
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1264 Session of
2023

INTRODUCED BY KEEFER, STAMBAUGH, HAMM, MALONEY, IRVIN,
LEADBETER, ROWE, R. MACKENZIE, KAUFFMAN, STEHR, STAATS, MOUL,
PICKETT, WARNER, GLEIM, ZIMMERMAN, T. JONES AND FINK,
MAY 30, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 30, 2023

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in conduct of elections, providing for voting
3 system performance audit.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 25 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 39

9 VOTING SYSTEM PERFORMANCE AUDIT

10 Sec.

11 3901. Definitions.

12 3902. Authorization.

13 3903. Standards.

14 3904. Subpoena power.

15 § 3901. Definitions.

16 The following words and phrases when used in this chapter

17 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Audit." The official inspection and review of the returns
3 of an election in accordance with this chapter.

4 "County." A county of this Commonwealth. The term includes a
5 county within which is located a city of the first class or with
6 which a city of the first class is coextensive.

7 "Election." A general election, municipal election, primary
8 election or special election.

9 "General election." The election that the Constitution of
10 Pennsylvania requires to be held in even-numbered years.

11 "Municipal election." The election that the Constitution of
12 Pennsylvania requires to be held in odd-numbered years.

13 "Primary election." An election held for the purpose of
14 nominating candidates for public offices to be voted for at a
15 general election or municipal election.

16 "Special election." An election authorized by law, other
17 than a general election, municipal election or primary election.
18 § 3902. Authorization.

19 Notwithstanding any other provision of law, the Auditor
20 General shall conduct an annual performance audit of the county
21 results of each election to ensure the integrity of the
22 electoral process in this Commonwealth.

23 § 3903. Standards.

24 An audit under this chapter shall be in accordance with the
25 standards of the following:

26 (1) Government Auditing Standards by the Comptroller
27 General of the United States (United States Government
28 Accountability Office, July 2018).

29 (2) SOC 2® Reporting on an Examination of Controls at a
30 Service Organization Relevant to Security, Availability,

1 Processing Integrity, Confidentiality, or Privacy (American
2 Institute of CPAs (AICPA), January 1, 2018).

3 § 3904. Subpoena power.

4 The Auditor General shall have the power to subpoena persons,
5 require the production of papers and records, compel the
6 attendance of witnesses and examine witnesses in performing the
7 audit under this chapter.

8 Section 2. The addition of 25 Pa.C.S. Ch. 39 shall apply to
9 elections that occur after December 31, 2023.

10 Section 3. This act shall take effect in 60 days.