20 Transportation.

21 (i) Agreement with department.--The Department of
22 Transportation shall enter into an agreement with the department
23 to match information in the SURE system with information in the
24 database of the Department of Transportation to the extent to
25 verify the accuracy of the driver's license number,
26 identification number or last four digits of the Social Security
27 number provided on an application for voter registration.

28 (j) Agreement with Commissioner of Social Security.--The
29 Department of Transportation shall enter into an agreement with
30 the Commissioner of Social Security to verify the last four

1 digits of the Social Security number provided in an application
2 for voter registration.

3 Section 724-A. Application by mail.

4 (a) General rule.--An application to register to vote or to
5 change party enrollment or name or address on a current
6 registration may be submitted by voter registration mail
7 application in the manner provided in this section. An
8 application may be submitted by mail or by representative to the
9 commission on an official mail registration application, the
10 form of which shall be determined and prescribed by the
11 secretary or the Federal Election Commission pursuant to the
12 National Voter Registration Act of 1993 (Public Law 103-31, 52
13 U.S.C. § 1973gg et seq.). The applicant must complete the
14 information required on the registration application and sign
15 the registration declaration.

16 (b) Time.--Registration under this section may be made at
17 any time. If a registration application is received by a
18 commission beyond the deadline for registration provided in
19 section 1231, the application shall be retained by the
20 commission until the beginning of the next period during which
21 registration can be made.

22 (c) Military electors.--

23 (1) A military elector may apply at any time for
24 registration on an official registration application or any
25 form prescribed by the Federal Government for such purpose.

26 (2) The status of a military elector to register under
27 this section with respect to residence shall remain as the
28 same home residence status from which the military elector is
29 qualified to register. If, at the time of leaving that home
30 address, the military elector had not resided in this

1 Commonwealth or in a particular election district for a
2 sufficient time to have been entitled to be registered but,
3 by continued residence, would have become entitled to be
4 registered, the military elector shall be entitled to be
5 registered at the time the military elector would have been
6 entitled to register had the military elector not left that
7 home address but continued to reside there.

8 (3) The commission is authorized to consider a request
9 for an absentee ballot as a request for an official
10 registration application and to forward to the requester all
11 of the following:

12 (i) An absentee ballot and balloting material.

13 (ii) An official registration application.

14 (4) The military elector must complete and file these
15 documents in accordance with the applicable provisions of
16 this act.

17 (5) The right to be registered pursuant to this
18 subsection shall not be subject to challenge for any reason
19 other than failure to have furnished the commission a
20 properly completed registration application.

21 Section 725-A. Government agencies.

22 (a) General rule.--The secretary shall administer a system
23 whereby all offices in this Commonwealth that provide public
24 assistance, each county clerk of orphans' court, including each
25 marriage license bureau, all offices in this Commonwealth that
26 provide State-funded programs primarily engaged in providing
27 services to persons with disabilities and all armed forces
28 recruitment centers do all of the following:

29 (1) Distribute voter registration applications with each
30 application, reapplication and application for

1 recertification, renewal or change of address.

2 (2) Assist applicants with completion of the
3 registration application unless assistance is refused.

4 (3) Accept completed registration applications.

5 (4) Transmit completed applications to the appropriate
6 commission.

7 (b) Forms.--An agency designated in subsection (a) shall
8 provide a form for office visits or, if the agency provides
9 services to persons with disabilities, for home visits which
10 contains all of the following:

11 (1) The question "If you are not registered to vote
12 where you live now, would you like to apply to register to
13 vote today?"

14 (2) If the agency provides public assistance, the
15 statement "Applying to register or declining to register to
16 vote will not affect the amount of assistance that you will
17 be provided by this agency."

18 (3) Boxes for the applicant to check to indicate whether
19 the applicant would like to register or decline to register
20 to vote. In close proximity to the boxes the following words
21 shall appear in prominent type: "IF YOU DO NOT CHECK EITHER
22 BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER
23 TO VOTE AT THIS TIME."

24 (4) The statement "In order to be qualified to register
25 to vote, you must be at least 18 years of age on the day of
26 the next election, you must have been a citizen of the United
27 States for at least one month prior to the next election and
28 have resided in Pennsylvania and the election district where
29 you plan to vote for at least 30 days prior to the next
30 election and you must not have been confined in a penal

<--

1 institution for a conviction of a felony within the last five
2 years."

3 (5) The statement "If you would like help in filling out
4 the voter registration application form, we will help you.
5 The decision whether to seek help is yours. You may fill out
6 the form in private."

7 (6) The statement "If you believe that someone has
8 interfered with your right to register or to decline to
9 register to vote, your right to privacy in deciding whether
10 to register or in applying to register to vote or your right
11 to choose your own political party or other political
12 preference, you may file a complaint with the Secretary of
13 the Commonwealth, Pennsylvania Department of State,
14 Harrisburg, PA 17120." The secretary shall establish and
15 publish a toll-free telephone number for the purpose of
16 receiving complaints.

17 (c) Effect.--Failure to check either box under subsection
18 (b) (3) shall be considered a declination to register to vote.

19 (d) Staff.--Agency employees assisting in the completion of
20 voter registration applications shall conduct themselves in a
21 manner consistent with the following principles:

22 (1) They shall not seek to influence an applicant's
23 political preference or party registration or display
24 political preference or party allegiance.

25 (2) They shall not make any statement to an applicant or
26 take any action the purpose of or effect of which is to
27 discourage the applicant from registering to vote.

28 (3) They shall not make any statement to an applicant or
29 take any action the purpose of or effect of which is to lead
30 the applicant to believe that a decision to register or not

1 to register has any bearing on the availability of services
2 or benefits.

3 Agency employees who violate this subsection shall be removed
4 from employment, provided that the agency at its discretion may
5 impose a penalty of suspension without pay for at least 30 days,
6 but not more than 120 days, if it finds that the violation does
7 not warrant termination.

8 (e) Encouraging registration.--An agency designated in
9 subsection (a) shall provide reasonable space for nonpartisan
10 signs or posters encouraging voter registration. The signs and
11 posters shall be provided by the secretary.

12 (f) Transmission.--An agency designated in subsection (a)
13 shall forward all completed applications to the appropriate
14 commission within 10 days after the date of receipt. If a voter
15 registration application is received within five days before the
16 last day to register before an election, the application shall
17 be transmitted to the appropriate commission not later than five
18 days after the date of its receipt by the agency.

19 (g) Confidentiality.--The identity of the voter registration
20 agency through which any particular voter is registered in
21 accordance with this section shall not be disclosed to the
22 public.

23 (h) Use of information.--No information relating to a
24 declination to register to vote in connection with an
25 application made at an office described in this section may be
26 used for any purpose other than voter registration.

27 (i) Assistance.--Each agency shall provide to each applicant
28 who chooses to register to vote the same degree of assistance
29 with regard to the completion of the registration application
30 form as is provided by the office with regard to the completion

1 of its own forms unless the applicant refuses such assistance.

2 (j) Regulation.--The secretary shall promulgate regulations
3 regarding the maintenance and destruction of forms used pursuant
4 to this section.

5 Section 726-A. (Reserved).

6 Section 727-A. Preparation and distribution of applications.

7 (a) Form.--

8 (1) The secretary shall prescribe the form of an
9 official voter registration application. The official voter
10 registration application shall provide space for the
11 following information about the applicant:

12 (i) Full name.

13 (ii) Address of residence. If the residence is a
14 portion only of the house, the location or number of the
15 room, apartment or floor which is occupied.

16 (iii) Mailing address if different than address of
17 residence.

18 (iv) Name and residence address on previous
19 registration and the year of that registration.

20 (v) Designation of political party, for the purpose
21 of voting at a primary election.

22 (vi) Date of birth.

23 (vii) Telephone number. An application shall not be
24 rejected because of noncompliance with this subparagraph.

25 (viii) Race. An application shall not be rejected
26 because of noncompliance with this subparagraph.

27 (ix) Last four digits of Social Security number. An
28 application without the last four digits of an
29 applicant's Social Security number shall be considered
30 incomplete. An applicant who does not have a Social

1 Security number may have his or her identity confirmed
2 through an alternate record.

3 (x) A Department of Transportation driver's license
4 number or a Department of Transportation identification
5 card number. An application may not be rejected because
6 of noncompliance with this subparagraph.

7 (1.1) DATA REQUIRED ON THE VOTER REGISTRATION <--
8 APPLICATION SHALL NOT BE MORE NOR LESS THAN THE MINIMUM DATA
9 ELEMENTS PERMISSIBLE FOR FEDERAL VOTER REGISTRATION.

10 (2) Any person who assists in the completion of the
11 registration application shall sign the application and
12 indicate the person's address. In the case of those
13 registering under sections 723-A and 725-A, the person
14 providing assistance shall insert the person's initials or
15 employee or agent identification number on a separate or
16 detachable portion of the application or computer data file.

17 (3) A voter registration application shall be printed on
18 stock of good quality and shall be of suitable uniform size.
19 Nothing under this article and 25 Pa.C.S. Pt. IV (relating to
20 voter registration) shall prohibit the design and use of an
21 electronic voter registration application which includes the
22 applicant's digitized or electronic signature. The
23 registration application shall contain the following
24 information; however, the information may be provided on a
25 separate form for voter registration made under section 723-A
26 or 725-A:

27 (i) Notice that a registered elector does not need
28 to reregister unless the registered elector has moved.

29 (ii) Instructions on how to fill out and submit the
30 application and notification of when the application must

1 be submitted to a voter registration office in order to
2 be registered for the ensuing election.

3 (iii) Notice that the applicant must be a citizen of
4 the United States for at least one month prior to the
5 next election and a resident of this Commonwealth and the
6 election district for at least 30 days and must be at
7 least 18 years of age by the day of the next ensuing
8 election. The notice required in this subparagraph shall
9 be in print identical to the declaration under subsection
10 (b).

11 (iv) Notice that political party enrollment is
12 mandatory to vote in a primary election of a political
13 party.

14 (v) Notice that the commission will mail by
15 nonforwardable mail to the applicant a voter's
16 identification card upon acceptance of the application
17 and that the applicant should contact the commission if
18 the identification card is not received within 14 days
19 from the date the application is sent to the registration
20 office.

21 (vi) Notice that registration is not complete until
22 the application is processed and accepted by the
23 commission.

24 (vii) A warning to the applicant that making a false
25 registration or furnishing false information is perjury.
26 The notice required in this subparagraph shall be in
27 print identical to the declaration under subsection (b).

28 (viii) Instructions to Federal or State employees
29 who wish to retain voting residence in county of last
30 residence to so indicate on the application.

1 (ix) Notice that, if an individual declines to
2 register to vote, the fact that the individual has
3 declined to register will remain confidential and will be
4 used only for voter registration purposes. The notice
5 required in this subparagraph shall be in print identical
6 to the declaration under subsection (b).

7 (x) Notice that, if an individual does register to
8 vote, the office at which the individual submits a voter
9 registration application will remain confidential and
10 will be used for voter registration purposes only. The
11 notices required in this subparagraph shall be in print
12 identical to the declaration in subsection (b).

13 (4) In jurisdictions where there is a single language
14 minority, the secretary may print a bilingual application.

15 (5) In jurisdictions where a single language minority
16 exceeds 5% of the population, the secretary shall:

17 (i) print a bilingual application; and

18 (ii) conduct a public educational program among that
19 language group alerting both organizations and
20 individuals of that group of the availability of the
21 bilingual application and encouraging individuals to
22 register.

23 (6) To implement section 724-A, the secretary shall
24 print an official voter registration mail application
25 designed to preserve the confidentiality of the information
26 required to be submitted. The application shall contain
27 information required by this section and shall include the
28 name of each county seat, its post office mailing address and
29 zip code and its telephone number. Voter registration mail
30 applications shall contain information indicating whether the

1 application is a new registration, change of party
2 enrollment, change of address or change of name.

3 (7) Nothing under this article and 25 Pa.C.S. Pt. IV
4 shall prohibit a private organization or individual from
5 printing blank voter registration applications or shall
6 prohibit the use of such applications by any other
7 individual, provided that the form, content and paper quality
8 of such voter registration application complies with
9 department regulations for the forms or has received prior
10 approval from the secretary.

11 (b) Registration declaration.--

12 (1) The official voter registration application shall
13 contain a registration declaration. On the declaration, the
14 applicant shall state all of the following:

15 (i) The applicant has been a citizen of the United
16 States for at least one month prior to the next election.

17 (ii) On the day of the next ensuing election, the
18 applicant shall be at least 18 years of age.

19 (iii) On the day of the next ensuing election, the
20 applicant shall have resided in this Commonwealth and in
21 the election district for at least 30 days.

22 (iv) The applicant is legally qualified to vote.

23 (2) The applicant shall affirm all of the following:

24 (i) The information provided in the registration
25 declaration is true.

26 (ii) The applicant understands that:

27 (A) the registration declaration will be
28 accepted for all purposes as the equivalent of an
29 affidavit; and

30 (B) if the registration contains a material

1 false statement, the applicant shall be subject to
2 penalties for perjury.

3 (3) The registration declaration shall contain the
4 printed name and signature of the applicant and the date of
5 signing. An applicant unable to sign the voter registration
6 application shall make a mark before a person of the
7 applicant's choice other than the applicant's employer or an
8 agent of the applicant's union. The person shall insert the
9 person's name, address and telephone number. If the person is
10 an employee or agent of the Department of Transportation or
11 another agency as provided under section 725-A and is
12 assisting the applicant in an official capacity, the employee
13 or agent shall insert the initials and identification number
14 of the employee or agent. In the case of applicants
15 registering under section 723-A or 725-A, the person
16 providing assistance shall insert initials or employee or
17 agent identification number on a separate or detachable
18 portion of the application or computer data file.

19 (4) The official registration application shall contain
20 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
21 notice shall advise the applicant that if a person signs an
22 official registration application knowing a statement
23 declared in the application to be false, the person commits
24 perjury. The notice shall specify the penalty for perjury.

25 (c) Distribution.--

26 (1) The secretary shall supply official registration
27 applications to commissions.

28 (2) The secretary shall make available for distribution
29 official voter registration applications to public libraries,
30 public schools, State-related institutions of higher

1 education, offices operated by the Department of Revenue,
2 offices operated by the Department of Aging, area agencies on
3 aging, offices operated by the Pennsylvania Game Commission
4 or any of its authorized license-issuing agents, offices
5 operated by the Pennsylvania Fish and Boat Commission or any
6 of its issuing agents and offices that provide unemployment
7 compensation.

8 (3) Each participating agency identified under paragraph
9 (2) shall:

10 (i) Provide that official voter registration mail
11 applications are available on the premises and displayed
12 prominently in a conspicuous location during normal
13 business hours.

14 (ii) Provide an official voter registration mail
15 application to any individual requesting one.

16 (iii) Provide reasonable space for nonpartisan signs
17 or posters indicating the availability of official voter
18 registration mail applications on the premises.

19 (4) The secretary may provide technical assistance to
20 commissions upon request and agencies designated under
21 paragraph (2).

22 (5) The secretary shall print and distribute mail
23 registration applications which are not postage paid and
24 which shall not be specific to any county registration
25 office. Along with the distribution of such applications, the
26 secretary shall also include instructions to inform the
27 applicant where the application is to be sent.

28 (6) The secretary and commissions shall supply
29 applications to all of the following:

30 (i) Persons and organizations who request

1 applications.

2 (ii) Federal, State and political subdivision
3 offices.

4 (iii) Political parties and political bodies.

5 (iv) Candidates.

6 (d) Staff.--Agency employees assisting in the distribution
7 of voter registration applications under subsection (c) shall
8 conduct themselves in a manner consistent with the following
9 principles:

10 (1) They shall not seek to influence an applicant's
11 political preference or party registration or display
12 political preference or party allegiance.

13 (2) They shall not make any statement to an applicant or
14 take any action the purpose of or effect of which is to
15 discourage the applicant from registering to vote.

16 (3) They shall not make any statement to an applicant or
17 take any action the purpose of or effect of which is to lead
18 the applicant to believe that a decision to register or not
19 to register has any bearing on the availability of services
20 or benefits.

21 Agency employees who violate this subsection shall be removed
22 from employment, provided that the agency at its discretion may
23 impose a penalty of suspension without pay for at least 30 days,
24 but not more than 120 days, if it finds that the violation does
25 not warrant termination.

26 Section 728-A. Approval of registration applications.

27 (a) Examination.--Upon receiving a voter registration
28 application, a commissioner, clerk or registrar of a commission
29 shall do all of the following:

30 (1) Initial and date the receipt of the application.

1 (2) Examine the application to determine all of the
2 following:

3 (i) Whether the application is complete.

4 (ii) Whether the applicant is a qualified elector,
5 including verification of the last four digits of the
6 applicant's Social Security number and the applicant's
7 Department of Transportation driver's license number or
8 Department of Transportation identification card number,
9 if available.

10 (iii) Whether the applicant has an existing
11 registration record. After the commission is connected to
12 the SURE system, the commissioner, clerk or registrar
13 shall search the SURE system on a Statewide basis to
14 determine if the applicant has an existing registration
15 record. The commissioner, clerk or registrar shall take
16 special care to scrutinize any registration for a similar
17 name at the same registered address.

18 (iv) Whether the applicant is entitled or qualified
19 to receive the requested transfer or change, if
20 applicable.

