

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1800 Session of 2021

INTRODUCED BY GROVE, RYAN, STAMBAUGH, FEE, SCHMITT, PICKETT,
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 SEPTEMBER 20, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 20, 2021

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," as follows:
 12 in preliminary provisions, further providing for definitions,
 13 providing for legislative authority over elections,
 14 establishing the Bureau of Election Audits and providing for
 15 special standing in challenges to the Election Code;
 16 in the Secretary of the Commonwealth, further providing for
 17 powers and duties of the Secretary of the Commonwealth and
 18 providing for reports on implementation of elections;
 19 in county boards of elections, further providing for powers and
 20 duties of county boards and providing for county boards of
 21 elections and satellite offices;
 22 in district election officers, further providing for district
 23 election boards and election, for qualifications of election
 24 officers, for tie votes for judge and inspector, for clerks
 25 of election and machine inspectors, for vacancies in election
 26 boards, appointment, judge and majority inspector to be
 27 members of majority party and minority inspector to be member
 28 of minority party, for election officers to be sworn, for
 29 oath of judge of election, for oaths of inspectors of
 30 election, for oaths of clerks of election, for oath of

1 machine inspectors, for power of election officers to
2 administer oaths, for compensation of district election
3 officers and for appointment of watchers;
4 in election districts and polling places, further providing for
5 polling places to be selected by county board, for public
6 buildings to be used where possible and portable polling
7 places and for temporary polling places;
8 providing for registration of electors;
9 in ballots, further providing for form of official election
10 ballot and for number of ballots to be printed and specimen
11 ballots;
12 in voting machines, further providing for examination and
13 approval of voting machines by the Secretary of the
14 Commonwealth, for requirements of voting machines, for
15 preparation of voting machines by county election boards and
16 for delivery of voting machines and supplies by county
17 election boards to election officers;
18 in electronic voting systems, further providing for experimental
19 use of electronic voting systems and for statistical sample
20 and providing for requirements of accessible voting machines
21 and for voting system defects, disclosure, investigation and
22 penalties;
23 repealing provisions relating to voting apparatus bonds and
24 providing for election equipment funding;
25 in preparation for and conduct of primaries and elections,
26 providing for voter's bill of rights, for senior voter's bill
27 of rights and for disabled voter's bill of rights and further
28 providing for delivery of ballots and supplies to judges of
29 election, for time for opening and closing polls, for opening
30 of polls, posting cards of instruction and notices of
31 penalties and voters' rights and examination of voting
32 machines, for manner of applying to vote, persons entitled to
33 vote, voter's certificates, entries to be made in district
34 register, numbered lists of voters and challenges, for
35 assistance in voting and for deadline for receipt of valid
36 voter registration application;
37 in voting by qualified absentee electors, further providing for
38 applications for official absentee ballots, for date of
39 application for absentee ballot, for delivering or mailing
40 ballots and for voting by absentee electors, providing for
41 supervised voting by qualified absentee electors in certain
42 facilities and further providing for canvassing of official
43 absentee ballots and mail-in ballots;
44 in voting by qualified mail-in electors, further providing for
45 applications for official mail-in ballots, for date of
46 application for mail-in ballot, for delivering or mailing
47 ballots and for voting by mail-in electors;
48 in Pennsylvania Election Law Advisory Board, further providing
49 for Pennsylvania Election Law Advisory Board;
50 providing for early voting by qualified electors;
51 in returns of primaries and elections, further providing for
52 returns to be open to public inspection and exceptions and
53 for computation of returns by county board, certification and
54 issuance of certificates of election;
55 in recounts and contest, providing for powers and duties of the
56 Attorney General relating to elections and for powers and
57 duties of district attorneys relating to elections;
58 in penalties, further providing for disobeying lawful
59 instructions, for perjury, for false affidavits of
60 candidates, for refusal to permit inspection of papers,

