
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2647 Session of
2022

INTRODUCED BY GROVE, FEE, LEWIS, STAATS, PEIFER, COX, MOUL,
MENTZER, MILLARD, RYAN, R. MACKENZIE, BERNSTINE, GLEIM AND
HERSHEY, JUNE 7, 2022

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 7, 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," in the Secretary of the Commonwealth, further
12 providing for powers and duties of the Secretary of the
13 Commonwealth; in county boards of elections, further
14 providing for powers and duties of county boards; in voting
15 by qualified absentee electors, further providing for
16 canvassing of official absentee ballots and mail-in ballots;
17 and, in recounts and contests, providing for independent
18 prosecutor and for election integrity officers.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. Sections 201, 302 and 1308 of the act of June 3,
22 1937 (P.L.1333, No.320), known as the Pennsylvania Election
23 Code, are amended by adding subsections to read:

24 Section 201. Powers and Duties of the Secretary of the
25 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 * * *

5 (i) To maintain a hotline for the reporting of any known or
6 suspected election fraud or intimidation or duress of poll
7 workers, judges of elections, election officials or election
8 observers and to provide election fraud education to the public.
9 All information received through the hotline shall be
10 automatically transmitted to the independent prosecutor under
11 section 1778 and the county election integrity officer under
12 section 1779.

13 (j) To cooperate with an independent prosecutor under
14 section 1778 for each election cycle to review election
15 complaints received by the secretary and the county boards of
16 elections.

17 (k) To provide annual training to district attorneys and
18 their employees on Federal and State election laws and
19 procedures.

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

25 * * *

26 (n.1) To cooperate with the election integrity officer under
27 section 1779 in their county and to include the election
28 integrity officer in their county in all correspondence related
29 to the conduct of the election.

30 (n.2) To cooperate with an independent prosecutor under

1 section 1778 for each election cycle to review election
2 complaints received by the county boards of elections.

3 * * *

4 Section 1308. Canvassing of Official Absentee Ballots and
5 Mail-in Ballots.--* * *

6 (j) Notwithstanding any other provision of law, the
7 following apply to authorized representatives regarding the
8 oversight of election results:

9 (1) The authorized representatives shall be provided with
10 meaningful access to view and observe the entire process of pre-
11 canvassing or canvassing activities, including allowing the
12 authorized representatives to easily read the text on any ballot
13 or envelope at any point in the process of pre-canvassing or
14 canvassing activities.

15 (2) A county board of elections shall designate an official
16 to respond to issues reported by authorized representatives.

17 (3) The Department of State shall establish a procedure for
18 authorized representatives to report any concerns arising from
19 any pre-canvass meeting.

20 (4) The Department of State and county board of elections
21 shall investigate and report on any concerns raised in each
22 election.

23 (5) All information regarding the oversight of elections
24 under this subsection shall be turned over to the independent
25 prosecutor under section 1778.

26 (6) A county board of elections shall record the pre-canvass
27 and canvass meetings with audio and visual recording. The entire
28 recording under this paragraph shall be made available only
29 after the close of the polls.

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

1 Section 1778. Independent Prosecutor.--(a) At least ninety
2 days prior to each primary election, the Attorney General shall
3 appoint an independent prosecutor, which appointment shall be
4 subject to the approval of a majority of the members elected to
5 the Senate. The Attorney General shall appoint and fix the
6 compensation of the independent prosecutor.

7 (b) The independent prosecutor shall have experience
8 prosecuting election law violations.

9 (c) The independent prosecutor shall:

10 (1) Review election complaints received by the Department of
11 State and the county boards of elections for elections occurring
12 during the calendar year in which the independent prosecutor is
13 appointed and until the next independent prosecutor is
14 appointed.

15 (2) Coordinate election oversight efforts with each level of
16 law enforcement.

17 (d) The independent prosecutor shall publish a report
18 following each election during the term of service of the
19 independent prosecutor. The following apply:

20 (1) Each report shall include the following for elections
21 occurring during the term of service of the independent
22 prosecutor:

23 (i) The total number of complaints filed and the entities to
24 which the complaints were filed.

25 (ii) A summary of how each complaint was investigated by the
26 independent prosecutor.

27 (iii) Recommendations to the General Assembly, the
28 Department of State and county boards of elections for reducing
29 future complaints.

30 (2) Each report shall be a public record under the act of

1 February 14, 2008 (P.L.6, No.3), known as the "Right-to-Know
2 Law."

3 Section 1779. Election Integrity Officers.--The district
4 attorney of a county or a designee of the district attorney
5 shall serve as the county's election integrity officer. The
6 election integrity officer shall work with its respective county
7 board of elections, director of elections and judge of elections
8 to develop chain of custody procedures and internal control
9 procedures to:

10 (1) Ensure the integrity of elections.

11 (2) Prevent fraud and illegal voting.

12 (3) Recommend data analytic tools to prevent fraud and
13 illegal voting.

14 (4) Ensure that proper evidence can be developed to
15 prosecute violations of Federal and State election laws.

16 Section 3. This act shall take effect immediately.