21 (b) Decision.--A commission shall do one of the following:

22 (1) Record and forward a voter registration application
23 to the proper commission if the commission finds during its
24 examination under subsection (a) that the applicant does not
25 reside within the commission's county but resides elsewhere
26 in this Commonwealth.

27 (2) Reject a voter registration application, indicate
28 the rejection and the reasons for the rejection on the
29 application and notify the applicant by first class
30 nonforwardable mail, return postage guaranteed of the

1 rejection and the reason if the commission finds during its
2 examination under subsection (a) any of the following:

3 (i) The application was not properly completed and,
4 after reasonable efforts by the commission to ascertain
5 the necessary information, the application remains
6 incomplete or inconsistent.

7 (ii) The applicant is not a qualified elector.

8 (iii) The applicant is not entitled to a transfer of
9 registration or a change of address.

10 (iv) The applicant is not legally qualified for a
11 change of name.

12 A rejection shall be made no later than 25 days before the
13 election succeeding the filing of the application.

14 (3) Process a voter registration application in
15 accordance with subsection (c) if the commission finds during
16 its examination under subsection (a) all of the following:

17 (i) The application requests registration.

18 (ii) The application contains the required
19 information indicating that the applicant is a qualified
20 elector of the county.

21 (4) Process a voter registration application in
22 accordance with subsection (c) and update its registration
23 records if the commission finds during its examination under
24 subsection (a) all of the following:

25 (i) The application requests registration.

26 (ii) The application contains the required
27 information indicating that the applicant is a qualified
28 elector of the county.

29 (iii) The applicant is currently a registered
30 elector of the county.

1 (5) Process a voter registration application in
2 accordance with subsection (c) and request transfer of
3 registration records in accordance with subsection (d) if the
4 commission finds during its examination under subsection (a)
5 all of the following:

6 (i) The application requests registration.

7 (ii) The application contains the required
8 information indicating that the applicant is a qualified
9 elector of the county.

10 (iii) The applicant is currently a registered
11 elector of another county.

12 (6) Process a voter registration application in
13 accordance with subsection (c) and request transfer of
14 registration records in accordance with subsection (d) if the
15 commission finds during its examination under subsection (a)
16 all of the following:

17 (i) The application requests a transfer of
18 registration.

19 (ii) The application contains the required
20 information indicating that the applicant is a qualified
21 elector of the county.

22 (iii) The applicant is currently a registered
23 elector of another county.

24 (7) Process a voter registration application in
25 accordance with subsection (c) and update its registration if
26 the commission finds during its examination under subsection
27 (a) all of the following:

28 (i) The application requests a change of address.

29 (ii) The application contains the required
30 information indicating that the applicant is a qualified

1 elector of the county.

2 (iii) The applicant is currently a registered
3 elector of the county.

4 (8) Process a voter registration application in
5 accordance with subsection (c) and update its registration
6 records if the commission finds during its examination under
7 subsection (a) all of the following:

8 (i) The application requests a change of name.

9 (ii) The applicant is legally qualified to a change
10 of name.

11 (iii) The application contains the required
12 information indicating that the applicant is a qualified
13 elector of the county.

14 (iv) The applicant is currently a registered elector
15 of the county.

16 (c) Processing of voter registration.--

17 (1) When a commission has accepted a voter registration
18 application under subsection (b) (3), the commission shall
19 assign each applicant a unique identification number in the
20 SURE system. The commission shall mail a durable, wallet-
21 sized voter's identification card to the individual by first
22 class nonforwardable mail, return postage guaranteed, which
23 shall serve as notice of the acceptance of the application.
24 The card shall contain all of the following:

25 (i) Name and address of the individual.

26 (ii) Name of municipality of residence.

27 (iii) Identification of the individual's ward and
28 district.

29 (iv) The effective date of registration.

30 (v) Designation of party enrollment and date of

1 enrollment.

2 (vi) An image of the individual's signature or mark.

3 (vii) The unique identification number of the
4 individual.

5 (viii) A statement that the individual must notify
6 the commission within 10 days from the date it was mailed
7 if any information on the card is incorrect otherwise,
8 the information shall be deemed correct for voter
9 registration purposes.

10 (ix) A scannable identification code or strip.

11 (2) When a commission has accepted a voter registration
12 application under subsection (b) (4), (5), (6), (7) or (8),
13 the commission shall mail a durable, wallet-sized voter's
14 identification card to the individual by first class
15 nonforwardable mail, return postage guaranteed, which shall
16 serve as notice of the acceptance of the application. The
17 card shall contain all of the following:

18 (i) Name and address of the individual.

19 (ii) Name of municipality of residence.

20 (iii) Identification of the individual's ward and
21 district.

22 (iv) The effective date of registration.

23 (v) Designation of party enrollment and date of
24 enrollment.

25 (vi) An image of the individual's signature or mark.

26 (vii) The SURE registration number of the
27 individual.

28 (viii) A statement that the individual must notify
29 the commission within 10 days from the date it was mailed
30 if any information on the card is incorrect, otherwise,

1 the information shall be deemed correct for voter
2 registration purposes.

3 (ix) A scannable identification code or strip.

4 (3) An envelope containing a voter identification card
5 shall be marked on the outside with a request to the
6 postmaster to return it within five days if it cannot be
7 delivered to the addressee at the address given.

8 (4) (Reserved).

9 (5) (Reserved).

10 (d) Transfer of registration records.--

11 (1) If, during application, an individual discloses that
12 the individual is a registered elector of another county, the
13 commission of the individual's new county of residence shall
14 direct a cancellation notice to the commission of the
15 individual's former county of residence in accordance with
16 regulations promulgated under this article or 25 Pa.C.S. Pt.
17 IV.

18 (2) Upon receipt of a notice transmitted in accordance
19 with paragraph (1), the commission of the individual's former
20 county of residence shall investigate. If the commission
21 finds that the individual is a registered elector of the
22 county, the commission shall verify the address change with
23 the registered elector in accordance with this article and 25
24 Pa.C.S. Pt. IV. Upon verifying that the registered elector
25 has moved to another county of residence, the commission
26 shall cancel the registered elector's registration, transfer
27 a copy of the canceled registration record to the commission
28 of the registered elector's new county of residence and
29 retain a record of the transfer. The commission of both
30 counties shall promptly update information contained in their

1 registration records.

2 (e) Challenges.--All challenges to applications for
3 registration shall be made as provided in section 729-A.
4 Section 728.1-A. SURE registration number.

5 Each registered elector shall be assigned a single and unique
6 SURE registration number in accordance with sections 728-A and
7 25 Pa.C.S. § 1514 (relating to conversion of registration
8 records). Once assigned, a SURE registration number shall not be
9 changed, modified or altered.

10 Section 729-A. Challenges.

11 (a) Standing.--An individual claiming the right to be
12 registered may be challenged by a commissioner, registrar or
13 clerk or by a qualified elector of the municipality.

14 (b) Complaint.--To make a challenge, a complainant must file
15 a challenge affidavit in a form prescribed by the secretary
16 containing the following information:

17 (1) Name of challenged individual.

18 (2) Address of challenged individual.

19 (3) Name of complainant.

20 (4) Address of complainant.

21 (5) Date of affidavit.

22 (6) Reason for challenge.

23 (c) Response.--An individual who is challenged must respond
24 to the challenge affidavit as provided in subsection (b) in a
25 written statement sworn or affirmed by the individual. The
26 challenged individual must produce such other evidence as may be
27 required to satisfy the registrar or commissioner as to the
28 individual's qualifications as a qualified elector.

29 (d) Resolution.--If the challenged individual establishes to
30 the satisfaction of the commission the right to be registered as

1 required under this article and 25 Pa.C.S. Pt. IV (relating to
2 voter registration), the challenged individual shall be
3 registered. If the challenged individual does not establish to
4 the satisfaction of the commission the right to be registered as
5 provided under this article and 25 Pa.C.S. Pt. IV, the
6 challenged individual's registration, if any, shall be canceled,
7 and the commission shall promptly update information contained
8 in its registration records.

9 Section 730-A. (Reserved).

10 Section 731-A. Privacy in voter registration.

11 The secretary shall provide a means for an elector who has
12 ~~made a claim for protection~~ AN ACTIVE PROTECTION FROM ABUSE <--
13 ORDER under 23 Pa.C.S. Ch. 61 (relating to protection from
14 abuse) ENTERED AGAINST ANOTHER PARTY to have the elector's birth <--
15 date recorded in the Statewide Uniform Registry of Electors so
16 that the birth year shall be listed as not fewer than 18 years
17 and not greater than 50 years prior to the year in which the
18 claim was made. THE SECRETARY SHALL ENSURE THAT THE <--
19 ACCOMMODATION UNDER THIS SECTION SHALL END WHEN THE PROTECTION
20 FROM ABUSE ORDER EXPIRES.

21 Section 9. Section 1003(f) of the act is amended and the
22 section is amended by adding a subsection to read:

23 Section 1003. Form of Official Election Ballot.--

24 * * *

25 [(f) In order that each elector may have the opportunity of
26 designating his choice for all the candidates nominated by one
27 political party or political body, there shall be printed on the
28 extreme left of the ballot, and separated from the rest of the
29 ballot by a space of at least one-half inch, a list of the names
30 of all the political parties or political bodies represented on

1 such ballot which have nominated candidates to be voted for at
2 such election. Such names shall be arranged in the order of the
3 votes obtained at the last gubernatorial election by the
4 candidate for Governor of the parties or bodies nominating,
5 beginning with the party that received the highest number of
6 votes cast. Following the names of such political parties and
7 political bodies shall be the names of the parties and bodies
8 not represented on the ballot at the last gubernatorial
9 election, arranged alphabetically, according to the party name
10 or appellation. A square of sufficient size for the convenient
11 insertion of a cross mark shall be placed at the right of each
12 party name or appellation.]

13 * * *

14 (h) The official ballots shall be printed on paper of the
15 correct size for the machines used by a county and watermarked
16 with the name of the county in which it shall be used.

17 Section 10. Sections 1007(a) and 1102 of the act are amended
18 to read:

19 Section 1007. Number of Ballots to Be Printed; Specimen
20 Ballots.--(a) The county board of each county shall provide for
21 each election district a supply of official election ballots
22 for:

23 [(1) the general primary election held in even-numbered
24 years in which candidates for the office of President of the
25 United States are not nominated in an amount of at least 10%
26 greater than the highest number of ballots cast in the election
27 district in any of the previous three general primary elections
28 at which candidates for the office of President of the United
29 States were not nominated;

30 (2) the general primary election held in even-numbered years

1 in which candidates for the office of President of the United
2 States are nominated in an amount of at least 15% greater than
3 the highest number of ballots cast in the election district in
4 any of the previous three general primary elections at which
5 candidates for the office of President of the United States were
6 nominated;

7 (3) the municipal primary election held in odd-numbered
8 years in an amount of at least 10% greater than the highest
9 number of ballots cast in any of the previous three municipal
10 primary elections in the election district;

11 (4) the general election held in even-numbered years in
12 which candidates for the office of President of the United
13 States are not elected in an amount of at least 10% greater than
14 the highest number of ballots cast in the election district in
15 any of the previous three general elections at which candidates
16 for the office of President of the United States were not
17 elected;

18 (5) the general election held in even-numbered years in
19 which candidates for the office of President of the United
20 States are elected in an amount of at least 15% greater than the
21 highest number of ballots cast in the election districts in any
22 of the previous three general elections at which candidates for
23 the office of President of the United States were elected; and

24 (6) the municipal election held in odd-numbered years in an
25 amount of at least 10% greater than the highest number of
26 ballots cast in any of the previous three municipal elections in
27 the election district.]

28 (1) Any primary election, 50% of the registered electors in
29 an election district, less the number of electors in the
30 district who have requested an absentee or mail-in ballot.

1 (2) Any general election, 100% of the registered electors in
2 an election district, less the number of electors in the
3 district who have requested an absentee or mail-in ballot.

4 * * *

5 Section 11. Sections 1106 and 1107 of the act are amended by
6 adding subsections to read:

7 Section 1106. Examination and Approval of Voting Machines by
8 the Secretary of the Commonwealth.--

9 * * *

10 (g) Examination shall include, but is not limited to,
11 testing of all software required for the voting system's
12 operation, the ballot reader, the digital printer, the fail-safe
13 operations, the counting center environmental requirements and
14 the equipment reliability estimate.

15 (h) For the purposes of examining the system, the secretary
16 shall employ or contract for the services of at least one
17 individual who is an expert in one or more fields of data
18 processing, mechanical engineering and public administration and
19 shall require from the individual a written report of his or her
20 examination.

21 (i) Within 30 days after completing the examination and upon
22 approval of any electronic or electromechanical voting system,
23 the secretary shall make and maintain a report on the system,
24 together with a written or printed description and drawings and
25 photographs clearly identifying the system and the operation
26 thereof. As soon as practicable after the filing, the department
27 shall send a notice of certification and upon request, a copy of
28 the report to county boards of elections in this Commonwealth.

29 THE REPORT UNDER THIS SUBSECTION SHALL BE A PUBLIC RECORD UNDER <--
30 THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-

1 TO-KNOW LAW.

2 (j) After a voting system has been approved by the
3 secretary, any change or improvement in the system must be
4 approved by the secretary prior to the adoption of the change or
5 improvement by a county. If the change or improvement does not
6 comply with the requirements of this act, the secretary shall
7 suspend sales of the equipment or system in this Commonwealth
8 until the equipment or system complies with the requirements of
9 this act.

10 (k) The secretary shall examine and approve at least two
11 accessible voting machines which meet the requirements of
12 section ~~1107-A~~ 1123-A. <--

13 (l) The secretary shall examine and approve all electronic
14 or electromechanical devices used in the casting, processing or
15 tabulation of ballots or in the recording of electors,
16 including, but not limited to, ballot sorters, envelope
17 extractors, ballot scanners and electronic pollbooks.

18 (m) The examination and approval under subsection (l) shall
19 ensure that the device conforms with standards to provide
20 timeliness and accuracy in the casting and counting of ballots
21 or in the recording of electors.

22 Section 1107. Requirements of Voting Machines.--No voting
23 machine shall, upon any examination or reexamination, be
24 approved by the Secretary of the Commonwealth, or by any
25 examiner appointed by him, unless it shall, at the time, satisfy
26 the following requirements:

27 * * *

28 (u) It shall immediately reject a ballot where the number of
29 votes for an office or question exceeds the number which the
30 elector is entitled to cast or where the tabulating equipment

1 reads the ballot as a ballot with no votes cast.

2 (v) It shall be capable of providing records from which the
3 operation of the voting system may be audited.

4 (w) It shall be capable of recording votes from ballots of
5 different political parties from the same precinct, for a
6 primary election.

7 (x) It shall be manufactured in the United States and sold
8 by a vendor with a primary place of business within the United
9 States.

10 (y) It shall utilize open-source software code.

11 (z) It shall fully comply with the most recently adopted
12 Voluntary Voting System Guidelines developed by the Election
13 Assistance Commission.

14 ~~(z.1) It shall retain ballots cast in the order in which the~~ <--
15 ~~ballots are cast, so that a direct comparison may be made~~
16 ~~between the machine interpretation of an individual ballot and a~~
17 ~~human interpretation of the same ballot.~~

18 ~~(z.2) The requirements of subsections (u), (v), (w), (x),~~
19 ~~(y), (z) and (z.1) AND (Z) shall apply only to machines newly~~ <--
20 ~~examined or approved by the secretary after 2024. NO MACHINES~~ <--
21 ~~PURCHASED BY A COUNTY PRIOR TO 2024 SHALL BE DECERTIFIED ON THE~~
22 ~~BASIS OF NONCOMPLIANCE WITH SUBSECTION (U), (V), (W), (X), (Y)~~
23 ~~OR (Z).~~

24 Section 12. Section 1111 of the act is amended by adding
25 subsections to read:

26 Section 1111. Preparation of Voting Machines by County
27 Election Boards.--

28 * * *

29 (g) On any day not more than 25 35 days before the <--
30 commencement of voting, the county election board shall have the

1 automatic tabulating equipment publicly tested to ascertain that
2 the equipment will correctly count the votes cast for all
3 offices and on all measures. If the ballots to be used at the
4 polling place on election day are not available at the time of
5 the testing, the county election board may conduct an additional
6 test not more than 10 days before election day. Public notice of
7 the time and place of the test shall be given at least 48 hours
8 prior to the test by publication on the county election board's
9 publicly accessible Internet website and once in one or more
10 newspapers of general circulation in the county or, if there is
11 no newspaper of general circulation in the county, by posting
12 the notice in at least four conspicuous places in the county.
13 The county election board shall provide written notice to each
14 candidate for election of the time and location of the public
15 preelection test. The test shall be open to representatives of
16 the political parties, the press and the public and shall be
17 video recorded and broadcast simultaneously on a publicly
18 accessible Internet website. Each political party may designate
19 one person with expertise in the computer field who shall be
20 allowed in the central counting room when tests are being
21 conducted and when the official votes are being counted. The
22 designee shall not interfere with the normal operation of the
23 canvassing board.