1 destruction or removal and Secretary of the Commonwealth, for
2 refusal to permit inspection of papers, destruction or
3 removal and county boards of elections, for insertion and
4 alteration of entries in documents, removal and refusal to
5 deliver, for refusal to permit overseers, watchers, attorneys
6 or candidates to act, for driving away watchers, attorneys,
7 candidates or overseers, for refusal to permit election
8 officers, clerks and machine inspectors to act and driving
9 away said persons, for refusal to administer oath and acting
10 without being sworn, for violation of oath of office by
11 election officers, for peace officers, failure to render
12 assistance and hindering or delaying county board members and
13 others, for nomination petitions and papers and offenses by
14 signers, for false signatures and statements in nomination
15 petitions and papers, for nomination petitions, certificates
16 and papers, destruction, fraudulent filing and suppression,
17 for offenses by printers of ballots, for unlawful possession
18 of ballots and counterfeiting ballots, for forging and
19 destroying ballots, for tampering with voting machines, for
20 destroying, defacing or removing notices, et cetera, for
21 police officers at polling places, for peace officer, failure
22 to quell disturbances at polls and hindering or delaying
23 election officers and others, for election officers
24 permitting unregistered electors to vote, challenges and
25 refusing to permit qualified electors to vote, for election
26 officers refusing to permit elector to vote in proper party
27 at primaries, for frauds by election officers, for prying
28 into ballots, for interference with primaries and elections,
29 frauds and conspiracy, for persons interfering in other
30 districts, for assault and battery at polls, for unlawful
31 assistance in voting, for election officers permitting
32 unlawful assistance, for failure to keep and return record of
33 assisted voters, for unlawful voting, for elector voting
34 ballot of wrong party at primary, for repeat voting at
35 elections, for removing ballots, for commissioners to take
36 soldiers' votes, for fraudulent voting by soldiers, for
37 bribery at elections, for receipts and disbursements of
38 primary and election expenses by persons other than
39 candidates and treasurers, for receipts of primary and
40 election expenses by unauthorized persons, for contributions
41 by corporations or unincorporated associations, for failure
42 to file expense account, for prohibiting duress and
43 intimidation of voters and interference with the free
44 exercise of the elective franchise, for failure to perform
45 duty, for hindering or delaying performance of duty, for
46 violation of any provision of act and for violations of
47 provisions relating to absentee and mail-in ballots and
48 providing for unlawful collection of ballots and for
49 prohibiting duress and intimidation of elections officials;
50 providing for reimbursements and withholding; and making an
51 appropriation and making a related repeal.

52 The General Assembly of the Commonwealth of Pennsylvania
53 hereby enacts as follows:

54 Section 1. Section 102(e), (n), (p), (r), (s), (t), (z-1),
55 (z.4) and (z.5) of the act of June 3, 1937 (P.L.1333, No.320),

1 known as the Pennsylvania Election Code, are amended and the
2 section is amended by adding subsections to read:

3 Section 102. Definitions.--The following words, when used in
4 this act, shall have the following meanings, unless otherwise
5 clearly apparent from the context:

6 * * *

7 (e) [The] Except as provided in section 700-A, the words
8 "district register" shall mean the [cards] electronic poll book
9 containing all or any part of the registry list of qualified
10 electors of the same election district, as prepared by the
11 registration commissions.

12 * * *

13 (n) [The] Except as provided in section 700-A, the word
14 "party" shall mean a political party, as defined in section 801
15 of this act.

16 * * *

17 (p) [The] Except as provided in section 700-A, the words
18 "political body" shall mean an independent body of electors, as
19 defined in section 801 of this act.

20 * * *

21 (r) [The] Except as provided in section 700-A, the words
22 "primary" or "primary election" shall mean any election held for
23 the purpose of electing party officers and nominating candidates
24 for public offices to be voted for at an election.

25 * * *

26 (s) [The] Except as provided in section 700-A, the words
27 "public office" shall include every public office to which
28 persons can be elected by a vote of the electors under the laws
29 of this State.

30 (t) [The] Except as provided in section 700-A, the words

1 "qualified elector" shall mean any person who shall possess all
2 of the qualifications for voting now or hereafter prescribed by
3 the Constitution of this Commonwealth, or who, being otherwise
4 qualified by continued residence in his election district, shall
5 obtain such qualifications before the next ensuing election.

6 * * *

7 (z-1) [The] Except as provided in section 700-A, the words
8 "in military service" shall mean the uniformed services as
9 defined in section 102 of the Career Compensation Act of 1949
10 (63 Stat. 804 U.S. Code, Title 37, Par. 231).

11 * * *

12 (z.4) [The] Except as provided in section 700-A, the word
13 "municipality" shall mean a city, borough, incorporated town,
14 township or any similar general purpose unit of government which
15 may be created by the General Assembly.

