

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1506 Session of 2019

INTRODUCED BY DOWLING, HENNESSEY, MILLARD, KINSEY, ULLMAN, WILLIAMS, TURZAI, WARNER, KEEFER, HOHENSTEIN, FREEMAN, MACKENZIE, CIRESI, GAYDOS, OBERLANDER AND WARREN, MAY 23, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 23, 2019

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 voting by qualified absentee electors, further
 12 providing for delivering or mailing ballots, for voting by
 13 absentee electors and for canvassing of official absentee
 14 ballots.

15 The General Assembly of the Commonwealth of Pennsylvania
 16 hereby enacts as follows:

17 Section 1. Sections 1305(b), 1306(a) introductory paragraph
 18 and 1308(a) of the act of June 3, 1937 (P.L.1333, No.320), known
 19 as the Pennsylvania Election Code, are amended to read:

20 Section 1305. Delivering or Mailing Ballots.--

21 * * *

22 (b) The county board of elections upon receipt and approval
 23 of an application filed by any elector qualified in accordance

1 with the provisions of section 1301, subsections (i) to (l),
2 inclusive, shall commence to deliver or mail official absentee
3 ballots on the [second] fourth Tuesday prior to the primary or
4 election[.], except that absentee ballots for electors qualified
5 in accordance with section 1301, subsections (a) to (h),
6 inclusive, shall be processed and delivered or mailed with a
7 priority over absentee ballots of electors qualified in
8 accordance with section 1301, subsections (i) to (l), inclusive.

9 For those applicants whose proof of identification was not
10 provided with the application or could not be verified by the
11 board, the board shall send the notice required under section
12 1302.2(d) with the absentee ballot. As additional applications
13 are received and approved, the board shall deliver or mail
14 official absentee ballots to such additional electors within
15 forty-eight hours.

16 * * *

17 Section 1306. Voting by Absentee Electors.--(a) Except as
18 provided in paragraphs (1), (2) and (3), at any time after
19 receiving an official absentee ballot, but on or before five
20 o'clock P.M. on the [Friday] Monday prior to the primary or
21 election, the elector shall, in secret, proceed to mark the
22 ballot only in black lead pencil, indelible pencil or blue,
23 black or blue-black ink, in fountain pen or ball point pen, and
24 then fold the ballot, enclose and securely seal the same in the
25 envelope on which is printed, stamped or endorsed "Official
26 Absentee Ballot."

27 * * *

28 Section 1308. Canvassing of Official Absentee Ballots.--(a)
29 The county boards of election, upon receipt of official absentee
30 ballots in such envelopes, shall safely keep the same in sealed

1 or locked containers until they distribute same to the
2 appropriate local election districts in a manner prescribed by
3 the Secretary of the Commonwealth.

4 Except as provided in section 1302.1(a.2), the county board
5 of elections shall then distribute the absentee ballots,
6 unopened, to the absentee voter's respective election district
7 concurrently with the distribution of the other election
8 supplies. Absentee ballots shall be canvassed immediately and
9 continuously without interruption until completed after the
10 close of the polls on the day of the election in each election
11 district. The results of the canvass of the absentee ballots
12 shall then be included in and returned to the county board with
13 the returns of that district. Except as provided in section
14 1302.1(a.2) and subsection (g), no absentee ballot shall be
15 counted which is received in the office of the county board of
16 election later than five o'clock P.M. on the [Friday] Monday
17 immediately preceding the primary or November election.

18 * * *

19 Section 2. This act shall apply to any general, municipal,
20 special or primary election held after July 1, 2019.

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