24 (h) For electronic or electromechanical voting systems
25 configured to tabulate mail-in or absentee ballots at a central
26 or regional site, the public testing shall be conducted by
27 processing a preaudited group of ballots so produced as to
28 record a predetermined number of valid votes for each candidate
29 and on each measure and to include one or more ballots for each
30 office which have activated voting positions in excess of the

1 number allowed by law in order to test the ability of the
2 automatic tabulating equipment to reject the votes. If an error
3 is detected, the cause of the error shall be corrected and an
4 errorless count shall be made before the automatic tabulating
5 equipment is approved. The test shall be repeated and errorless
6 results must be achieved immediately before the start of the
7 official count of the ballots and again after the completion of
8 the official count. The programs and ballots used for testing
9 shall be sealed and retained under the custody of the county
10 election board.

11 (i) For electronic or electromechanical voting systems
12 configured to include electronic or electromechanical tabulation
13 devices which are distributed to the precincts, all or a sample
14 of the devices to be used in the election shall be publicly
15 tested. If a sample is to be tested, the sample shall consist of
16 a random selection of at least 10% of the devices. The test
17 shall be conducted by processing a group of ballots, causing the
18 device to output results for the ballots processed and comparing
19 the output of results to the results expected for the ballots
20 processed. The group of ballots shall be produced so as to
21 record a predetermined number of valid votes for each candidate
22 and on each measure and to include for each office one or more
23 ballots which have activated voting positions in excess of the
24 number allowed by law in order to test the ability of the
25 tabulating device to reject such votes.

26 (j) If a tested tabulating device is found to have an error
27 in tabulation, it shall be deemed unsatisfactory. For each
28 device deemed unsatisfactory, the county election board shall
29 take steps to determine the cause of the error, shall attempt to
30 identify and test other devices that could reasonably be

1 expected to have the same error and shall test a number of
2 additional devices sufficient to determine that each device is
3 satisfactory. Upon deeming a device unsatisfactory, the county
4 election board may require all devices to be tested or may
5 declare that all devices are unsatisfactory.

6 (k) If the operation or output of any tested tabulation
7 device, such as spelling or the order of candidates on a report,
8 is in error, the problem shall be reported to the county
9 election board, which shall determine if the reported problem
10 warrants the county election board deeming the device
11 unsatisfactory.

12 (l) At the completion of testing under this section, the
13 county election board, the representatives of the political
14 parties and the candidates or their representatives who attended
15 the test shall witness the resetting of each device that passed
16 to a preelection state of readiness and the sealing of each
17 device that passed in such a manner as to secure its state of
18 readiness until the opening of the polls.

19 (m) The county election board shall execute a written
20 statement setting forth the tabulation devices tested, the
21 results of the testing, the protective counter numbers, if
22 applicable, of each tabulation device, the number of the seal
23 securing each tabulation device at the conclusion of testing,
24 any problems reported to the board as a result of the testing
25 and whether each device tested is satisfactory or
26 unsatisfactory. THE WRITTEN STATEMENT UNDER THIS SUBSECTION
27 SHALL BE A PUBLIC RECORD UNDER THE ACT OF FEBRUARY 14, 2008
28 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

<--

29 (n) Any tabulating device deemed unsatisfactory shall be
30 recoded, repaired or replaced and shall be made available for

1 retesting. The device must be determined by the county election
2 board to be satisfactory before the device may be used in an
3 election. The county election board shall announce at the close
4 of the first testing the date, place and time that an
5 unsatisfactory device will be retested or may, at the option of
6 the board, notify by telephone each person who was present at
7 the first testing as to the date, place and time that the
8 retesting will occur.

9 (o) Records must be kept of all preelection testing of
10 electronic or electromechanical tabulation devices used in an
11 election. The records shall be present and available for
12 inspection and reference during public preelection testing by
13 any person in attendance during the testing. The need of the
14 county election board for access to the records during the
15 testing shall take precedence over the need of other attendees
16 to access such records so that the work of the county election
17 board will not be delayed or hindered. Records of testing must
18 include, for each device, the name of each person who tested the
19 device and the date, place, time and results of each test.
20 Records of testing shall be retained as part of the official
21 records of the election in which any device was used. AND SHALL <--
22 BE PUBLIC RECORDS UNDER THE RIGHT-TO-KNOW LAW.

23 (p) The county election board shall submit a copy of all
24 records required under this section to the Office of the Auditor
25 General.

26 Section 13. Sections 1112(c)1, 1106-A and 1117-A of the act <--
27 are amended to read:

28 Section 1112. Delivery of Voting Machines and Supplies by
29 County Election Boards to Election Officers.--

30 * * *

1 (c) The county election board shall furnish, at the expense
2 of the county, and deliver with each voting machine:

3 1. A [lantern] flashlight, or a proper substitute for one,
4 which, in the case of a loss of electricity, shall give
5 sufficient light to enable voters, while in the voting machine
6 booth, to read the ballot labels, and suitable for the use of
7 election officers in examining the counters. The [lantern]
8 flashlight, or proper substitute therefor, shall be prepared and
9 in good order for use before the opening of the polls.

10 * * *

11 SECTION 1106-A. EXPERIMENTAL USE OF ELECTRONIC VOTING <--
12 SYSTEMS.--(A) THE COUNTY BOARD OF ELECTIONS OF ANY COUNTY MAY
13 PROVIDE FOR EXPERIMENTAL USE AT ANY PRIMARY OR ELECTION IN ONE
14 OR MORE ELECTION DISTRICTS OF SAID COUNTY, OF AN ELECTRONIC
15 VOTING SYSTEM, AND THE USE OF SUCH SYSTEM SHALL BE AS VALID FOR
16 ALL PURPOSES AS IF THE ELECTRONIC VOTING SYSTEM HAD BEEN ADOPTED
17 IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT.

18 (B) THE SECRETARY OF THE COMMONWEALTH MAY APPROVE THE USE OF
19 AN EXPERIMENTAL ELECTRONIC VOTING SYSTEM BY THE COUNTY BOARD OF
20 ELECTIONS OF ANY COUNTY WHICH COMPLIES WITH SECTION 1306(A) FOR
21 ABSENTEE VOTERS AS PROVIDED FOR IN THE UNIFORMED AND OVERSEAS
22 CITIZENS ABSENTEE VOTING ACT (PUBLIC LAW 99-410, 100 STAT. 924)
23 AND FOR DISABLED VOTERS IF THE SYSTEM ALLOWS THE ELECTOR TO MARK
24 HIS ELECTRONIC BALLOT IN SECRECY AS PROVIDED FOR PAPER ABSENTEE
25 BALLOTS PURSUANT TO SECTION 1306(A). THE SYSTEM SHALL BE EXEMPT
26 FROM THE REQUIREMENTS OF SECTIONS 1107-A, 1302, 1303, 1304, 1305
27 AND 1306.

28 (C) THE SECRETARY OF THE COMMONWEALTH SHALL INVESTIGATE THE
29 USE AND VIABILITY OF BLOCKCHAIN TECHNOLOGY FOR THE PURPOSES OF
30 ELECTRONIC VOTING BY DISABLED VOTERS AND ABSENTEE VOTERS AS

1 PROVIDED FOR IN THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE
2 VOTING ACT.

3 Section 1117-A. [~~Statistical Sample.--The county board of~~
4 ~~elections, as part of the computation and canvass of returns,~~
5 ~~shall conduct a statistical recount of a random sample of~~
6 ~~ballots after each election using manual, mechanical or~~
7 ~~electronic devices of a type different than those used for the~~
8 ~~specific election. The sample shall include at least two (2) per~~
9 ~~centum of the votes cast or two thousand (2,000) votes whichever~~
10 ~~is the lesser.] Post-election audit.--The county board of
11 elections, as part of the computation and canvass of returns,
12 and prior to certification, shall cooperate in a result-
13 confirming audit conducted by the department of the Auditor
14 General. The audit shall be a ballot comparison, risk-limiting
15 audit, conducted with a risk limit of one (1) per centum, except <--
16 that, where the voting machines purchased by a county prior to
17 the effective date of this section are incompatible with a
18 ballot comparison audit, the audit shall be a ballot polling,
19 risk limiting audit, conducted with a risk limit of one (1) per
20 centum. FOR MAIL-IN AND ABSENTEE BALLOTS AND FOR BALLOTS CAST ON <--
21 VOTING MACHINES, THE AUDIT SHALL BE A BALLOT-POLLING, RISK-
22 LIMITING AUDIT, CONDUCTED WITH A RISK LIMIT OF ONE (1) PER
23 CENTUM.~~

24 Section 14. The act is amended by adding sections to read:

25 Section 1123-A. Requirements of accessible voting
26 machines.--An accessible voting machine may not, upon any
27 examination or reexamination, be approved by the Secretary of
28 the Commonwealth, or by an examiner appointed by the Secretary,
29 unless the accessible voting machine satisfies the following
30 requirements:

1 (1) The voting system must provide a tactile input or audio
2 input device, or both.

3 (2) The voting system must provide a method by which voters
4 can confirm any tactile or audio input by having the capability
5 of audio output using synthetic or recorded human speech that is
6 reasonably phonetically accurate.

7 (3) Any operable controls on the input device which are
8 needed for voters who are visually impaired must be discernible
9 tactilely without actuating the keys.

10 (4) Audio and visual access approaches must be able to work
11 both separately and simultaneously.

12 (5) If a nonaudio access approach is provided, the system
13 may not require color perception. The system must use black text
14 or graphics, or both, on white background or white text or
15 graphics, or both, on black background, unless the office of the
16 secretary approves other high-contrast color combinations that
17 do not require color perception.

18 (6) Any voting system that requires any visual perception
19 must offer the election official who programs the system, prior
20 to its being sent to the polling place, the capability to set
21 the font size, as it appears to the voter, from a minimum of 14
22 points to a maximum of 24 points.

23 (7) The voting system must provide audio information,
24 including any audio output using synthetic or recorded human
25 speech or any auditory feedback tones that are important for the
26 use of the audio approach, through at least one mode, by handset
27 or headset, in enhanced auditory fashion (increased
28 amplification), and must provide incremental volume control with
29 output amplification up to a level of at least 97 db spl.

30 (8) For transmitted voice signals to the voter, the voting

1 system must provide a gain adjustable up to a minimum of 20 db
2 spl with at least one intermediate step of 12 db spl of gain.

3 (9) For the safety of others, if the voting system has the
4 possibility of exceeding 120 db spl, a mechanism must be
5 included to reset the volume automatically to the voting
6 system's default volume level after every use.

7 (10) If sound cues and audible information such as "beeps"
8 are used, there must be simultaneous corresponding visual cues
9 and information.

10 (11) Controls and operable mechanisms must be operable with
11 one hand, including operability with a closed fist and operable
12 without tight grasping, pinching or twisting of the wrist.

13 (12) The force required to operate or activate the controls
14 must be no greater than five pounds of force.

15 (13) Voting booths must have voting controls at a minimum
16 height of 36 inches above the finished floor with a minimum knee
17 clearance of 27 inches high, 30 inches wide and 19 inches deep,
18 or the accessible voter interface devices must be designed so as
19 to allow their use on top of a table to meet these requirements.
20 Tabletop installations must include adequate privacy.

21 (14) Any audio ballot must provide the voter with the
22 following functionalities:

23 (i) After the initial instructions that the system requires
24 election officials to provide to each voter, the voter should be
25 able to independently operate the voter interface through the
26 final step of casting a ballot without assistance.

27 (ii) The voter must be able to determine the races that he
28 or she is allowed to vote in and to determine which candidates
29 are available in each race.

30 (iii) The voter must be able to determine how many

1 candidates may be selected in each race.

2 (iv) The voter must be able to have confidence that the
3 physical or vocal inputs given to the system have selected the
4 candidates that he or she intended to select.

5 (v) The voter must be able to review the candidate
6 selections that he or she has made.

7 (vi) Prior to the act of casting the ballot, the voter must
8 be able to change any selections previously made and confirm a
9 new selection.

10 (vii) The system must communicate to the voter the fact that
11 the voter has failed to vote in a race or has failed to vote the
12 number of allowable candidates in any race and require the voter
13 to confirm his or her intent to undervote before casting the
14 ballot.

15 (viii) The system must prevent the voter from overvoting any
16 race.

17 (ix) The voter must be able to input a candidate's name in
18 each race that allows a write-in candidate.

19 (x) The voter must be able to review his or her write-in
20 input to the interface, edit that input and confirm that the
21 edits meet the voter's intent.

22 (xi) There must be a clear, identifiable action that the
23 voter takes to "cast" the ballot. The system must make clear to
24 the voter how to take this action so that the voter has minimal
25 risk of taking the action accidentally but, when the voter
26 intends to cast the ballot, the action can be easily performed.

27 (xii) Once the ballot is cast, the system must confirm to
28 the voter that the action has occurred and that the voter's
29 process of voting is complete.

30 (xiii) Once the ballot is cast, the system must preclude the

1 voter from modifying the ballot cast or voting or casting
2 another ballot.

3 Section 1113-B. Voting system defects, disclosure,
4 investigations and penalties.

5 (a) (Reserved).

6 (b) Disclosure.--No later than January 1 of every odd-
7 numbered year, each vendor shall file a written disclosure with
8 the department identifying any known defect in the voting system
9 or the fact that there is no known defect, the effect of any
10 defect on the operation and use of the approved voting system
11 and any known corrective measures to cure a defect, including,
12 but not limited to, advisories and bulletins issued to system
13 users.

14 (c) Cure of defect.--Implementation of corrective measures
15 approved by the department which enable a system to conform to
16 the standards and ensure the timeliness and accuracy of the
17 casting and counting of ballots constitutes a cure of a defect.

18 (d) New defect.--If a vendor becomes aware of the existence
19 of a defect, the vendor must file a new disclosure with the
20 department as provided in subsection (a) within 30 days of the
21 date the vendor determined or reasonably should have determined
22 that the defect existed.

23 (e) Suspension.--If a vendor discloses to the department
24 that a defect exists, the department may suspend all sales or
25 leases of the voting system in this Commonwealth and may suspend
26 the use of the system in any election in this Commonwealth. The
27 department shall provide written notice of a suspension under
28 this subsection to the affected vendor and county boards of
29 elections. If the department determines that the defect no
30 longer exists, the department shall lift the suspension and

1 provide written notice to each affected vendor and supervisor of
2 elections.

3 (f) Prohibition.--If a vendor fails to file a required
4 disclosure for a voting system previously approved by the
5 department, that system may not be sold, leased or used for
6 elections in this Commonwealth until the voting system has been
7 submitted for examination and approval under this act. The
8 department shall provide written notice to each county board of
9 elections that the system is no longer approved.

10 (g) Investigation.--If the department has reasonable cause
11 to believe a voting system approved under this act contains a
12 defect either before, during or after an election which has not
13 been disclosed pursuant to this section, the department shall
14 investigate whether the voting system has a defect.

15 (h) Initiation of investigation.--The department shall
16 initiate an investigation on its own initiative or upon the
17 written request of the board of elections of a county that
18 purchased a voting system that contains the alleged defect.

19 (i) Notice of investigation.--Upon initiation of an
20 investigation, the department shall provide written notice to
21 the vendor and each county board of elections.

22 (j) Notice of defect.--If the department determines by a
23 preponderance of the evidence that a defect exists in the voting
24 system, or that vendor failed to timely disclose a defect under
25 this section, the department shall provide written notice to the
26 affected vendor and county board of elections.

27 (k) Response.--A vendor who receives notice of a defect
28 shall, within 10 days of receipt of the notice under subsection
29 (j), file a written response to the department which:

30 (1) denies that the alleged defect exists or existed as

1 alleged by the department or that the vendor failed to timely
2 disclose a defect and sets forth the reasons for the denial;
3 or

4 (2) admits that the defect exists or existed as alleged
5 by the department or that the vendor failed to timely
6 disclose a defect.

7 (l) Cure.--If the defect has been cured, the vendor shall
8 provide an explanation of how the defect was cured.

9 (m) Failure to cure.--If the defect has not been cured, the
10 vendor shall inform the department whether the defect can be
11 cured and shall provide the department with a plan for curing
12 the defect.

13 (n) Time frame.--If the defect can be cured, the department
14 shall establish a time frame within which to cure the defect.

15 (o) Action.--If, after receiving a response from the vendor,
16 the department determines that a defect does not exist or has
17 been cured within the time frame established by the department,
18 the department shall take no further action.

19 (p) Civil penalty.--If the department determines that a
20 vendor failed to timely disclose a defect or that a defect
21 exists and a vendor has not filed a written response or has
22 failed to cure within the time frame established by the
23 department, or if the defect cannot be cured, the department
24 shall impose a civil penalty of \$25,000 for the defect plus an
25 amount equal to the actual costs incurred by the department in
26 conducting the investigation.

27 (q) Administrative penalty.--If the department finds that a
28 defect existed:

29 (1) The department may suspend all sales and leases of
30 the voting system and may suspend its use in any county in

1 this Commonwealth. The department shall provide written
2 notice of the suspension to each affected vendor and county
3 board of elections.

4 (2) If the department determines that a defect no longer
5 exists in a voting system that has been suspended from use
6 under this section, the department shall lift the suspension
7 and authorize the sale, lease and use of the voting system in
8 any election in the State. The department shall provide
9 written notice that the suspension has been lifted to each
10 affected vendor and county board of elections.

11 (3) If the defect cannot be cured, the department may
12 disapprove the voting system for use in elections in this
13 Commonwealth. The department shall provide written notice to
14 all supervisors of elections that the system is no longer
15 approved. After approval of a system that has been withdrawn
16 under this paragraph, the system may not be sold, leased or
17 used in this Commonwealth until it has been resubmitted for
18 examination and approval and adopted for use under this act.