16 (z.5) The words "proof of identification" shall mean:

17 [(1) In the case of an elector who has a religious objection
18 to being photographed, a valid-without-photo driver's license or
19 a valid-without-photo identification card issued by the
20 Department of Transportation.

21 (2) For an elector who appears to vote under section 1210, a
22 document that:

23 (i) shows the name of the individual to whom the document
24 was issued and the name substantially conforms to the name of
25 the individual as it appears in the district register;

26 (ii) shows a photograph of the individual to whom the
27 document was issued;

28 (iii) includes an expiration date and is not expired,
29 except:

30 (A) for a document issued by the Department of

1 Transportation which is not more than twelve (12) months past
2 the expiration date; or

3 (B) in the case of a document from an agency of the Armed
4 forces of the United States or their reserve components,
5 including the Pennsylvania National Guard, establishing that the
6 elector is a current member of or a veteran of the United States
7 Armed Forces or National Guard which does not designate a
8 specific date on which the document expires, but includes a
9 designation that the expiration date is indefinite; and

10 (iv) was issued by one of the following:

11 (A) The United States Government.

12 (B) The Commonwealth of Pennsylvania.

13 (C) A municipality of this Commonwealth to an employee of
14 that municipality.

15 (D) An accredited Pennsylvania public or private institution
16 of higher learning.

17 (E) A Pennsylvania care facility.

18 (3) For a qualified absentee elector under section 1301 or a
19 qualified mail-in elector under section 1301-D:

20 (i) in the case of an elector who has been issued a current
21 and valid driver's license, the elector's driver's license
22 number;

23 (ii) in the case of an elector who has not been issued a
24 current and valid driver's license, the last four digits of the
25 elector's Social Security number;

26 (iii) in the case of an elector who has a religious
27 objection to being photographed, a copy of a document that
28 satisfies paragraph (1); or

29 (iv) in the case of an elector who has not been issued a
30 current and valid driver's license or Social Security number, a

1 copy of a document that satisfies paragraph (2).]

2 (1) In the case of any elector, at least one of the
3 following:

4 (i) the elector's driver's license;

5 (ii) in the case of an elector who has a religious objection
6 to being photographed, a copy of a valid-without-photo driver's
7 license or a valid-without-photo identification card issued by
8 the Department of Transportation;

9 (iii) the elector's voter registration card with scannable
10 identification number and a copy of the elector's signature, as
11 issued by a county under section 302;

12 (iv) a document from an agency of the armed forces of the
13 United States or their reserve components, including the
14 Pennsylvania National Guard, establishing that the elector is a
15 current member of or a veteran of the United States Armed Forces
16 or National Guard which does not designate a specific date on
17 which the document expires, but includes a designation that that
18 expiration date is indefinite;

19 (v) a document issued by the secretary under section 201(n);

20 (vi) an affidavit provided to an elector by elections
21 officers, on which the elector shall affirm his or her identity,
22 including his or her signature and the last four digits of his
23 or her Social Security number. The affidavit shall include
24 disclosure of the penalties under section 1802; or

25 (vii) a document that shows the name and photograph of the
26 individual to whom the document was issued, includes an
27 expiration date and is not expired and is issued by one of the
28 following:

29 (A) The United States Government.

30 (B) The Commonwealth of Pennsylvania.

1 (C) A municipality of this Commonwealth to an employe of
2 that municipality.

3 (D) An accredited public or private institution of higher
4 learning located in this Commonwealth.

5 (E) A care facility located in this Commonwealth.

6 (2) (Reserved).

7 * * *

8 (z.7) The words "ballot comparison risk-limiting audit"
9 shall mean a statistical audit that compares the interpretation
10 of individual ballots according to the voting system to a human
11 interpretation of the same individual ballots.

12 (z.8) The words "risk limit" shall mean the maximum chance
13 that an audit will not progress to a full hand recount if the
14 voting system record is incorrect.

15 (z.9) The words "ballot-polling risk-limiting audit" shall
16 mean a statistical audit that selects ballots at random and
17 interprets the ballots by hand until there is strong evidence
18 that the recorded outcome in an election is correct, or until
19 all the votes have been counted by hand.

20 (z.10) The words "care facility" shall mean any of the
21 following:

22 (1) A long-term care nursing facility as defined in section
23 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the
24 "Health Care Facilities Act."

