

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 408 Session of 2023

INTRODUCED BY PHILLIPS-HILL, DUSH, ARGALL, BAKER, BARTOLOTTA AND ROTHMAN, FEBRUARY 21, 2023

REFERRED TO STATE GOVERNMENT, FEBRUARY 21, 2023

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 explanation of ballot question.

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

15 Section 1. Section 201.1 of the act of June 3, 1937
 16 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
 17 amended to read:

18 Section 201.1. Explanation of Ballot Question and Posting on
 19 Internet.--(a) Whenever a proposed constitutional amendment or
 20 other State-wide ballot question shall be submitted to the
 21 electors of the Commonwealth in referendum, the Attorney General
 22 shall prepare a statement in plain English which indicates the
 23 purpose, limitations and effects of the ballot question on the

1 people of the Commonwealth.

2 (b) The Secretary of the Commonwealth shall include such
3 statement in [his] the publication of a proposed constitutional
4 amendment as required by Article XI of the Constitution of
5 Pennsylvania. The Secretary of the Commonwealth shall also post
6 on the Department of State's publicly accessible Internet
7 website a detailed account of each action taken to publish the
8 proposed constitutional amendment, including a copy of the
9 notice and constitutionally required deadline, a listing of the
10 newspapers in which the notice was published and the date of
11 publication and the earliest election date on which the proposed
12 constitutional amendment may be voted on by the electors.

13 (c) The Secretary of the Commonwealth shall certify such
14 statement to the county boards of elections who shall publish
15 such statement as a part of the notice of elections required by
16 section 1201 or any other provision of this act. The county
17 board of elections shall also require that at least three copies
18 of such statement be posted in or about the voting room outside
19 the enclosed space with the specimen ballots and other
20 instructions and notices of penalties. In election questions
21 which affect only one county or portion thereof, the county
22 board of elections shall fulfill these requirements in the place
23 of the Attorney General and the Secretary of the Commonwealth.

24 Section 2. This act shall take effect in 60 days.