19 (4) A vendor for whom a civil penalty was imposed under
20 this section may not submit a voting system for approval by
21 the department or enter into a contract for sale or lease of
22 a voting system in this Commonwealth until each civil penalty
23 has been paid and the department provides written
24 confirmation of the payment to the county board of elections.

25 (r) Report.--The department shall prepare a written report
26 of any investigation conducted pursuant to this section and
27 submit the report to the President pro tempore of the Senate,
28 the Speaker of the House of Representatives, the Majority Leader
29 and Minority Leader of the Senate, the Majority Leader and
30 Minority Leader of the House of Representatives, the chair and

1 minority chair of the State Government Committee of the Senate
2 and the chair and minority chair of the State Government
3 Committee of the House of Representatives.

4 (s) Authority.--The authority of the department under this
5 section shall be in addition to, and not exclusive of, any other
6 authority provided by law.

7 (t) Definition.--For the purposes of this section, the term
8 "defect" means a failure, fault or flaw in an electronic or
9 electro-mechanic voting system approved under this act, which
10 results in nonconformance with the standards in a manner that
11 affects the timeliness or accuracy of the casting or counting of
12 ballots or a failure or inability of the voting system
13 manufacturer or vendor to make available and provide approved
14 replacements of hardware or software to the counties that have
15 purchased the approved voting system, the unavailability of
16 which results in the system's nonconformance with the standards
17 in a manner that affects the timeliness or accuracy of the
18 casting or counting of ballots.

19 Section 1201.3. Voter's Bill of Rights.--Each registered
20 voter in this Commonwealth shall have the right to:

21 (1) Vote and have his or her vote accurately counted.

22 (2) Cast a vote if he or she is in line at the time of the
23 closing of polls.

24 (3) Ask for and receive assistance in voting.

25 (4) Receive up to two replacement ballots if he or she makes
26 a mistake prior to the ballot being cast.

27 (5) Receive an explanation if his or her registration or
28 identity is in question.

29 (6) Cast a provisional ballot, if his or her registration or
30 identity is in question.

1 (7) Receive written instructions to use when voting and,
2 upon request, oral instructions from elections officers to use
3 when voting.

4 (8) Vote free from coercion or intimidation by elections
5 officers or any other person.

6 (9) Vote on a voting system that is in working condition and
7 that will allow votes to be accurately cast and accurately
8 counted.

9 (10) ANY OTHER RIGHTS AS PROVIDED BY FEDERAL, STATE OR LOCAL <--
10 LAW.

11 Section 1201.4. Senior Voter's Bill of Rights.--In addition
12 to the rights of a voter under section 1201.3, a voter in this
13 Commonwealth who is 70 years of age or older shall have the
14 right to:

15 (1) Receive any assistance necessary to successfully cast a
16 ballot.

17 (2) Move to the front of the line upon arrival at a polling
18 place.

19 (3) Receive assistance through supervised voting under
20 section 1306.2.

21 (4) ANY OTHER RIGHTS AS PROVIDED BY FEDERAL, STATE OR LOCAL <--
22 LAW.

23 Section 1201.5. Disabled Voter's Bill of Rights.--In
24 addition to the rights of a voter under section 1201.3, a voter
25 in this Commonwealth who is disabled shall have the right to:

26 (1) Receive any assistance necessary to successfully cast a
27 ballot.

28 (2) Move to the front of the line upon arrival at a polling
29 place.

30 (3) Bring into a polling place or elections office a service

1 animal qualified under the Americans with Disabilities Act of
2 1990 (Public Law 101-336, 104 Stat. 327).

3 (4) Vote using an accessible voting machine approved under
4 this act.

5 (5) Have all polling places in this Commonwealth meet
6 accessibility requirements under the Americans with Disabilities
7 Act of 1990 (Public Law 101-336, 104 Stat. 327).

8 (6) Request a ballot be brought by election officers outside
9 the polling place of the qualified elector, provided that:

10 (i) A qualified elector's vote under this section shall be
11 cast within 150 feet of the entrance to the polling place.

12 (ii) The qualified elector shall mark the ballot in the
13 presence of two election officers, with one representing each of
14 the political parties with the greatest number of registered
15 electors in this Commonwealth.

16 (iii) The qualified elector shall mark the ballot in a
17 secret manner and, obscuring the vote, return the ballot to the
18 election officers. The election officers shall immediately
19 return to the polling place and deposit the ballot in the voting
20 machine.

21 (iv) The electronic poll book utilized by the polling place
22 shall be brought to the qualified elector, if possible, or
23 otherwise made to record the qualified elector's participation
24 in the election.

25 (v) A record shall be made of each elector voting under this
26 section and of each election officer assisting in the casting of
27 each such ballot.

28 (7) ANY OTHER RIGHTS AS PROVIDED BY FEDERAL, STATE OR LOCAL <--
29 LAW.

30 Section 15. Sections 1205 and 1210(a.3)(4) of the act are

1 amended to read:

2 Section 1205. Time for Opening and Closing Polls.--At all
3 primaries and elections the polls shall be opened at 7 A.M. [,
4 Eastern Standard Time,] local time and shall remain open
5 continuously until 8 P.M. local time, [Eastern Standard Time,]
6 at which time they shall be closed.

7 Section 1210. Manner of Applying to Vote; Persons Entitled
8 to Vote; Voter's Certificates; Entries to Be Made in District
9 Register; Numbered Lists of Voters; Challenges.--* * *

10 (a.3) * * *

11 (4) As each voter is found to be qualified and votes, the
12 election officer in charge of the district register shall [write
13 or stamp] record the date of the election or primary, his number
14 in the order of admission to the voting machines, and at
15 primaries a letter or abbreviation designating the party in
16 whose primary he votes, and shall sign [his name or initials in
17 the proper space on the registration card of such voter
18 contained in the district register.] electronically.

19 * * *

20 Section 16. Section 1231(a), (b)(1), (3) and (4) of the act,
21 amended March 27, 2020 (P.L.41, No.12), are amended to read:

22 Section 1231. Deadline for Receipt of Valid Voter
23 Registration Application.--(a) Except as provided under
24 subsection (b), each commission, commissioner and registrar or
25 clerk appointed by the commission shall receive, during ordinary
26 business hours and during additional hours as the commission
27 prescribes, at the office of the commission and at additional
28 places as the commission designates, applications from
29 individuals who apply to be registered to vote as provided under
30 25 Pa.C.S. Pt. IV (relating to voter registration) who appear

1 and claim that they are entitled to be registered as electors of
2 a municipality. A commission may not accept the registration
3 application of an individual until after the commission has
4 confirmed the individual's eligibility to register to vote under
5 Article VII-A.

6 (b) In the administration of voter registration, each
7 commission shall ensure that an applicant who is a qualified
8 elector is registered to vote in an election when the applicant
9 has met any of the following conditions:

10 (1) In the case of voter registration with a motor vehicle
11 driver's license application under [25 Pa.C.S. § 1323 (relating
12 to application with driver's license application)] section 723-
13 A, if the valid voter registration application is received by
14 the appropriate commission not later than [fifteen] thirty days
15 before the election.

16 * * *

17 (3) In the case of voter registration at a voter
18 registration agency under 25 Pa.C.S. § 1325 (relating to
19 government agencies), if the valid voter registration
20 application is received by the appropriate commission not later
21 than [fifteen] thirty days before the election.

22 (4) In any other case, if the valid voter registration
23 application of the applicant is received by the appropriate
24 commission not later than [fifteen] thirty days before the
25 election.

26 * * *

27 Section 17. Sections 1302(b), (i)(2) and (k), 1302.1(a) and
28 1305(b) of the act are amended to read:

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

30 * *

1 (b) The following shall apply:

2 (1) An application for a qualified elector under subsection
3 (a) shall contain the following information, without which the
4 application shall be rejected:

5 (i) Home residence at the time of entrance into actual
6 military service or Federal employment, [length of time a
7 citizen; length of residence in Pennsylvania; date] if
8 applicable.

9 (ii) Date of birth. [, length of time a resident of voting
10 district, voting district if known, party]

11 (iii) Party choice in case of primary [, name and, for a
12 military].

13 (iv) Name.

14 (v) For a military elector, his stateside military address,
15 FPO or APO number and serial number.

16 (vi) At least two of the following:

17 (A) Last four digits of the elector's Social Security
18 number.

19 (B) If the elector has a Pennsylvania driver's license, the
20 license number.

21 (C) The elector's voter registration number.

22 (1.1) A qualified elector's application shall contain the
23 following, but the application shall not be rejected if the
24 information is unknown or not provided:

25 (i) Voting district.

26 (ii) Length of time a resident of voting district.

27 (iii) Length of time a citizen.

28 (iv) Length of residence in this Commonwealth.

29 (2) Any elector other than a military elector shall in
30 addition specify the nature of his employment, the address to

1 which ballot is to be sent, relationship where necessary, and
2 such other information as may be determined and prescribed by
3 the Secretary of the Commonwealth.

4 (3) When such application is received by the Secretary of
5 the Commonwealth it shall be forwarded to the proper county
6 board of election.

7 * * *

8 (i) * * *

9 (2) Nothing in this act shall prohibit a private
10 organization or individual from printing blank voter
11 applications for absentee ballots or shall prohibit the use of
12 such applications by another individual, provided the form,
13 content and paper quality have been approved by the Secretary of
14 the Commonwealth. Voter applications for absentee ballots
15 distributed under this section must clearly indicate that they
16 have not been sent or distributed by a county or by the
17 department and must be blank upon distribution to any elector.

18 * * *

19 (k) The Secretary of the Commonwealth [may] shall develop an
20 electronic system through which all qualified electors may apply
21 for an absentee ballot and request permanent absentee voter
22 status under subsection (e.1), provided the system is able to
23 capture a digitized or electronic signature of the applicant. A
24 county board of elections shall treat any application or request
25 received through the electronic system as if the application or
26 request had been submitted on a paper form or any other format
27 used by the county.

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

29 (a) Except as provided in subsection (a.3), applications for
30 absentee ballots shall be received in the office of the county

1 board of elections not earlier than fifty (50) days before the
2 primary or election, except that if a county board of elections
3 determines that it would be appropriate to its operational
4 needs, any applications for absentee ballots received more than
5 fifty (50) days before the primary or election may be processed
6 before that time. Applications for absentee ballots shall be
7 processed if received not later than five o'clock P.M. of the
8 [first Tuesday] ~~second~~ THIRD Monday prior to the day of any <--
9 primary or election.

10 * * *

11 Section 1305. Delivering or Mailing Ballots.--

12 * * *

13 (b) (1) The county board of elections upon receipt and
14 approval of an application filed by any elector qualified in
15 accordance with the provisions of section 1301, subsections (i)
16 to (l), inclusive, shall commence to deliver or mail official
17 absentee ballots [as soon as a ballot is certified and the
18 ballots are available.] on the day after the deadline for
19 registering to vote in any election. While any proceeding is
20 pending in a Federal or State court which would affect the
21 contents of any ballot, the county board of elections may await
22 a resolution of that proceeding but in any event, shall commence
23 to deliver or mail official absentee ballots not later than the
24 second Tuesday prior to the primary or election. For those
25 applicants whose proof of identification was not provided with
26 the application or could not be verified by the board, the board
27 shall send the notice required under section 1302.2(d) with the
28 absentee ballot. As additional applications are received and
29 approved after the time that the county board of elections
30 begins delivering or mailing official absentee and mail-in

1 ballots, the board shall deliver or mail official absentee
2 ballots to such additional electors within forty-eight hours.

3 [(2) Notwithstanding any other provisions of this act and
4 notwithstanding the inclusion of a mailing address on an
5 absentee or mail-in ballot application, a voter who presents the
6 voter's own application for an absentee or mail-in ballot within
7 the office of the county board of elections during regular
8 business hours may request to receive the voter's absentee or
9 mail-in ballot while the voter is at the office. This request
10 may be made orally or in writing. Upon presentation of the
11 application and the making of the request and upon approval
12 under sections 1302.2 and 1302.2-D, the county board of
13 elections shall promptly present the voter with the voter's
14 absentee or mail-in ballot. If a voter presents the voter's
15 application within the county board of elections' office in
16 accordance with this section, a county board of elections may
17 not deny the voter's request to have the ballot presented to the
18 voter while the voter is at the office unless there is a bona
19 fide objection to the absentee or mail-in ballot application.]

20 (2) A county board of elections shall investigate the
21 circumstances of any absentee ballot returned as undeliverable
22 by the United States Postal Service. The investigation shall
23 include contacting the absentee elector, further attempts to
24 have his ballot delivered and the correction or reconsideration
25 of his registration status and registered address, if these are
26 found to be incorrect.

27 (3) If a qualified absentee elector directs the qualified
28 elector's ballot to be mailed to an address other than the
29 qualified elector's registered address, a county board of
30 elections shall additionally mail a notice of the request to the

1 qualified elector's registered address.

2 * * *

3 Section 18. Section 1306(a) of the act, amended March 27,
4 2020 (P.L.41, No.12), is amended and the section is amended by
5 adding a subsection to read:

6 Section 1306. Voting by Absentee Electors.--(a) Except as
7 provided in paragraphs (2) and (3), at any time after receiving
8 an official absentee ballot, but on or before eight o'clock P.M.
9 the day of the primary or election, the elector shall, in
10 secret, proceed to mark the ballot only in black lead pencil,
11 indelible pencil or blue, black or blue-black ink, in fountain
12 pen or ball point pen, and then fold the ballot, enclose and
13 securely seal the same in the envelope on which is printed,
14 stamped or endorsed "Official Election Ballot." This envelope
15 shall then be placed in the second one, on which is printed the
16 form of declaration of the elector, and the address of the
17 elector's county board of election and the local election
18 district of the elector. The elector shall then fill out, date
19 and sign the declaration printed on such envelope. [Such
20 envelope shall then be securely sealed and the elector shall
21 send same by mail, postage prepaid, except where franked, or
22 deliver it in person to said county board of election.]

23 * * *

24 (a.1) The elector shall, prior to eight o'clock P.M. on
25 election day, return his or her completed absentee ballot by one
26 of the following methods only:

27 (1) Delivery through the United States Postal Service to the
28 offices of his or her county board of elections.

29 (2) Delivery in person to the permanent offices of his or
30 her county board of elections during its regular hours of

1 operation.

2 (3) Delivery to a ballot return location established under
3 the following conditions:

4 (i) A ballot return location may only be operated during the
5 hours of seven o'clock A.M. to eight o'clock P.M. during the
6 seven days prior to an election.

7 (ii) Ballot return locations may be established by a county
8 board of elections as necessary. The following shall apply:

9 (A) A county shall maintain at least one ballot return
10 location, and may maintain an additional ballot return location, <--
11 for each 100,000 residents of that county as of the most recent
12 census. THE COUNTY BOARD OF ELECTION OFFICE MAY SERVE AS A <--
13 BALLOT RETURN LOCATION.

14 (B) Ballot return locations must be monitored by at least
15 one inspector of elections from each of the two parties with the
16 highest number of registered electors in this Commonwealth. IF <--
17 TWO SUCH INSPECTORS OF ELECTIONS ARE UNAVAILABLE TO APPEAR AT A
18 BALLOT RETURN LOCATION ON ANY PARTICULAR DAY, A COUNTY SHALL NOT
19 OPERATE THE BALLOT RETURN LOCATION. Each inspector of elections
20 shall receive the same compensation provided for an election
21 under this act for each day on which he monitors a ballot return
22 location.

23 (C) The inspectors of election monitoring a ballot return
24 location shall verify the identification of each individual
25 returning a ballot consistent with the provisions of this act.
26 The inspectors of election shall also review each ballot prior
27 to the ballot's return to ensure completeness of the declaration
28 of the elector, signature and date.

29 (D) Ballot return locations must be monitored by video
30 recording during each hour of operation. The recording must be

1 made available for public inspection and retained for a period
2 of two years.

3 (E) Ballots returned to a location established under this
4 section must be promptly collected and secured each evening
5 after eight o'clock P.M., or immediately upon being closed for
6 the day, whichever is earlier.

7 (F) Each ballot return location intended to be established
8 in an election must be ~~publicly announced~~ PUBLISHED UNDER <--
9 SECTION 106 at least thirty (30) days prior to establishment.

10 (G) Each ballot return location must be considered a polling
11 place for the requirements of this act, including accessibility,
12 access of observers and restriction of political activity.

13 (H) Ballot return locations must be established at a fixed
14 location for the duration of the seven days prior to an
15 election.

16 (I) Ballot return locations must be evenly distributed
17 throughout a county to ensure equal access of voters.

18 (J) After the establishment of in-person early voting under
19 Article XIII-F, ballot return locations may only be established
20 at the same premises as early voting locations in a county.

21 (K) NO REIMBURSEMENT SHALL BE PROVIDED BY THE DEPARTMENT OR <--
22 THE STATE TREASURY FOR THE COSTS THAT A COUNTY INCURS IN
23 OPERATING BALLOT RETURN LOCATIONS.

24 (4) Nothing in this section shall be construed to prohibit
25 an elector from returning the completed ballot of another member
26 of his household, registered at the same residential address and
27 unit number. At any time that an elector appears with the intent
28 of returning more than one completed ballot, the inspectors of
29 election shall review the ballots for compliance with this
30 subsection. An elector returning more than one completed ballot

1 shall be informed of the penalty provided under section 1855 for
2 any unlawful collection of ballots.