25 (2) An assisted living residence or a personal care home as
26 defined in section 1001 of the act of June 13, 1967 (P.L.31,
27 No.21), known as the "Human Services Code."

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

29 Section 107. Legislative Authority Over Elections.--Article
30 I, section 5 of the Constitution of the United States and

1 Article VII of the Constitution of Pennsylvania vest authority
2 for prescribing election law in the General Assembly.

3 Section 108. Bureau of Election Audits.--(a) The Bureau of
4 Election Audits is established in the Department of the Auditor
5 General. The Bureau of Election Audits shall have subpoena power
6 to request from the department or a county any documents,
7 records, papers, data, ballots, election materials or testimony
8 necessary for the efficient completion of the audits required
9 under this section.

10 (b) The Auditor General shall conduct independent election
11 audits in accordance with generally accepted governmental audit
12 standards (GAGAS) and appropriate Service Organization Control
13 standards and shall ensure that the audit methodology will
14 verify the accuracy of the election and the accuracy of
15 election equipment used.

16 (c) For audits that occur during an election year in which
17 the Auditor General stands for election, the Auditor General
18 shall appoint an independent special auditor who shall be a
19 licensed certified public accountant and shall have experience
20 in completing election audits to oversee the operation of the
21 Bureau of Election Audits.

22 (d) The Bureau of Election Audits shall ensure continuous
23 improvement of the election audits required under this section
24 to ensure the accuracy of election results and compliance with
25 Federal and State laws.

26 (e) The duties of the Bureau of Election Audits shall
27 include:

28 (1) Except if a full manual recount of an election is
29 undertaken or an election is uncontested, to conduct result-
30 confirming audits of each election in this Commonwealth,

1 completed by the third Friday following the election. The audits
2 shall include:

3 (i) A statistically sound, ballot-comparison or ballot-
4 polling, risk-limiting audit of ballots for each election, as
5 provided under section 1117-A.

6 (ii) An audit of election machine logs.

7 (iii) An audit of the returned absentee and mail-in ballots
8 in each county, including a comparison of retained envelopes on
9 which the executed declarations appear, for mail-in and absentee
10 ballots, secrecy envelopes and the total number of absentee and
11 mail-in ballots canvassed.

12 (iv) An audit comparing each canvassed and retained paper
13 ballot in each county with the number of votes recorded.

14 (v) An audit of the pre-election testing of election
15 equipment conducted by each county.

16 (vi) Any other audit deemed necessary by the Bureau of
17 Election Audits to ensure public trust in the outcome of each
18 election.

19 (2) To conduct performance audits of the operations of
20 elections systems and processes at least once every five years.

21 The audits shall include:

22 (i) An audit of each county election office in the
23 Commonwealth.

24 (ii) An audit of the Department of State's election
25 equipment certification process.

26 (iii) An audit of the Statewide Uniform Registry of Electors
27 (SURE) system, including an audit of the accuracy of the list of
28 registered electors.

29 (iv) An audit of the Department of State's administration of
30 elections.

1 (v) Any other audit deemed necessary by the Bureau of
2 Election Audits to ensure public trust in the election
3 administration in this Commonwealth.

4 (3) To publicly post audit methodologies for each of the
5 audits required under this section, including on the Auditor
6 General's publicly accessible Internet website and the
7 Department of State's publicly accessible Internet website.

8 (4) To publicly post the results of each audit required
9 under this section, including on the Auditor General's publicly
10 accessible Internet website, the Department of State's publicly
11 accessible Internet website and each county's publicly
12 accessible Internet website.

13 (5) To monitor corrective action plans developed by entities
14 audited under this section, ensuring that the corrective action
15 plan addresses deficiencies identified by an audit and that the
16 plan is successfully executed to remediate deficiencies.

17 (6) If a full manual recount of an election is undertaken,
18 the Bureau of Election audits shall not be required to perform
19 the audit required under paragraph (1)(i).

20 (f) The duties of the county board of elections shall
21 include:

22 (1) Cooperating with the Bureau of Election Audits to enable
23 efficient conduct of audits required under subsection (d).

24 (2) Cooperating with the Bureau of Election Audits to post
25 the results of audits conducted in that county as required under
26 subsection (e) (4).

27 (3) Holding a public meeting between the third Saturday
28 after an election and the fourth Thursday after an election, at
29 which the board shall make publicly available to the residents
30 of the county the results of audits conducted under subsection

1 (d).

