

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 159 Session of 2023

INTRODUCED BY PASHINSKI, MADDEN, PROBST, HILL-EVANS, CIRESI, HOHENSTEIN, GUENST, SANCHEZ, BURGOS, D. WILLIAMS, WEBSTER, STURLA, SHUSTERMAN, HARKINS, FLICK, KINKEAD, BOROWSKI, DONAHUE, DELLOSO, CEPEDA-FREYTIZ, O'MARA, ROZZI, WARREN AND OTTEN, MARCH 8, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 8, 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 voting by qualified absentee electors, further  
 12 providing for canvassing of official absentee ballots and  
 13 mail-in ballots.

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

16 Section 1. Section 1308(g)(1.1) of the act of June 3, 1937  
 17 (P.L.1333, No.320), known as the Pennsylvania Election Code, is  
 18 amended to read:

19 Section 1308. Canvassing of Official Absentee Ballots and  
 20 Mail-in Ballots.--\* \* \*

21 (g) \* \* \*

22 (1.1) [The county board of elections shall meet no earlier

1 than seven o'clock A.M. on election day to pre-canvass all  
2 ballots received prior to the meeting.] The following apply:

3 (i) A county board of elections shall meet as follows:

4 (A) In a county of the first class, second class or second  
5 class A, the county board of elections shall meet no earlier  
6 than seven o'clock A.M. fourteen (14) days prior to election day  
7 to pre-canvass ballots received prior to the meeting and through  
8 one day before election day.

9 (B) In a county of the third class, the county board of  
10 elections shall meet no earlier than seven o'clock A.M. seven  
11 (7) days prior to election day to pre-canvass ballots received  
12 prior to the meeting and through one day before election day.

13 (C) In a county of the fourth class, fifth class, sixth  
14 class, seventh class or eighth class, the county board of  
15 elections shall meet no earlier than seven o'clock A.M. three  
16 (3) days prior to election day to pre-canvass ballots received  
17 prior to the meeting and through one day before election day.

18 (ii) A county board of elections shall provide at least  
19 forty-eight hours' notice of a pre-canvass meeting by publicly  
20 posting a notice of a pre-canvass meeting on its publicly  
21 accessible Internet website. One authorized representative of  
22 each candidate in an election and one representative from each  
23 political party shall be permitted to remain in the room in  
24 which the absentee ballots and mail-in ballots are pre-  
25 canvassed. No person observing, attending or participating in a  
26 pre-canvass meeting may disclose the results of any portion of  
27 any pre-canvass meeting prior to the close of the polls.

28 \* \* \*

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