3 * * *

4 Section 19. The act is amended by adding a section to read:

5 Section 1306.2. Supervised voting by qualified absentee
6 electors in certain facilities.--

7 (a) The county board of elections shall provide supervised
8 voting for absent electors residing in an assisted living
9 facility or nursing home facility within that county at the
10 request of an administrator of the facility. The request for
11 supervised voting in the facility shall be made by submitting a
12 written request to the board of elections no later than twenty-
13 one (21) days prior to the election for which that request is
14 submitted. The request shall specify the name and address of the
15 facility and the name of electors who wish to vote absentee in
16 that election. If the request contains the names of fewer than
17 five voters, the board of elections is not required to provide
18 supervised voting.

19 (b) The county board of elections may, in the absence of a
20 request from the administrator of a facility, provide for
21 supervised voting in the facility for persons who have requested
22 an absentee ballot. The county board of elections shall notify
23 the administrator of a facility that supervised voting will
24 occur.

25 (c) The county board of elections shall, in cooperation with
26 the administrator of a facility, select a date and time when the
27 supervised voting will occur.

28 (d) The county board of elections shall designate supervised
29 voting teams to provide services prescribed by this section.
30 Each supervised voting team shall include at least two persons.

1 Each supervised voting team must include representatives of at
2 least the two parties with the largest number of registered
3 electors in this Commonwealth, except that, in a primary
4 election to nominate party nominees in which only one party has
5 candidates appearing on the ballot, each supervised voting team
6 members may be of only that party. A SUPERVISED VOTING TEAMS <--
7 SHALL NOT BE REQUIRED TO BE EMPLOYED BY A COUNTY AND MAY BE
8 VOLUNTEERS FROM EACH PARTY, EXCEPT THAT A candidate may not
9 provide supervised voting services.

10 (e) The supervised voting team shall deliver the ballots to
11 the respective absentee electors and each member of the team
12 shall jointly supervise the voting of the ballots. If an elector
13 requests assistance in voting, the oath prescribed under this
14 act shall be completed and the elector may receive the
15 assistance of two members of the supervised voting team or some
16 other person of the elector's choice to assist the elector in
17 casting the elector's ballot.

18 (f) Before providing assistance, the supervised voting team
19 shall disclose to the elector that the ballot may be retained to
20 vote at a later time and that the elector has the right to seek
21 assistance in voting from some other person of the elector's
22 choice without the presence of the supervised voting team.

23 (g) If an elector declines to vote a ballot or is unable to
24 vote a ballot, the supervised voting team shall mark the ballot
25 "refused to vote" or "unable to vote."

26 (h) After the ballots have been voted or marked in
27 accordance with the provisions of this section, the supervised
28 voting team shall deliver the ballots to the county board of
29 elections.

30 (i) The department shall provide training and information to

1 assisted living facilities and nursing home facilities in order
2 to assist residents in voting, including applicable laws
3 regarding assistance in voting and penalties for violation of
4 election laws.

5 Section 20. Sections 1308(g) and 1302-D(b) and (g) of the
6 act, amended March 27, 2020 (P.L.41, No.12), are amended to
7 read:

8 Section 1308. Canvassing of Official Absentee Ballots and
9 Mail-in Ballots.--* * *

10 (g) (1) (i) An absentee ballot cast by any absentee
11 elector as defined in section 1301(a), (b), (c), (d), (e), (f),
12 (g) and (h) shall be canvassed in accordance with this
13 subsection if the ballot is cast, submitted and received in
14 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to
15 uniform military and overseas voters).

16 (ii) An absentee ballot cast by any absentee elector as
17 defined in section 1301(i), (j), (k), (l), (m) and (n), an
18 absentee ballot under section 1302(a.3) or a mail-in ballot cast
19 by a mail-in elector shall be canvassed in accordance with this
20 subsection if the absentee ballot or mail-in ballot is received
21 in the office of the county board of elections no later than
22 eight o'clock P.M. on the day of the primary or election.

23 (1.1) The county board of elections shall meet [~~no earlier~~
24 ~~than seven o'clock A.M. on~~] ~~at least twice, including at nine~~ <--
25 ~~o'clock A.M. on the first Friday and nine o'clock A.M. on the~~
26 ~~first Saturday prior to~~ election day to pre-canvass all ballots
27 received prior to the meeting. Meetings to pre-canvass ballots
28 may occur only between nine SEVEN o'clock A.M. and nine ELEVEN <--
29 o'clock P.M. on the five days prior to election day and while
30 polls are open on election day. A county board of elections

1 shall provide at least forty-eight hours' notice of a pre-
2 canvass meeting by publicly posting a notice of a pre-canvass
3 meeting on its publicly accessible Internet website. One
4 authorized representative of each candidate in an election, one
5 authorized representative of the county chairperson of each
6 political party and one representative [from] of each political
7 party shall be permitted to remain in the room in which the
8 absentee ballots and mail-in ballots are pre-canvassed.
9 Authorized representatives shall be provided with meaningful
10 access to view and observe the entire process of pre-canvassing
11 or canvassing activities. Such access shall allow all authorized
12 representatives to easily read the text on any ballot or
13 envelope at any point in the process of pre-canvassing or
14 canvassing activities. A county board of elections must
15 designate an official to respond to issues reported by
16 authorized representatives. The department shall establish a
17 procedure for authorized representatives to report any concerns
18 arising from any pre-canvass meeting and the department must
19 investigate and report on any concerns raised in each election.
20 A county board of elections shall record the pre-canvassing and
21 canvassing meetings with audio and visual recording. The entire
22 recording under this section shall be made available only after
23 the close of the polls. No person observing, attending or
24 participating in a pre-canvass meeting may disclose the results
25 of any portion of any pre-canvass meeting prior to the close of
26 the polls.

27 (2) The county board of elections shall meet [no earlier <--
28 than] IMMEDIATELY UPON the close of polls on the day of the <--
29 election [and no later than ~~eight o'clock A.M. on the {third}~~ <--
30 day following the election] to begin canvassing absentee ballots <--

1 and mail-in ballots not included in the pre-canvass meeting. The
2 meeting under this paragraph shall continue until all absentee
3 ballots and mail-in ballots received prior to the close of the
4 polls have been canvassed. The county board of elections shall
5 not record or publish any votes reflected on the ballots prior
6 to the close of the polls. The canvass process shall continue
7 through the eighth day following the election for valid
8 military-overseas ballots timely received under 25 Pa.C.S. §
9 3511 (relating to receipt of voted ballot). A county board of
10 elections shall provide at least forty-eight hours' notice of a
11 canvass meeting by publicly posting a notice on its publicly
12 accessible Internet website. One authorized representative of
13 each candidate in an election and one representative from each
14 political party shall be permitted to remain in the room in
15 which the absentee ballots and mail-in ballots are canvassed.

16 (3) When the county board meets to pre-canvass or canvass
17 absentee ballots and mail-in ballots under paragraphs (1), (1.1)
18 and (2), the board shall [examine] do all of the following:

19 (i) Examine the declaration on the envelope of each ballot
20 not set aside under subsection (d) and shall compare the
21 information and signature thereon with that contained in the
22 "Registered Absentee and Mail-in Voters File," the absentee
23 voters' list and/or the "Military Veterans and Emergency
24 Civilians Absentee Voters File," whichever is applicable.

25 (ii) A county board of elections shall use an automated
26 sorting or extracting machine to assist in its processing of
27 absentee ballots and mail-in ballots, the machine must possess
28 capabilities as a signature verification device, and the
29 capabilities must additionally be used by the county board of
30 elections to assist in comparing the signature on each ballot

1 with the signature in a voter's file.

2 (iii) If the county board has verified the proof of
3 identification as required under this act and is satisfied that
4 the declaration is sufficient [and], that the information
5 contained in the "Registered Absentee and Mail-in Voters File,"
6 the absentee voters' list and/or the "Military Veterans and
7 Emergency Civilians Absentee Voters File" verifies his right to
8 vote^[,] and that the signature on the ballot matches the
9 signature on file, the county board shall provide a list of the
10 names of electors whose absentee ballots or mail-in ballots are
11 to be pre-canvassed or canvassed.

12 (iv) For absentee ballots or mail-in ballots which the
13 county board is not satisfied that proof of identification has
14 been provided due to an inability to match the signature present
15 on the ballot to the signature on file, or for a ballot on which
16 the declaration of the elector is incomplete, or are unsigned or
17 undated, the county board shall:

18 (A) Attempt to notify the elector by mail, email, telephone
19 or text message that the elector's ballot is incomplete and will
20 not be counted unless action is taken by the elector prior to
21 the closing of polls on Election Day.

22 (B) Direct the elector to appear before the Board of
23 Elections to complete the missing information or to provide an
24 electronic, facsimile or paper copy to the county board of
25 elections, including:

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

30 (II) an executed affirmation attesting, under penalty of

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

5 (v) For absentee ballots or mail-in ballots with incurable
6 errors, including lacking a secrecy envelope, or the marking of
7 identifying information on the secrecy envelope, the county
8 board shall:

9 (A) attempt to notify the elector by mail, email, telephone
10 or text message that the elector's ballot cannot be counted due
11 to an incurable error; and

12 (B) direct the elector to vote on election day using a
13 provisional ballot; or

14 (C) if the elector is unable to appear at his or her polling
15 place on election day due to a reason listed under section 1301,
16 direct the elector to apply for an emergency absentee ballot.

17 (4) All absentee ballots which have not been challenged
18 under section 1302.2(c) and all mail-in ballots which have not
19 been challenged under section 1302.2-D(a)(2) and that have been
20 verified under paragraph (3) shall be counted and included with
21 the returns of the applicable election district as follows:

22 (i) The county board shall open the envelope of every
23 unchallenged absentee elector and mail-in elector in such manner
24 as not to destroy the declaration executed thereon.

25 (ii) If any of the envelopes on which are printed, stamped
26 or endorsed the words "Official Election Ballot" contain any
27 text, mark or symbol which reveals the identity of the elector,
28 the elector's political affiliation or the elector's candidate
29 preference, the envelopes and the ballots contained therein
30 shall be set aside and declared void.

1 (iii) The county board shall then break the seals of such
2 envelopes, remove the ballots and count, compute and tally the
3 votes.

4 (iv) Following the close of the polls, the county board
5 shall record and publish the votes reflected on the ballots.

6 (5) Ballots received whose applications have been challenged
7 and ballots which have been challenged shall be placed unopened
8 in a secure, safe and sealed container in the custody of the
9 county board until it shall fix a time and place for a formal
10 hearing of all such challenges, and notice shall be given where
11 possible to all absentee electors and mail-in electors thus
12 challenged and to every individual who made a challenge. The
13 time for the hearing shall not be later than seven (7) days
14 after the deadline for all challenges to be filed. On the day
15 fixed for said hearing, the county board shall proceed without
16 delay to hear said challenges, and, in hearing the testimony,
17 the county board shall not be bound by the Pennsylvania Rules of
18 Evidence. The testimony presented shall be stenographically
19 recorded and made part of the record of the hearing.

20 (6) The decision of the county board in upholding or
21 dismissing any challenge may be reviewed by the court of common
22 pleas of the county upon a petition filed by any person
23 aggrieved by the decision of the county board. The appeal shall
24 be taken, within two (2) days after the decision was made,
25 whether the decision was reduced to writing or not, to the court
26 of common pleas setting forth the objections to the county
27 board's decision and praying for an order reversing the
28 decision.

29 (7) Pending the final determination of all appeals, the
30 county board shall suspend any action in canvassing and

1 computing all challenged ballots received under this subsection
2 irrespective of whether or not appeal was taken from the county
3 board's decision. Upon completion of the computation of the
4 returns of the county, the votes cast upon the challenged
5 official absentee ballots that have been finally determined to
6 be valid shall be added to the other votes cast within the
7 county.

8 * * *

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

10 * * *

11 (b) Content.--The following shall apply:

12 (1) The qualified elector's application shall contain
13 the following information, without which the application
14 shall be rejected:

15 (i) Date of birth.

16 [(ii) Length of time a resident of voting district.

17 (iii) Voting district, if known.]

18 (iv) Party choice in case of primary.

19 (v) Name.

20 (vi) At least two of the following:

21 (A) Last four digits of the elector's Social
22 Security number.

23 (B) If the elector has a Pennsylvania driver's
24 license, the license number.

25 (C) The elector's voter registration number.

26 (1.1) The qualified elector's application shall contain
27 the following, but the application shall not be rejected if
28 this information is unknown or not provided:

29 (i) Voting district.

30 (ii) Length of time a resident of voting district.

1 (2) A qualified elector shall, in addition, [specify the
2 address to which the ballot is to be sent, the relationship
3 where necessary and other information as may be determined by
4 the Secretary of the Commonwealth.] specify his or her
5 registered address, OR THE MAILING ADDRESS ASSOCIATED WITH <--
6 HIS OR HER VOTER REGISTRATION RECORD, to which the ballot
7 must be delivered by mail.

8 (3) When an application is received by the Secretary of
9 the Commonwealth it shall be forwarded to the proper county
10 board of election.

11 * * *

12 (g) Permanent mail-in voting list.--

13 [(1) Any qualified registered elector may request to be
14 placed on a permanent mail-in ballot list file at any time
15 during the calendar year. A mail-in ballot application shall
16 be mailed to every person otherwise eligible to receive a
17 mail-in ballot application by the first Monday in February
18 each year or within 48 hours of receipt of the request,
19 whichever is later, so long as the person does not lose the
20 person's voting rights by failure to vote as otherwise
21 required by this act. A mail-in ballot application mailed to
22 an elector under this section, which is completed and timely
23 returned by the elector, shall serve as an application for
24 any and all primary, general or special elections to be held
25 in the remainder of that calendar year and for all special
26 elections to be held before the third Monday in February of
27 the succeeding year.]

28 (1) Neither the department nor the county shall maintain
29 a permanent mail-in voting list. A qualified elector must
30 separately request a mail-in ballot for each election in

1 which the qualified elector chooses to vote by mail,
2 including for each election held within the same calendar
3 year.

4 (2) The Secretary of the Commonwealth may develop an
5 electronic system through which all qualified electors may
6 apply for a mail-in ballot [and request permanent mail-in <--
7 voter status] under this section, provided the system is able <--
8 to capture a digitized or electronic signature of the
9 applicant. A county board of elections shall treat an
10 application or request received through the electronic system
11 as if the application or request had been submitted on a
12 paper form or any other format used by the county.

13 [(3) The transfer of a qualified registered elector on a
14 permanent mail-in voting list from one county to another
15 county shall only be permitted upon the request of the
16 qualified registered elector.]

17 Section 21. Section 1302.1-D(a) of the act is amended to
18 read:

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

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

30 * * *

1 Section 22. Section 1305-D of the act, amended March 27,
2 2020 (P.L.41, No.12), is amended to read:

3 Section 1305-D. Delivering or mailing ballots.

4 The following apply:

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

23 (2) The county board of elections shall investigate the
24 circumstances of any mail-in ballot returned as undeliverable
25 by the United States Postal Service. The investigation shall
26 include contacting the mail-in elector, further attempts to
27 have his ballot delivered, and the correction or
28 reconsideration of his registration status and registered
29 address, if these are found to be incorrect.

30 Section 23. Sections 1306-D(a) of the act, amended March 27,

1 2020 (P.L.41, No.12), is amended and the section is amended by
2 adding a subsection to read:

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

4 (a) General rule.--At any time after receiving an official
5 mail-in ballot, but on or before eight o'clock P.M. the day of
6 the primary or election, the mail-in elector shall, in secret,
7 proceed to mark the ballot only in black lead pencil, indelible
8 pencil or blue, black or blue-black ink, in fountain pen or ball
9 point pen, and then fold the ballot, enclose and securely seal
10 the same in the envelope on which is printed, stamped or
11 endorsed "Official Election Ballot." This envelope shall then be
12 placed in the second one, on which is printed the form of
13 declaration of the elector, and the address of the elector's
14 county board of election and the local election district of the
15 elector. The elector shall then fill out, date and sign the
16 declaration printed on such envelope. [Such envelope shall then
17 be securely sealed and the elector shall send same by mail,
18 postage prepaid, except where franked, or deliver it in person
19 to said county board of election.]

20 * * *

21 (a.2) Return of completed mail-in ballots.--The elector
22 shall, prior to eight o'clock P.M. on election day, return his
23 or her completed mail-in ballot by one of the following methods
24 only:

25 (1) Delivery through the United States Postal Service to
26 the offices of his county board of elections.

27 (2) Delivery in person to the permanent offices of his
28 or her county board of elections during its regular hours of
29 operation.

30 (3) Delivery to a ballot return location established

1 under the following conditions:

2 (i) A ballot return location may only be operated
3 during the hours of seven o'clock A.M. to eight o'clock
4 P.M. during the seven days prior to an election.

5 (ii) Ballot return locations may be established by a
6 county board of elections as necessary, provided that:

7 (A) A county shall maintain at least one ballot
8 return location and may maintain an additional ballot
9 return location for each 100,000 residents of that
10 county as of the most recent census. A COUNTY BOARD <--
11 OF ELECTION OFFICE MAY SERVE AS A BALLOT RETURN
12 LOCATION.