2 (4) Submitting to the Department of State, along with the
3 certified results of the election, a report with the results of
4 the audits conducted under subsection (e) (3). The report shall
5 include the following:

6 (i) The overall accuracy of election results as confirmed by
7 the audits under subsection (e) (3).

8 (ii) A description of any problem or discrepancies
9 encountered in the administration of the election.

10 (iii) The identified causes of any problems or
11 discrepancies.

12 (4.1) Submitting to the Department of State, within ninety
13 (90) days after any election, recommended corrective actions
14 with respect to avoiding or mitigating any problems or
15 discrepancies in future elections.

16 (5) Developing a corrective action plan to address any
17 findings of error or deficiency within an audit conducted under
18 this section.

19 (g) The duties of the Department of State shall include:

20 (1) Cooperating with the Bureau of Election Audits to enable
21 efficient conduct of each audit required under subsection (e).

22 (2) Cooperating with the Bureau of Election Audits to post
23 the methodologies and results of audits conducted in this
24 Commonwealth as required under subsection (e) (3) and (4).

25 (3) To develop a corrective action plan to address any
26 findings of error or deficiency within an audit conducted under
27 this section.

28 Section 109. Special Standing in Challenges to the Election
29 Code.--(a) In a judicial proceeding in which all or part of
30 this act is alleged to be unconstitutional, either or both

1 chambers of the General Assembly, subject to subsection (b),
2 shall have special standing to intervene as a party in the
3 action and to defend the act.

4 (b) The following shall apply:

5 (1) Special standing to intervene as a party under
6 subsection (a) for the Senate shall require an action of the
7 Senate Subcommittee on Management Operation as provided under
8 section 2.1 of the act of January 10, 1968 (1967 P.L.925,
9 No.417), referred to as the Legislative Officers and Employes
10 Law.

11 (2) Special standing to intervene as a party under
12 subsection (a) for the House of Representatives shall require a
13 majority vote by the House of Representatives.

14 (c) Intervention by either or both chambers of the General
15 Assembly under this section shall not constitute a waiver of
16 sovereign immunity, legislative privilege or other privilege or
17 immunity.

18 (d) This section shall not make either or both chambers of
19 the General Assembly a necessary or indispensable party to an
20 action. A party to an action may not name either or both
21 chambers of the General Assembly as a party or move to join
22 either or both chambers of the General Assembly as a party based
23 on this section.

24 (e) Nothing in this section shall be construed to limit the
25 standing of either or both chambers or an individual member of
26 the General Assembly in a judicial proceeding in which the
27 subject matter relates to specific powers unique to a
28 legislator's functions under the Constitution of Pennsylvania
29 being diminished or impaired.

30 Section 3. Section 201 of the act is amended to read:

1 Section 201. Powers and Duties of the Secretary of the
2 Commonwealth.--The Secretary of the Commonwealth shall exercise
3 in the manner provided by this act all powers granted to him by
4 this act, and shall perform all the duties imposed upon him by
5 this act, which shall include the following:

6 (a) To determine, in accordance with the provisions of this
7 act, the forms of nomination petitions and papers, expense
8 accounts and all other forms and records, the form of which he
9 is required to determine under the provisions of this act.

10 (b) To examine and reexamine voting machines, and to approve
11 or disapprove them for use in this State, in accordance with the
12 provisions of this act. The secretary shall not approve any
13 voting machine for any election, Federal or State, in this
14 Commonwealth, that does not comply with the requirements of
15 section 301 of the Help America Vote Act of 2002 (Public Law
16 107-252, 42 U.S.C. § 15481).

17 (c) To certify to county boards of elections for primaries
18 and elections the names of the candidates for President and
19 Vice-President of the United States, presidential electors,
20 United States senators, representatives in Congress and all
21 State offices, including senators, representatives, and judges
22 of all courts of record, and delegates and alternate delegates
23 to National Conventions, and members of State committees, and
24 the form and wording of constitutional amendments or other
25 questions to be submitted to the electors of the State at large.

26 (d) To receive and determine, as hereinafter provided, the
27 sufficiency of nomination petitions, certificates and papers of
28 candidates for President of the United States, presidential
29 electors, United States senators, representatives in Congress
30 and all State offices, including senators, representatives and

1 judges of all courts of record, and delegates and alternate
2 delegates to National Conventions and members of State
3 committees.

