

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2217 Session of 2022

INTRODUCED BY O'MARA, ZABEL, SANCHEZ, MALAGARI, CIRESI,
 D. WILLIAMS, HOHENSTEIN, SCHLOSSBERG, DAVIDSON, SCHWEYER,
 ISAACSON, CONKLIN, WARREN, HILL-EVANS, WEBSTER, DEASY,
 FREEMAN, PISCIOTTANO, DELLOSO, McCLINTON AND SIMS,
 JANUARY 10, 2022

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 10, 2022

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," providing for early voting in elections.

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

14 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known
 15 as the Pennsylvania Election Code, is amended by adding an
 16 article to read:

17 ARTICLE XII-A

18 EARLY VOTING IN ELECTIONS

19 Section 1201-A. Conduct of early voting.

20 (a) Authority to conduct.--Notwithstanding law or regulation
 21 to the contrary, each county board shall provide for a period of

1 early voting in elections as provided for in this article.

2 (b) Issuance of ballots and voting booths.--The following
3 apply:

4 (1) If a request is made to vote early by a registered
5 elector, the county board shall issue a ballot to the
6 registered elector, except in districts where voting machines
7 are used in accordance with Article XI, for in-person early
8 voting. Except as otherwise provided in this article, all
9 ballots issued to registered electors for early voting must
10 be voted on the premises of the county board and returned to
11 the county board.

12 (2) On the dates for early voting prescribed in section
13 1203-A, each county board shall provide voting booths with
14 voting machines and other suitable equipment for voting on
15 the premises of the county board and at any other early
16 voting polling place designated by the county board for the
17 conduct of early voting in accordance with this article.

18 (c) Maintenance of list.--The county board shall maintain a
19 list of all registered electors in each election district who
20 vote during the early voting period. The list must be maintained
21 for each election district in the county. Before the opening of
22 the polls on election day, the county board shall deliver to the
23 judges of elections in each election district the list of
24 registered electors who have voted by early ballot.

25 Section 1202-A. Permanent polling places for early voting.

26 The following apply:

27 (1) A county board may establish permanent polling
28 places for in-person early voting at locations throughout the
29 county in which the county board has jurisdiction, including,
30 but not limited to, any school, county building or any other

1 office or building owned or maintained by the county. A
2 registered elector entitled to early voting may do so at any
3 polling place established by the county board for early
4 voting.

5 (2) During each election, the county board, in a county
6 with a population of over 250,000, shall establish at least
7 one permanent polling place for in-person early voting at a
8 location within each of the three largest municipalities
9 within the county board's jurisdiction. If the population of
10 any of the three largest municipalities in the county is over
11 80,000, the county board shall establish at least two
12 permanent polling places within the municipality. All
13 population figures shall be determined by the most recent
14 Federal decennial census.

15 (3) During each election, the county board in a county
16 with a municipality with a population of over 100,000, shall
17 establish at least three permanent polling places for in-
18 person early voting.

19 (4) During each election, the county board in a county
20 with a population of over 100,000 but under 250,000, shall
21 establish at least one permanent polling place for in-person
22 early voting.

23 (5) The location for early voting may be the county
24 board's main office or any other location designated by the
25 county board for early voting. The county board may designate
26 additional sites for in-person early voting as the county
27 board deems appropriate.

28 (6) No permanent polling place designated for early
29 voting in accordance with this section shall be located
30 within 1.5 miles of another permanent polling place required

1 under this section, unless the permanent polling place is
2 within a municipality with a population of 500,000 or more.

3 (7) All population figures enumerated in this section
4 shall be determined by the most recent Federal decennial
5 census.

6 Section 1203-A. Period for early voting.

7 (a) Commencement and end of early voting.--The period for
8 in-person early voting shall begin the 30th day preceding the
9 date of an election and extend through the end of the day before
10 election day.

11 (b) Schedules of early voting.--Except as provided under
12 subsection (c), the following apply:

13 (1) Except as provided under paragraphs (2) and (3), a
14 permanent polling place for early voting must remain open
15 beginning the 30th day before an election through the end of
16 the day before election day as follows:

17 (i) during the hours of 8:30 a.m. to 4:30 p.m. or
18 9:00 a.m. to 5:00 p.m. on weekdays; and

19 (ii) during the hours of 9:00 a.m. to 12:00 p.m. on
20 Saturdays and holidays and 10:00 a.m. to 4:00 p.m. on
21 Sundays.