13 (B) Ballot return locations must be monitored by
14 at least one inspector of elections from each of the
15 two parties with the highest number of registered
16 electors in this Commonwealth. IF TWO SUCH INSPECTORS <--
17 OF ELECTIONS ARE UNAVAILABLE TO APPEAR AT A BALLOT
18 RETURN LOCATION ON ANY PARTICULAR DAY, A COUNTY SHALL
19 NOT OPERATE THE BALLOT RETURN LOCATION. Each
20 inspector of elections shall receive the same
21 compensation provided for an election under this act
22 for each day on which he monitors a ballot return
23 location.

24 (C) The inspectors of election monitoring any
25 ballot return location shall verify the
26 identification of each individual returning a ballot
27 consistent with the provisions of this act. The
28 inspectors of election shall also ensure review of
29 each ballot prior to the ballot's return to ensure
30 completeness of the declaration of the elector,

1 signature and date.

2 (D) Ballot return locations must be monitored by
3 video recording during each hours of operation. The
4 recording shall be made available for public
5 inspection and retained for a period of two years.

6 (E) Ballots returned to a location established
7 under this section must be promptly collected and
8 secured each evening after eight o'clock P.M., or
9 immediately upon being closed for the day, whichever
10 is earlier.

11 (F) Each ballot return location must be
12 considered a polling place for all requirements of
13 this act, including accessibility, access of
14 observers and restriction of political activity.

15 (G) Ballot return locations must be established
16 at a fixed location for the duration of the seven
17 days prior to an election.

18 (H) Ballot return locations must be evenly
19 distributed throughout a county to ensure equal
20 access of voters.

21 (I) After the establishment of in-person early
22 voting under Article XIII-F, ballot return locations
23 may only be established at the same premises as early
24 voting locations in a county.

25 (J) NO REIMBURSEMENT SHALL BE PROVIDED BY THE <--
26 DEPARTMENT OR THE STATE TREASURY FOR THE COSTS THAT A
27 COUNTY INCURS IN OPERATING BALLOT RETURN LOCATIONS.

28 (4) Nothing in this subsection shall be construed to
29 prohibit an elector from returning the completed ballot of
30 another member of his or her household, registered at the

1 same residential address and unit number. At any time that an
2 elector appears with the intent of returning more than one
3 completed ballot, the inspectors of election shall review the
4 ballots for compliance with this subsection. An elector
5 returning more than one completed ballot shall be informed of
6 the penalty provided under section 1855 for any unlawful
7 collection of ballots.

8 * * *

9 Section 24. Section 1302-E(c)(4) of the act is amended by
10 adding a subparagraph and the subsection is amended by adding
11 paragraphs to read:

12 Section 1302-E. Pennsylvania Election Law Advisory Board.

13 * * *

14 (c) Duties.--The board shall have the following duties:

15 * * *

16 (4) Evaluate and make recommendations on:

17 * * *

18 (iii) The rules prescribed in the official
19 instructions and procedures manual under this section
20 shall include regulations and restrictions governing any
21 vendors contracted by counties or the department for the
22 printing or mailing of ballots.

23 * * *

24 (6) ~~After consultation with each county board of~~ <--
25 ~~elections~~ TO ESTABLISH A WORKING GROUP WITH DIRECTORS OF <--
26 ELECTIONS FROM A MINIMUM OF 10 COUNTIES, AND TOGETHER, to
27 prescribe rules to achieve and maintain the maximum degree of
28 correctness, impartiality, uniformity and efficiency on the
29 procedures for early voting and voting and of producing,
30 distributing, collecting, counting, tabulating and storing

1 ballots. The election law advisory board shall also adopt
2 rules regarding transmittal of unvoted ballots, ballot
3 requests, voted ballots and other election materials to and
4 from a qualified absentee military or overseas elector, as
5 defined by the Uniformed and Overseas Citizens Absentee
6 Voting Act (Public Law 99-410, 100 Stat. 924). The following
7 shall apply:

8 (i) The rules shall be prescribed in an official
9 instructions and procedures manual to be issued not later
10 than December 31 of each odd-numbered year immediately
11 preceding the general election. Before its issuance, the
12 manual shall be submitted to the President pro tempore of
13 the Senate, the Speaker of the House of Representatives,
14 the Majority Leader and Minority Leader of the Senate,
15 the Majority Leader and Minority Leader of the House of
16 Representatives, the chair and minority chair of the
17 State Government Committee of the Senate, the chair and
18 minority chair of the State Government Committee of the
19 House of Representatives and the Governor not later than
20 October 1 of the year before each general election.

21 (ii) Each rule included in the official instructions
22 and procedures manual must provide citations to relevant
23 provisions of this act.

24 (7) To establish standards for annual training
25 requirements for all county election officials, poll workers, <--
26 ELECTION OBSERVERS and judges of elections. TRAINING TO <--
27 FULFILL THE REQUIREMENTS MUST BE CONDUCTED BY THE DEPARTMENT
28 AND MUST BE MADE AVAILABLE ON ALL BUSINESS DAYS.

29 (8) To adopt rules prescribing minimum standards for
30 nonpartisan voter education. The standards shall, at a

1 minimum, address:

2 (i) voter registration;

3 (ii) balloting procedures, by mail and polling
4 place;

5 (iii) voter rights and responsibilities;

6 (iv) distribution of sample ballots; and

7 (v) public service announcements.

8 (9) To receive reports from county boards of elections
9 required under section 302, to reexamine the rules adopted
10 under paragraph (8), and to use the findings in the reports
11 as a basis for modifying the rules to incorporate successful
12 voter education programs and techniques, as necessary.

13 * * *

14 Section 25. The act is amended by adding an article to read:

15 ARTICLE XIII-F

16 EARLY VOTING BY QUALIFIED ELECTORS

17 Section 1301-F. In-person early voting.

18 Beginning with the 2025 primary election, and for each
19 election thereafter, each county board of elections must provide
20 electors with the opportunity to vote at an early voting center,
21 prior to election day.

22 Section 1302-F. Operation.

23 The following shall apply:

24 (1) Each early voting center shall be considered a
25 polling place for the purposes of this act.

26 (2) Early voting centers ~~may~~ SHALL be established <--
27 beginning on the second Friday prior to an election and
28 ending on the first Wednesday prior to an election. A county
29 shall operate AT LEAST one early voting center, WITH AN <--
30 ADDITIONAL EARLY VOTING CENTER for each 100,000 residents of

1 the county at the time of the most recent census, with a <--
2 minimum of one center and a maximum of 10. EXCEPT THAT NO <--
3 COUNTY SHALL BE REQUIRED TO OPERATE MORE THAN FIVE EARLY
4 VOTING CENTERS.

5 (3) Early voting centers may SHALL be open from 7 A.M to <--
6 8 P.M. each day.

7 (4) The board shall provide at least 30 days notice
8 prior to the establishment of any early voting center,
9 including location and intended hours of operation. THE <--
10 NOTICE UNDER THIS PARAGRAPH SHALL BE PUBLISHED UNDER SECTION
11 106.

12 (4.1) Early voting centers may be established only at a
13 PERMANENT building which provides the security required under <--
14 paragraph (9), and which is a city hall, permanent public <--
15 library facility, PUBLIC OR PRIVATE SCHOOL, COLLEGE OR <--
16 UNIVERSITY BUILDING, courthouse or a municipal, county or
17 Commonwealth owned permanent building. <--

18 (5) A county may establish not more than 10 early voting
19 centers, distributed throughout the county so as to ensure
20 equal access to all voters.

21 (6) An early voting center shall utilize electronic poll
22 books with the capability of scanning an elector's
23 identification and printing the appropriate ballot for that
24 elector.

25 (7) Each early voting center must be accessible under
26 the requirements of the Americans with Disabilities Act of
27 1990 (Public Law 101-336, 104 Stat. 327).

28 (8) Voting at early voting centers shall be conducted
29 using the same type of voting machines utilized by that
30 county on election day.

1 (9) An early voting center shall be continually secured,
2 monitored by staff and monitored by video recording from the
3 beginning of the period provided for early voting until the
4 end, including overnight. Video recording shall be retained
5 and made available publicly.

6 (10) During any early voting period, each county board
7 of elections shall make available the total number of
8 electors having cast a ballot at each early voting location
9 during the previous day. Each county board shall prepare an
10 electronic data file listing the individual electors who cast
11 a ballot during the early voting period. This information
12 shall be updated and made available no later than noon of
13 each day and shall be provided to the public upon request.

14 Section 1303-F. Reimbursement.

15 Counties shall be reimbursed by the department for half of
16 the costs incurred in the operation of early voting centers.

17 Section 26. Section 1402 of the act is amended by adding a
18 subsection to read:

19 Section 1402. Returns to Be Open to Public Inspection;
20 Exceptions.--* * *

21 (a.1) Each ballot cast in an election shall be open to
22 public inspection at the office of the county board as soon as
23 practicable after an election, and for as long as the ballots
24 are required to be retained under this act. Public inspection
25 shall be monitored to ensure the safety and integrity of each
26 ballot. The following shall apply:

27 (1) A county official and sheriff shall be present during a
28 public inspection of ballots.

29 (2) A ballot may not be altered, damaged, moved or destroyed
30 in the course of a public inspection.

1 (3) For the 2023 primary election, and for each election
2 thereafter, digital copies of each ballot shall be created,
3 retained and provided upon request, subject to the same
4 conditions as physical ballots.

5 * * *

6 Section 27. Section ~~1404(e) and (f)~~ 1404(F) of the act are <--
7 ~~amended to read~~ IS AMENDED AND THE SECTION IS AMENDED BY ADDING <--
8 A SUBSECTION TO READ:

9 Section 1404. Computation of Returns by County Board;
10 Certification; Issuance of Certificates of Election.--

11 * * *

12 ~~{(e) The county board shall first publicly account for all~~ <--
13 ~~extra official ballots printed under the provisions of section~~
14 ~~1007 of this act. The general returns made by the election~~
15 ~~officers from the various election districts shall then be read~~
16 ~~one after another in the usual order, slowly and audibly, by one~~
17 ~~of the clerks who shall, in each case of a return from a~~
18 ~~district in which ballots were used, read therefrom the number~~
19 ~~of ballots (in the case of primaries the number of ballots of~~
20 ~~each party) issued, spoiled and cancelled, and cast,~~
21 ~~respectively, whereupon the clerk having charge of the records~~
22 ~~of the county board showing the number of ballots furnished for~~
23 ~~each election district, including the number of extra official~~
24 ~~ballots as provided by section 1007 of this act as so furnished,~~
25 ~~and the number of unused ballots and spoiled and cancelled~~
26 ~~ballots returned, shall publicly announce the number of the same~~
27 ~~respectively, and unless it appears by said number or~~
28 ~~calculations therefrom that said records, and the said general~~
29 ~~return correspond, no further returns shall be read from the~~
30 ~~latter until all discrepancies are explained to the satisfaction~~

1 ~~of the county board. In the case of districts in which voting~~
2 ~~machines are used, there shall be read from the general return~~
3 ~~the identifying number or other designation of each voting~~
4 ~~machine used, the numbers registered on the protective counter~~
5 ~~or device on each machine prior to the opening of the polls and~~
6 ~~immediately after close of the same, whereupon the clerk having~~
7 ~~charge of the records of the county board showing the number~~
8 ~~registered on the protective counter or device of each voting~~
9 ~~machine prior to delivery at the polling place, shall publicly~~
10 ~~announce the numbers so registered, and unless it appears that~~
11 ~~the said records, and the said general return correspond, no~~
12 ~~further returns shall be read from the latter until any and all~~
13 ~~discrepancies are explained to the satisfaction of the county~~
14 ~~board.]~~

15 (e) (C.1) It shall be the duty of each county board of <--
16 elections, before certification or the issuance of certificates
17 of election, to record the participation of each elector and the
18 article of this act by which the elector voted, in the voter
19 registration record established in 25 Pa.C.S. Ch. 12 Subch. B
20 (relating to Statewide Uniform Registry of Electors (SURE)). If
21 it appears that the total number of ballots cast in an election
22 district, or that the total number of votes returned for a
23 candidate for the same office or nomination at an election
24 exceeds the number of electors recorded as participating in that
25 election in that district, the excess shall be deemed a
26 discrepancy and palpable error, shall be investigated by the
27 return board and no votes shall be recorded from the district
28 until an investigation is conducted. The excess shall authorize
29 the following:

30 (1) The summoning of the election officers, overseers,

1 machine inspectors and clerks to appear with any election papers
2 in their possession.

3 (2) The production of the ballot box before the return
4 board, the examination and scrutiny of its contents and of the
5 registration and election documents relating to the district, in
6 the presence of representatives of each party and candidate
7 interested who are attending the canvass of such votes.

8 (2.1) The recount of the ballots contained in the ballot
9 box, either generally or respecting the particular office,
10 nomination, or question as to which the excess exists, in the
11 discretion of the return board.

12 (3) The correction of the returns in accordance with the
13 result of the recount.

14 (4) In the discretion of the return board, the exclusion of
15 the poll of the district, either as to all offices, candidates,
16 questions and parties, or as to a particular office, candidate,
17 question or party as to which the excess exists, if the ballot
18 box is found to contain more ballots:

19 (i) than there are electors registered or enrolled in the
20 election district;

21 (ii) of one party than there are electors registered or
22 enrolled in the district as members of that party;

23 (iii) than the number of voters who voted at the election;

24 or

25 (iv) of one party than the number of voters of the party who
26 voted at the election.

27 (5) A report of the facts of the case to the district
28 attorney where the action appears to be warranted.

29 * * *

30 (f) As the returns from each election district are read,

1 computed and found to be correct or corrected as aforesaid, they
2 shall be recorded on the blanks prepared for the purpose until
3 all the returns from the various election districts which are
4 entitled to be counted shall have been duly recorded, when they
5 shall be added together, announced and attested by the clerks
6 who made and computed the entries respectively and signed by the
7 members of the county board. Returns under this subsection shall
8 be considered unofficial for five (5) days. The county board
9 shall submit the unofficial returns to the Secretary of the
10 Commonwealth [by five o'clock P. M. on the Tuesday following the
11 election.] incrementally and as often as practicable until all
12 returns have been submitted. The submission shall be as directed
13 by the secretary for public office which appears on the ballot
14 in every election district in this Commonwealth or for a ballot
15 question which appears on the ballot in every election district
16 in this Commonwealth. The unofficial returns shall be posted to
17 the department's publicly accessible Internet website and to
18 each county board of elections' publicly accessible Internet
19 website. The secretary shall establish, for the use of each
20 website displaying unofficial returns, a consistent template and
21 interface which shall provide, in electronic spreadsheet form:
22 (1) The total number of ballots voted in this Commonwealth,
23 in each county and in each voting district.
24 (2) The total number of ballots voted by electors under each
25 article of this act.
26 (3) The votes recorded for each candidate or question, in
27 each voting district and each county, and the sum for the
28 Commonwealth, including the number of votes received by each
29 candidate or question under each article of this act.
30 (4) The percentage of voting districts having reported

1 results.

2 (5) The percentage of registered electors who are recorded
3 as having voted in this Commonwealth, each county and each
4 voting district.

5 (6) The total number of registered electors in this
6 Commonwealth, each county and each voting district.

7 (7) The total number of mail-in and absentee ballots sent by
8 each county and the sum for this Commonwealth.

9 (8) The total number of overseas and military ballots
10 mailed.

11 (9) A website displaying unofficial returns shall provide an
12 interactive map allowing the information under paragraphs (1),
13 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
14 election district, county and this Commonwealth. At any time
15 that unofficial results data previously posted to the department
16 or a county's publicly accessible Internet website is amended,
17 corrected, deleted or updated in a manner other than the
18 inclusion of additional results, the department and an affected
19 county shall post a disclosure to the unofficial returns website
20 explicitly noting the time such update occurred, the reason and
21 the impact on unofficial returns.

22 At the expiration of five (5) days after the completion of
23 the computation of votes, in case no petition for a recount or
24 recanvass has been filed in accordance with the provisions of
25 this act, or upon the completion of the recount or recanvass if
26 a petition therefor has been filed within five (5) days after
27 the completion of the computation of votes, the county board
28 shall certify the returns so computed in said county in the
29 manner required by this act, unless upon appeals taken from any
30 decision, the court of common pleas shall have directed any

1 returns to be revised, or unless in case of a recount, errors in
2 the said returns shall have been found, in which case said
3 returns shall be revised, corrected and certified accordingly.
4 The county board shall thereupon, in the case of elections,
5 issue certificates of election to the successful candidates for
6 all county, city, borough, township, ward, school district, poor
7 district and election offices, and local party offices to be
8 filled by the votes of the electors of said county, or of any
9 part thereof.

10 * * *

11 Section 28. The act is amended by adding a section to read:

12 Section 1778. Powers and duties of the Attorney General

13 Relating to Elections.--(A) The Attorney General shall, at <--

14 least 45 days prior to an election, appoint an independent

15 prosecutor to review election complaints received by the

16 department and the county boards of elections. The independent

17 prosecutor shall have experience prosecuting election law

18 violations and shall coordinate efforts with each level of law

19 enforcement. The independent prosecutor shall publish a report

20 following each election including:

21 (1) The total number of complaints filed and to which entity
22 the complaint was filed.

23 (2) A summary of how each complaint was investigated by the
24 independent prosecutor.

25 (3) Recommendations to the General Assembly, the department,
26 and county boards of elections for reducing future complaints.

27 (B) THE REPORT UNDER THIS SECTION SHALL BE A PUBLIC RECORD <--

28 UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE

29 RIGHT-TO-KNOW LAW.

30 Section 29. Sections 1801, 1802, 1802.1, 1803, 1804, 1805,

1 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815,
2 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824, 1825, 1826,
3 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836,
4 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847, 1848, 1849 and
5 1850 of the act are amended to read:

6 Section 1801. Disobeying Lawful Instructions.--Any person
7 who wilfully disobeys any lawful instruction or order of any
8 county board of elections, or who refuses to obey their subpoena
9 duly issued and served under the provisions of this act, shall
10 be guilty of a misdemeanor, and, upon conviction thereof, shall
11 be sentenced to pay a fine not exceeding [~~five hundred (\$500)~~]
12 one thousand (\$1,000) dollars, or to undergo an imprisonment not
13 exceeding [~~one (1) year~~] two (2) years, or both, in the
14 discretion of the court.

15 Section 1802. Perjury.--Any wilful false statement made
16 under oath or affirmation or in writing, stating that it is so
17 made, although such oath or affirmation may not have actually
18 been made, by any person regarding any material matter or thing
19 relating to any subject being investigated, heard, determined or
20 acted upon by any county board of elections, or member thereof,
21 or by any court or judge thereof, judge of election, inspector
22 of election, or overseer, in accordance with the terms of this
23 act, shall be perjury, a misdemeanor of the first degree, and
24 any person, upon conviction thereof, shall be sentenced to pay a
25 fine not exceeding [~~ten thousand (\$10,000)~~] twenty thousand
26 (\$20,000) dollars, or to undergo an imprisonment of not more
27 than [~~five (5)~~] ten (10) years, or both, in the discretion of
28 the court.

29 Section 1802.1. False Affidavits of Candidates.--Any
30 candidate for State, county, city, borough, incorporated town,

1 township or school district office or for the office of United
2 States Senator or Representative in Congress or any other
3 elective public office who knowingly makes a false statement
4 regarding his eligibility or qualifications for such office in
5 his candidate's affidavit shall, in litigation which results in
6 the removal of the candidate from the ballot, be liable for
7 court costs, including filing fees, attorney fees, investigation
8 fees and similar costs, in an amount up to [~~ten thousand~~
9 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars.

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

1 Section 1804. Refusal to Permit Inspection of Papers;
2 Destruction or Removal; County Boards of Elections.--Any member,
3 chief clerk or other employe of any county board of elections,
4 who shall refuse to permit the public inspection or copying, as
5 authorized by this act, of any general or duplicate return
6 sheet, tally paper, affidavit, nomination petition, certificate
7 or paper, other petition, witness list, account, contract,
8 report or any other document or record in the custody of such
9 county board which, under the provisions of this act, is
10 required to be open to public inspection; or who shall destroy
11 or alter, or permit to be destroyed or altered, any such
12 document or record during the period for which the same is
13 required to be kept in the office of such county board; or who
14 shall remove any such document or record from the office of such
15 county board during said period, or permit the same to be
16 removed, except pursuant to the direction of any competent court
17 or any committee required to determine any contested primary or
18 election, shall be guilty of a misdemeanor, and, upon conviction
19 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
20 ~~thousand (\$1,000)~~] two thousand (\$2,000) dollars, or to undergo
21 an imprisonment of not less than [~~one (1) month~~] two (2) months
22 nor more than [~~two (2)~~] four (4) years, or both, in the
23 discretion of the court.

24 Section 1805. Insertion and Alteration of Entries in
25 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
26 or employe of any county board of elections or judge, inspector
27 or clerk of election, machine inspector, overseer, or other
28 person, who knowingly inserts or knowingly permits to be
29 inserted any fictitious name, false figure or other fraudulent
30 entry on or in any registration card, district register, voter's

1 certificate, list of voters, affidavit, tally paper, general or
2 duplicate return sheet, statement, certificate, oath, voucher,
3 account, ballot or other record or document authorized or
4 required to be made, used, signed, returned or preserved for any
5 public purpose in connection with any primary or election; or
6 who materially alters or intentionally destroys any entry which
7 has been lawfully made therein, except by order of the county
8 board of elections or court of competent jurisdiction, or who
9 takes or removes any such book, affidavit, return, account,
10 ballot or other document or record from the custody of any
11 person having lawful charge thereof, in order to prevent the
12 same from being used or inspected or copied as required or
13 permitted by this act, or who neglects or refuses, within the
14 time and in the manner required by this act, to deliver the same
15 into the custody of the officers who are required by this act to
16 use or keep the same, shall be guilty of a misdemeanor, and,
17 upon conviction thereof, shall be sentenced to pay a fine not
18 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
19 or to undergo an imprisonment of not less than [one (1) month]
20 two (2) months or more than [two (2)] four (4) years, or both,
21 in the discretion of the court.

22 Section 1806. Refusal to Permit Overseers, Watchers,
23 Attorneys or Candidates to Act.--Any member of a county board of
24 elections, judge of election or inspector of election who shall
25 refuse to permit any overseer or watcher, attorney or candidate
26 to be present, as authorized by this act, at any session of a
27 county board, computation and canvassing of returns of any
28 primary or election, recount of ballots or recanvass of voting
29 machines, as authorized by this act, or at any polling place
30 during the time the polls are open at any primary or election,

1 and after the close of the polls during the time the ballots are
2 counted or voting machine canvassed and until the returns of
3 such primary or election have been made up and signed, shall be
4 guilty of a misdemeanor, and, upon conviction thereof, shall be
5 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
6 two thousand (\$2,000) dollars, or to undergo an imprisonment not
7 exceeding [one (1) year] two (2) years, or both, in the
8 discretion of the court.

9 Section 1807. Driving away Watchers, Attorneys, Candidates
10 or Overseers.--Any person who by violence or intimidation shall
11 threaten or drive away any watcher, attorney, candidate or
12 overseer, or representative of the county board of elections, or
13 of the Secretary of the Commonwealth, required or permitted to
14 be present at any polling place, or who shall in any manner
15 prevent any overseer, or representative of the county board of
16 elections or of the Secretary of the Commonwealth from
17 performing his duty under this act, shall be guilty of a
18 misdemeanor, and, upon conviction thereof, shall be sentenced to
19 pay a fine not exceeding [one thousand (\$1,000)] two thousand
20 (\$2,000) dollars, or to undergo an imprisonment of not less than
21 [one (1) month] two (2) months nor more than [two (2)] four (4)
22 years, or both, in the discretion of the court.

23 Section 1808. Refusal to Permit Election Officers, Clerks
24 and Machine Inspectors to Act; Driving away Said Persons.--Any
25 person, including any election officer, who shall refuse to
26 permit any election officer, clerk or machine inspector, duly
27 elected or appointed and authorized to act, to perform the
28 duties imposed on him or to act as permitted by this act; or who
29 shall by violence or intimidation threaten or drive away, any
30 such election officer, clerk or machine inspector or who shall,

1 in any manner, prevent any such election officer, clerk or
2 machine inspector from performing his rights and duties under
3 this act, shall be guilty of a misdemeanor, and, upon conviction
4 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
5 ~~thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
6 an imprisonment of not less than [~~one (1) month]~~ two (2) months
7 or more than [~~two (2)]~~ four (4) years, or both, in the
8 discretion of the court.~~

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

24 Section 1810. Violation of Oath of Office by Election
25 Officers.--Any judge of election, inspector of election, clerk
26 of election, or machine inspector who shall wilfully violate any
27 of the provisions of his oath of office, shall be guilty of a
28 misdemeanor, and, upon conviction thereof, shall be sentenced to
29 pay a fine not exceeding [~~one thousand (\$1,000)] two thousand
30 (\$2,000) dollars, or to undergo an imprisonment not exceeding~~

1 [one (1) year] two (2) years, or both, in the discretion of the
2 court.

3 Section 1811. Peace Officers; Failure to Render Assistance;
4 Hindering or Delaying County Board Members and Others.--Any
5 sheriff, deputy sheriff, constable, deputy constable, police or
6 other peace officer, who shall fail upon demand of any member of
7 a county board of elections, judge or inspector of election, or
8 overseer to render such aid and assistance to him as he shall
9 request in the maintenance of peace and in the making of
10 arrests, as herein provided, or who shall wilfully hinder or
11 delay or attempt to hinder or delay any member of a county
12 board, judge or inspector of election, or overseer in the
13 performance of any duty under this act, shall be guilty of a
14 misdemeanor, and, upon conviction thereof, shall be sentenced to
15 pay a fine not exceeding [five hundred (\$500)] one thousand
16 (\$1,000) dollars, or to undergo an imprisonment of not less than
17 [three (3)] six (6) months nor more than [two (2)] four (4)
18 years, or both, in the discretion of the court.

19 Section 1812. Nomination Petitions and Papers; Offenses by
20 Signers.--If any person shall knowingly and wilfully sign any
21 nomination petition or nomination paper, without having the
22 qualifications prescribed by this act, or if any person shall
23 set opposite a signature on a nomination petition or paper, a
24 date other than the actual date such signature was affixed
25 thereto, or if any person shall set opposite the signature on a
26 nomination petition or nomination paper, a false statement of
27 the signer's place of residence or occupation, or if any person
28 shall sign more nomination petitions or nomination papers than
29 permitted by the provisions of this act, he shall be guilty of a
30 misdemeanor, and, upon conviction thereof, shall be sentenced to

1 pay a fine not exceeding [~~one hundred (\$100)~~] two hundred (\$200)
2 dollars, or to undergo an imprisonment of not less than [~~three~~
3 (~~3~~)] six (6) months nor more than [~~two (2)~~] four (4) years, or
4 both, at the discretion of the court.

5 Section 1813. False Signatures and Statements in Nomination
6 Petitions and Papers.--If any person shall knowingly make a
7 false statement in any affidavit required by the provisions of
8 this act, to be appended to or to accompany a nomination
9 petition or a nomination paper, or if any person shall
10 fraudulently sign any name not his own to any nomination
11 petition or nomination paper, or if any person shall
12 fraudulently alter any nomination petition or nomination paper
13 without the consent of the signers, he shall be guilty of a
14 misdemeanor, and, upon conviction thereof, shall be sentenced to
15 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
16 (\$1,000) dollars, or to undergo imprisonment of not more than
17 [~~one (1) year~~] two (2) years, or both, in the discretion of the
18 court.

19 Section 1814. Nomination Petitions; Certificates and Papers;
20 Destruction; Fraudulent Filing; Suppression.--Any person who
21 shall falsely make any nomination certificate or who shall
22 wilfully deface or destroy any nomination petition, nomination
23 certificate or nomination paper, or any part thereof, or any
24 letter of withdrawal, or who shall file any nomination petition,
25 nomination certificate or nomination paper or letter of
26 withdrawal knowing the same, or any part thereof, to be falsely
27 made, or who shall suppress any nomination petition, nomination
28 certificate or nomination paper, or any part thereof, which has
29 been duly filed, shall be guilty of a misdemeanor, and, upon
30 conviction thereof, shall be sentenced to pay a fine not

1 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
2 or to undergo an imprisonment of not more than [one (1) year]
3 two (2) years, or both, in the discretion of the court.

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

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

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

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

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

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

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

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

27 Section 1821. Peace Officer; Failure to Quell Disturbances
28 at Polls; Hindering or Delaying Election Officers and Others.--
29 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
30 deputy constable, police officer or other peace officer who

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

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

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

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

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

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

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

7 Section 1826. Prying into Ballots.--Any judge, inspector or
8 clerk of election, or other person, who, before any ballot is
9 deposited in the ballot box as provided by this act, shall
10 unfold, open or pry into any such ballot, with the intent to
11 discover the manner in which the same has been marked, shall be
12 guilty of a misdemeanor, and upon conviction thereof, shall be
13 sentenced to pay a fine not exceeding [five hundred (\$500)] one
14 thousand (\$1,000) dollars, or to undergo an imprisonment of not
15 more than [one (1) year] two (2) years, or both, in the
16 discretion of the court.

17 Section 1827. Interference with Primaries and Elections;
18 Frauds; Conspiracy.--If any person shall prevent or attempt to
19 prevent any election officers from holding any primary or
20 election, under the provisions of this act, or shall use or
21 threaten any violence to any such officer; or shall interrupt or
22 improperly interfere with him in the execution of his duty; or
23 shall block up or attempt to block up the avenue to the door of
24 any polling place; or shall use or practice any intimidation,
25 threats, force or violence with design to influence unduly or
26 overawe any elector, or to prevent him from voting or restrain
27 his freedom of choice; or shall prepare or present to any
28 election officer a fraudulent voter's certificate not signed in
29 the polling place by the elector whose certificate it purports
30 to be; or shall deposit fraudulent ballots in the ballot box; or

1 shall register fraudulent votes upon any voting machine; or
2 shall tamper with any district register, voting check list,
3 numbered lists of voters, ballot box or voting machine; or shall
4 conspire with others to commit any of the offenses herein
5 mentioned, or in any manner to prevent a free and fair primary
6 or election, he shall be guilty of a felony of the third degree,
7 and, upon conviction thereof, shall be sentenced to pay a fine
8 not exceeding [~~fifteen thousand (\$15,000)] twenty thousand <--
9 ~~(\$20,000)~~ THIRTY THOUSAND (\$30,000) dollars, or to undergo an <--
10 imprisonment of not more than [~~seven (7)] fourteen (14) years,
11 or both, in the discretion of the court.~~~~

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

28 Section 1829. Assault and Battery at Polls.--Any person who
29 shall unlawfully strike, wound or commit an assault and battery
30 upon the person of any elector at or near the polling place

1 during the time of any primary or election shall be guilty of a
2 misdemeanor of the first degree, and, upon conviction thereof,
3 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
4 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars, or to undergo an
5 imprisonment of not more than [~~five (5)~~] ten (10) years, or
6 both, in the discretion of the court.

7 Section 1830. Unlawful Assistance in Voting.--Any elector at
8 any primary or election who shall allow his ballot or the face
9 of the voting machine voted by him to be seen by any person with
10 the apparent intention of letting it be known how he is about to
11 vote; or in districts in which ballots are used, shall cast or
12 attempt to cast any other than the official ballot which has
13 been given to him by the proper election officer; or who,
14 without having made the declaration under oath or affirmation
15 required by section 1218 of this act, or when the disability
16 which he declared before any registration commission no longer
17 exists, shall permit another to accompany him into the voting
18 compartment or voting machine booth, or to mark his ballot or
19 prepare the voting machine for voting by him; or who shall mark
20 his ballot or prepare the voting machine for voting while
21 another is unlawfully present in the voting machine compartment
22 or voting machine booth with him; or who shall state falsely to
23 any election officer that because of illiteracy he is unable to
24 read the names on the ballot or ballot labels or that by reason
25 of physical disability he cannot see or mark the ballot or enter
26 the voting compartment without assistance or that he cannot see
27 or operate the voting machine or enter the voting machine booth
28 without assistance; or who shall state, as his reason for
29 requiring assistance, a disability from which he does not
30 suffer; or any person who shall go into the voting compartment

1 or voting machine booth with another while voting or be present
2 therein while another is voting, or mark the ballot of another
3 or prepare the voting machine for voting with another, except in
4 strict accordance with the provisions of this act; or any person
5 who shall interfere with any elector when inside the enclosed
6 space or when marking his ballot, or preparing the voting
7 machine for voting, or who shall endeavor to induce any elector
8 before depositing his ballot to show how he marks or has marked
9 his ballot; or any person giving assistance who shall attempt to
10 influence the vote of the elector whom he is assisting or who
11 shall mark a ballot or prepare a voting machine for voting in
12 any other way than that requested by the voter whom he is
13 assisting, or who shall disclose to anyone the contents of any
14 ballot which has been marked or any voting machine which has
15 been prepared for voting with his assistance, except when
16 required to do so in any legal proceeding, shall be guilty of a
17 misdemeanor, and, upon conviction thereof, shall be sentenced to
18 pay a fine not exceeding [one thousand (\$1,000)] two thousand
19 (\$2,000) dollars, or to undergo an imprisonment of not more than
20 [one (1) year] two (2) years, or both, in the discretion of the
21 court.

22 Section 1831. Election Officers Permitting Unlawful
23 Assistance.--Any election officer who shall permit a voter to be
24 accompanied by another into the voting compartment or voting
25 machine booth when the registration card of such person contains
26 no declaration that such person requires assistance, or when
27 such person has not made, under oath or affirmation, the
28 statement required by section 1218 of this act, or when such
29 election officer knows that the disability which the elector
30 declared before any registration commission no longer exists, or

1 who shall permit any person to accompany an elector into the
2 voting compartment or voting machine booth, except as provided
3 by this act, shall be guilty of a misdemeanor, and, upon
4 conviction thereof, shall be sentenced to pay a fine not
5 exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000) dollars,
6 or to undergo an imprisonment of not more than [~~one (1) year~~]
7 two (2) years, or both, in the discretion of the court.