22 (2) Eight days before election day a permanent polling
23 place for early voting must remain open during the hours of
24 8:30 a.m. to 7:00 p.m. or 9:00 a.m. to 7:00 p.m.

25 (3) In addition to the hours prescribed under paragraphs
26 (1) and (2), a permanent polling place designated by a county
27 board under section 1202-A must remain open for a total of at
28 least eight hours on any holiday during the early voting
29 period and a total of at least 14 hours on the final weekend
30 during the early voting period.

1 (c) Emergency closure of polling place.--Notwithstanding
2 subsection (b), a county board may close an early voting polling
3 place if the building in which the polling place is located has
4 been closed by a State, county or local agency in response to a
5 severe weather emergency or other emergency. The county board
6 shall notify the Secretary of the Commonwealth of any closure
7 and shall make reasonable efforts to provide notice to the
8 public of an alternative polling place for early voting.

9 Section 1204-A. Designation of temporary polling places.

10 (a) Temporary polling places.--In addition to permanent
11 polling places for early voting under section 1202-A, the county
12 board may establish temporary polling places for early voting.

13 (b) Applicability of schedule.--The following apply:

14 (1) The schedules for the conduct of early voting under
15 section 1203-A(b) shall not apply to temporary polling
16 places. Early voting at temporary polling places may be
17 conducted on any one or more days and during any hours within
18 the early voting period established for in-person early
19 voting under section 1203-A(b), as determined by the county
20 board.

21 (2) The schedules for the conduct of early voting at a
22 temporary polling place do not need to be uniform among the
23 temporary polling places.

24 Section 1205-A. Use of public buildings as polling places.

25 Upon request by a county board, the governing body of a
26 municipality shall make public buildings within the county
27 available as permanent or temporary early voting polling places
28 without charge. Any request to use a public building shall
29 include reasonably necessary time before and after the period
30 that early voting will be conducted at the public building. A

1 municipality making a public building available as a permanent
2 or temporary early voting polling place shall ensure that any
3 portion of the building made available is accessible to voters
4 with disabilities and elderly voters.

5 Section 1206-A. Publication of early voting locations and
6 schedules.

7 (a) Notice.--During the week immediately preceding the
8 commencement of early voting and at least once each week during
9 the period of early voting, the county board shall publish in a
10 newspaper of general circulation in the county a schedule
11 stating:

12 (1) the location of each permanent and temporary early
13 voting polling place and the election districts served by
14 each such polling place; and

15 (2) the dates and hours that early voting will be
16 conducted at each temporary early voting polling place.

17 (b) Posting requirements.--Each county board shall post a
18 copy of the schedule at an office or other location that is to
19 be used as a temporary early voting polling place. The schedule
20 must be posted continuously for a period beginning not later
21 than the 10th day before the commencement of early voting and
22 ending on the last day of the early voting period.

23 (c) Copies.--The county board must make copies of the
24 schedule available to the public in reasonable quantities
25 without charge during the period of posting.

26 (d) Electronic posting.--If the county board maintains a
27 publicly accessible Internet website, the county board shall
28 make the schedule available on the website.

29 (e) Prohibition and exception after schedule publication.--
30 The following apply:

1 (1) No additional permanent early voting polling places
2 may be established after the schedule is published under this
3 section.

4 (2) Additional temporary early voting polling places may
5 be established after the schedule is published if the
6 temporary early voting polling places are open to all
7 registered electors. The locations, dates and hours of all
8 additional temporary early voting polling places shall be
9 reported to the Secretary of the Commonwealth and posted on
10 the county board's publicly accessible Internet website.

11 Section 1207-A. List of polling places.

12 At least 10 days before the commencement of early voting,
13 each county board shall provide the Secretary of the
14 Commonwealth with a list of all permanent and temporary early
15 voting polling places and the hours each polling place will be
16 open for early voting.

17 Section 2. This act shall take effect immediately.