8 Section 1832. Failure to Keep and Return Record of Assisted
9 Voters.--Any judge of election who shall fail to record, as
10 required by section 1218 (c) of this act, the name of each
11 elector who received assistance or who is accompanied by another
12 into the voting compartment or voting machine booth; or who
13 shall insert in the record of assisted voters the name of any
14 elector who does not receive assistance or is not accompanied by
15 another into the voting compartment or voting machine booth; or
16 who shall fail to record the exact disability of any assisted
17 elector which makes the assistance necessary, or shall record in
18 respect of any assisted elector a disability, other than that
19 stated by the elector; or who shall fail to record the name of
20 each person rendering assistance to an elector as prescribed by
21 this act; or who shall knowingly record as the name of such
22 person giving assistance a name which is not the name of such
23 person; or who shall fail or neglect to return the record of
24 assisted voters to the county board of elections as required by
25 this act, shall be guilty of a misdemeanor, and, upon conviction
26 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
27 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
28 an imprisonment of not less than [~~two (2)~~] four (4) months nor
29 more than [~~two (2)~~] four (4) years, or both, in the discretion
30 of the court.

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

10 Section 1834. Elector Voting Ballot of Wrong Party at
11 Primary.--Any elector who shall wilfully vote at any primary the
12 ballot of a party in which he is not enrolled, in violation of
13 the provisions of this act, shall be guilty of a misdemeanor of
14 the second degree, and, upon conviction thereof, shall be
15 sentenced to pay a fine not exceeding [~~five thousand (\$5,000)]
16 ten thousand (\$10,000) dollars, or to undergo an imprisonment of
17 not more than [~~two (2)] four (4) years, or both, in the
18 discretion of the court.~~~~

19 Section 1835. Repeat Voting at Elections.--If any person
20 shall vote in more than one election district, or otherwise
21 fraudulently vote more than once at the same primary or
22 election, or shall vote a ballot other than the ballot issued to
23 him by the election officers, or shall advise or procure another
24 so to do, he shall be guilty of a felony of the third degree,
25 and, upon conviction thereof, shall be sentenced to pay a fine
26 not exceeding [~~fifteen thousand (\$15,000)] thirty thousand
27 (\$30,000) dollars, or to undergo an imprisonment of not more
28 than [~~seven (7)] fourteen (14) years, or both, in the discretion
29 of the court.~~~~

30 Section 1836. Removing Ballots.--Any person removing any

1 ballot from any book of official ballots, except in the manner
2 provided by this act, shall be guilty of a misdemeanor of the
3 second degree, and, upon conviction thereof, shall be sentenced
4 to pay a fine not exceeding [five thousand (\$5,000)] ten
5 thousand (\$10,000) dollars, or to undergo an imprisonment of not
6 more than [two (2)] four (4) years, or both, in the discretion
7 of the court.

8 Section 1837. Commissioners to Take Soldiers' Votes.--Any
9 commissioner appointed by or under the provisions of Article
10 XIII of this act who shall knowingly violate his duty or
11 knowingly omit or fail to do his duty thereunder or violate any
12 part of his oath, shall be guilty of perjury, and, upon
13 conviction thereof, shall be sentenced to pay a fine not
14 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
15 or to undergo an imprisonment of not more than [one (1) year]
16 two (2) years, or both, in the discretion of the court.

17 Section 1838. Fraudulent Voting by Soldiers.--Any person who
18 shall vote or attempt to vote at any election by electors in
19 military service under the provisions of Article XIII of this
20 act, not being qualified to vote at such election, shall be
21 guilty of a misdemeanor, and, upon conviction thereof, shall be
22 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
23 two thousand (\$2,000) dollars, or to undergo an imprisonment of
24 not more than [one (1) year] two (2) years, or both, in the
25 discretion of the court.

26 Section 1839. Bribery at Elections.--Any person who shall,
27 directly or indirectly, give or promise or offer to give any
28 gift or reward in money, goods or other valuable thing to any
29 person, with intent to induce him to vote or refrain from voting
30 for any particular candidate or candidates or for or against any

1 constitutional amendment or other question at any primary or
2 election; or who shall, directly or indirectly, procure for or
3 offer or promise to procure for such person any such gift or
4 reward with the intent aforesaid; or, who with the intent to
5 influence or intimidate such person to give his vote or to
6 refrain from giving his vote for any particular candidate or
7 candidates or for or against any constitutional amendment or
8 other question at any primary or election, shall give to or
9 obtain for or assist in obtaining for or offer or promise to
10 give to or obtain for or assist in obtaining for such person any
11 office, place, appointment or employment, public or private, or
12 threaten such person with dismissal or discharge from any
13 office, place, appointment or employment, public or private,
14 then held by him, shall be guilty of a felony of the third
15 degree, and, upon conviction thereof, shall be sentenced to pay
16 a fine not exceeding [fifteen thousand (\$15,000)] thirty
17 thousand (\$30,000) dollars, or to undergo an imprisonment of not
18 more than [seven (7)] fourteen (14) years, or both, in the
19 discretion of the court.

20 Section 1840. Receipts and Disbursements of Primary and
21 Election Expenses by Persons Other Than Candidates and
22 Treasurers.--Any member of a political committee who shall
23 receive or disburse any money or incur any liability for primary
24 or election expenses, except through the treasurer of such
25 political committee, and any person not a candidate or member of
26 a political committee who shall receive or disburse any money or
27 incur any liability for primary or election expenses, shall be
28 guilty of a misdemeanor, and, upon conviction thereof, shall be
29 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
30 two thousand (\$2,000) dollars, or to undergo an imprisonment of

1 not less than [one (1) month] two (2) months nor more than [two
2 (2)] four (4) years, or both, in the discretion of the court.

3 Section 1841. Receipts of Primary and Election Expenses by
4 Unauthorized Persons.--Any person or any political committee who
5 receives money on behalf of any candidate without being
6 authorized to do so under the provisions of section 1623, shall
7 be guilty of a misdemeanor, and, upon conviction thereof, shall
8 be sentenced to pay a fine not exceeding [five thousand dollars
9 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
10 imprisonment of not less than [one (1) month] two (2) months nor
11 more than [two (2)] four (4) years, or both, in the discretion
12 of the court.

13 Section 1843. Contributions by Corporations or
14 Unincorporated Associations.--Any corporation or unincorporated
15 association, which shall pay, give or lend or agree to pay, give
16 or lend any money belonging to such corporation or
17 unincorporated association or in its custody or control, in
18 violation of the provisions of section 1633, shall be guilty of
19 a misdemeanor, and, upon conviction thereof, shall be sentenced
20 to pay a fine of not less than [one thousand dollars (\$1,000)]
21 two thousand dollars (\$2,000) nor more than [ten thousand
22 dollars (\$10,000)] twenty thousand dollars (\$20,000). Any
23 director, officer, agent or employe of any corporation or
24 unincorporated association who shall on behalf of such
25 corporation or unincorporated association pay, give or lend or
26 authorize to be paid, given or lent any money belonging to such
27 corporation or unincorporated association or in its custody or
28 control in violation of the provisions of section 1633, shall be
29 guilty of a misdemeanor, and, upon conviction thereof, shall be
30 sentenced to pay a fine not exceeding [ten thousand dollars

1 ~~(\$10,000)]~~ twenty thousand dollars (\$20,000), or to undergo an
2 imprisonment of not less than ~~[one (1) month]~~ two (2) months nor
3 more than ~~[two (2)]~~ four (4) years, or both, in the discretion
4 of the court.

5 Section 1845. Failure to File Expense Account.--Any
6 candidate or treasurer of a political committee or person acting
7 as such treasurer who shall fail to file an account of primary
8 or election expenses, as required by this act, shall be guilty
9 of a misdemeanor, and, upon conviction thereof, shall be
10 sentenced to pay a fine not exceeding ~~[five thousand dollars~~
11 ~~(\$5,000)]~~ ten thousand dollars (\$10,000), or to undergo an
12 imprisonment of not less than ~~[one (1) month]~~ two (2) months nor
13 more than ~~[two (2)]~~ four (4) years, or both, in the discretion
14 of the court.

15 Section 1847. Prohibiting Duress and Intimidation of Voters
16 and Interference with the Free Exercise of the Elective
17 Franchise.--Any person or corporation who, directly or
18 indirectly--(a) uses or threatens to use any force, violence or
19 restraint, or inflicts or threatens to inflict any injury,
20 damage, harm or loss, or in any other manner practices
21 intimidation or coercion upon or against any person, in order to
22 induce or compel such person to vote or refrain from voting at
23 any election, or to vote or refrain from voting for or against
24 any particular person, or for or against any question submitted
25 to voters at such election, or to place or cause to be placed or
26 refrain from placing or causing to be placed his name upon a
27 register of voters, or on account of such person having voted or
28 refrained from voting at such election, or having voted or
29 refrained from voting for or against any particular person or
30 persons or for or against any question submitted to voters at

1 such election, or having registered or refrained from
2 registering as a voter; or (b) by abduction, duress or coercion,
3 or any forcible or fraudulent device or contrivance, whatever,
4 impedes, prevents, or otherwise interferes with the free
5 exercise of the elective franchise by any voter, or compels,
6 induces, or prevails upon any voter to give or refrain from
7 giving his vote for or against any particular person at any
8 election; or (c) being an employer, pays his employes the salary
9 or wages due in "pay envelopes" upon which or in which there is
10 written or printed any political motto, device, statement or
11 argument containing threats, express or implied, intended or
12 calculated to influence the political opinions or actions of
13 such employes, or within ninety days of any election or primary
14 puts or otherwise exhibits in the establishment or place where
15 his employes are engaged in labor, any handbill or placard
16 containing any threat, notice, or information that if any
17 particular ticket or candidate is elected or defeated work in
18 his place or establishment will cease, in whole or in part, his
19 establishment be closed up, or the wages of his employes
20 reduced, or other threats, express or implied, intended or
21 calculated to influence the political opinions or actions of his
22 employes, shall be guilty of a misdemeanor of the second degree.
23 Any person or corporation, convicted of a violation of any of
24 the provisions of this section, shall be sentenced to pay a fine
25 not exceeding [~~five thousand (\$5,000)~~] ten thousand (\$10,000)
26 dollars, or such person or the officers, directors or agents of
27 such corporation responsible for the violation of this section,
28 shall be sentenced to undergo an imprisonment of not more than
29 [~~two (2)~~] four (4) years, or both, in the discretion of the
30 court.

1 Section 1848. Failure to Perform Duty.--Any Secretary of the
2 Commonwealth, member of a county board of elections, chief
3 clerk, employe, overseer, judge of election, inspector of
4 election, clerk of election, machine inspector or custodian or
5 deputy custodian of voting machines on whom a duty is laid by
6 this act who shall wilfully neglect or refuse to perform his
7 duty, shall be guilty of a misdemeanor, and, upon conviction
8 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
9 ~~thousand (\$1,000)~~] two thousand (\$2,000) dollars, or to undergo
10 an imprisonment of not more than [~~two (2)~~] four (4) years, or
11 both, in the discretion of the court.

12 Section 1849. Hindering or Delaying Performance of Duty.--
13 Any person who intentionally interferes with, hinders or delays
14 or attempts to interfere with, hinder or delay any other person
15 in the performance of any act or duty authorized or imposed by
16 this act, shall be guilty of a misdemeanor, and, upon conviction
17 thereof, shall be sentenced to pay a fine not exceeding [~~five~~
18 ~~hundred (\$500)~~] one thousand (\$1,000) dollars, or to undergo an
19 imprisonment of not more than [~~one (1) year~~] two (2) years, or
20 both, in the discretion of the court.

21 Section 1850. Violation of Any Provision of Act.--Any person
22 who shall violate any of the provisions of this act, for which a
23 penalty is not herein specifically provided, shall be guilty of
24 a misdemeanor, and, upon conviction thereof, shall be sentenced
25 to pay a fine not exceeding [~~one thousand (\$1,000)~~] two thousand
26 (\$2,000) dollars, or to undergo an imprisonment of not more than
27 [~~one (1) year~~] two (2) years, or both, in the discretion of the
28 court.

29 Section 30. Section 1853 of the act, amended March 27, 2020
30 (P.L.41, No.12), is amended to read:

1 Section 1853. Violations of Provisions Relating to Absentee
2 and Mail-in Ballots.--If any person shall sign an application
3 for absentee ballot, mail-in ballot or declaration of elector on
4 the forms prescribed knowing any matter declared therein to be
5 false, or shall vote any ballot other than one properly issued
6 to the person, or vote or attempt to vote more than once in any
7 election for which an absentee ballot or mail-in ballot shall
8 have been issued to the person, or shall disclose results of a
9 pre-canvassing meeting under section 1308(g)(1.1), or shall
10 violate any other provisions of Article XIII or Article XIII-D
11 of this act, the person shall be guilty of a misdemeanor of the
12 third degree, and, upon conviction, shall be sentenced to pay a
13 fine not exceeding [two thousand five hundred dollars (\$2,500)]
14 five thousand dollars (\$5,000), or be imprisoned for a term not
15 exceeding [two (2)] four (4) years, or both, at the discretion
16 of the court.

17 If any chief clerk or member of a board of elections, member
18 of a return board or member of a board of registration
19 commissioners, shall neglect or refuse to perform any of the
20 duties prescribed by Article XIII or Article XIII-D of this act,
21 or shall reveal or divulge any of the details of any ballot cast
22 in accordance with the provisions of Article XIII or Article
23 XIII-D of this act, or shall disclose results of a pre-
24 canvassing meeting under section 1308(g)(1.1), or shall count an
25 absentee ballot or mail-in ballot knowing the same to be
26 contrary to Article XIII or Article XIII-D, or shall reject an
27 absentee ballot or mail-in ballot without reason to believe that
28 the same is contrary to Article XIII or Article XIII-D, or shall
29 permit an elector to cast the elector's ballot other than a
30 provisional ballot at a polling place knowing that there has

1 been issued to the elector an absentee ballot or mail-in ballot,
2 the [elector] individual shall be guilty of a felony of the
3 third degree, and, upon conviction, shall be punished by a fine
4 not exceeding [fifteen thousand dollars (\$15,000)] thirty
5 thousand dollars (\$30,000), or be imprisoned for a term not
6 exceeding [seven (7)] fourteen (14) years, or both, at the
7 discretion of the court.

8 Section 31. The act is amended by adding ~~a section~~ SECTIONS <--
9 to read:

10 Section 1855. Unlawful Collection of Ballots.--A person who
11 willfully collects or returns absentee or mail-in ballots in
12 violation of this act commits a felony of the third degree and,
13 upon conviction, shall be punished by a fine not exceeding
14 thirty thousand dollars (\$30,000), or be imprisoned for a term
15 not exceeding fourteen (14) years, or both, at the discretion of
16 the court.

17 SECTION 1856. PROHIBITING DURESS AND INTIMIDATION OF <--
18 ELECTIONS OFFICIALS.--ANY PERSON WHO DIRECTLY OR INDIRECTLY USES
19 OR THREATENS TO USE ANY FORCE, VIOLENCE OR RESTRAINT, OR
20 INFLECTS OR THREATENS TO INFLECT ANY INJURY, DAMAGE, HARM OR
21 LOSS, OR IN ANY OTHER MANNER PRACTICES INTIMIDATION OR COERCION
22 UPON OR AGAINST ANY ELECTION OFFICIAL, ADMINISTRATOR, JUDGE OF
23 ELECTIONS OR POLL WORKER IN THE COURSE OF THEIR DUTIES IN
24 ADMINISTERING AN ELECTION SHALL BE GUILTY OF A MISDEMEANOR OF
25 THE SECOND DEGREE. ANY PERSON CONVICTED OF A VIOLATION OF THIS
26 SECTION SHALL BE FINED TEN THOUSAND (\$10,000) DOLLARS, SENTENCED
27 TO UNDERGO AN IMPRISONMENT OF NOT MORE THAN FOUR (4) YEARS, OR
28 BOTH, IN THE DISCRETION OF THE COURT.

29 Section 32. The act is amended by adding an article to read:

30 ARTICLE XX

1 REIMBURSEMENTS AND WITHHOLDING

2 Section 2001. General Rule.

3 The following shall apply:

4 (1) The State Treasurer shall reimburse counties for 50%
5 of the cost of replacing voting machines, ballot processing
6 machines or electronic poll books, not more than once every
7 10 years, except that:

8 (i) The State Treasurer shall reimburse counties for
9 50% of the cost of replacing equipment at any time if the
10 equipment previously used by the county was decertified
11 by the department.

12 (ii) The State Treasurer shall reimburse counties
13 for 100% of the cost of purchasing ballot processing
14 machines or electronic poll books within one year after
15 the effective date of this section.

16 (2) The State Treasurer shall reimburse counties for
17 100% of the cost of issuing registration cards required under
18 section 302(s), within one year of the effective date of this
19 section.

20 Section 2002. Withholding.

21 The State Treasurer shall withhold all reimbursements and
22 election funding provided for under this act from any county
23 which is in violation of this act or for which an audit or
24 recount has identified violations or irregularities in voting,
25 until the issue has been successfully resolved, as certified by
26 the Auditor General.

27 Section 33. The provisions of this act are nonseverable. If
28 any provision of this act or its application to any person or
29 circumstance is held invalid, the remaining provisions or
30 applications of this act are void.

1 Section 34. This act shall apply to elections held on or
2 after the effective date of this section.

3 Section 35. Repeals are as follows:

4 (1) The General Assembly declares that the repeal under
5 paragraph (2) is necessary to effectuate the addition of
6 Article VII-A of the act.

7 (2) 25 Pa.C.S. Ch. 13 is repealed.

8 Section 36. This act shall take effect immediately.