4 (e) To receive such reports from county boards of elections
5 as are required by this act, and to demand such additional
6 reports on special matters as he may deem necessary.

7 (e.1) To receive from county boards of elections information
8 on voting system errors or difficulties or other election data
9 pursuant to regulation.

10 (f) To receive from county boards of elections the returns
11 of primaries and elections, to canvass and compute the votes
12 cast for candidates and upon questions as required by the
13 provisions of this act; to proclaim the results of such
14 primaries and elections, within three days after receipt of
15 returns from all counties and to issue certificates of election
16 to the successful candidates at such elections, except in cases
17 where that duty is imposed by law on another officer or board.

18 [(f.1) To develop a voluntary professional certification and
19 poll worker training program for county election officials in
20 consultation with county boards of elections.]

21 (f.2) To order a county board to conduct a recount or
22 recanvass of an election under section 1404 for a public office
23 which appears on the ballot in every election district in this
24 Commonwealth or for a ballot question which appears on the
25 ballot in every election district in this Commonwealth.

26 (g) To perform only such other duties relating to elections
27 as [may be prescribed by law.] authorized by this act or by 25
28 Pa.C.S. (relating to elections).

29 (h) To establish a system for the remedy of complaints
30 regarding the administration of the provisions of Title III of

1 the Help America Vote Act of 2002 (Public Law 107-252, 42 U.S.C.
2 § 15481 et seq.).

3 (i) To obtain and maintain uniformity in the interpretation
4 and implementation of election laws.

5 (j) To provide uniform standards for the proper, accurate
6 and uniform implementation of voter registration laws and
7 records.

8 (k) To actively seek out and collect the data and statistics
9 necessary to knowledgeably scrutinize the effectiveness of
10 election laws.

11 (l) To provide technical assistance to election directors.

12 (m) To maintain a hotline for the reporting of any known or
13 suspected election fraud or intimidation or duress of poll
14 workers, judges of elections, election officials or election
15 observers, and to provide election fraud education to the
16 public.

17 (n) To provide to any registered elector upon request, and
18 free of charge, a durable photo identification card which may be
19 used for the purposes of voting.

20 (o) To submit to the Legislative Reference Bureau for
21 publication in the Pennsylvania Bulletin by December 31 of each
22 odd-numbered year the official instructions and procedures
23 manual prescribed by the Pennsylvania Election Law Advisory
24 Board.

25 (p) To receive any private donations intended to contribute
26 to election administration or voter education in this
27 Commonwealth, and to distribute the funds, or any public funds
28 used for the purposes of voter education, equally across this
29 Commonwealth based upon the most recent census estimate of
30 citizen voting age population. A distribution of private funds

1 must be approved by the Election Law Advisory Board.

2 (g) To maintain a publicly accessible Internet website using
3 a .gov domain name, on which the secretary shall post
4 information required by this act. The website shall additionally
5 adhere to generally accepted accessibility standards, including
6 compatibility with screen reading software.

7 (r) To retain and make publicly available any communications
8 relating to election administration and sent between the
9 department and at least three county election directors.

10 (s) To develop a uniform application for registered electors
11 to update their signature of record or to provide a medical
12 doctor's assessment of signature inconsistency due to a medical
13 condition.

14 (t) To cooperate with an independent prosecutor appointed by
15 the Attorney General for each election cycle to review election
16 complaints received by the secretary and the county boards of
17 elections.

18 (u) To publish on the department's publicly accessible
19 Internet website the list of registered electors in each county
20 and Statewide, at least five days prior to an election.

21 (v) To reimburse counties for the cost of annual training
22 required under section 1302-E.

23 (w) To create and publish, prior to the proclamation of
24 results in a primary or election, a combined record of the
25 registered electors in this Commonwealth as of the date of the
26 primary or election, together with the record of participation
27 in the primary or election by each registered elector, submitted
28 by counties under section 1404(c). The record shall be published
29 on the department's publicly accessible Internet website, made
30 available upon request to any elector and retained for a period

1 of five years. A physical copy of the record required under this
2 subsection must be created, dated and retained for a period of
3 five years.

4 (x) In addition to the requirements of 25 Pa.C.S. Ch. 15
5 (relating to changes in record), to seek a record of all deaths
6 among residents of this Commonwealth, and each month to compare
7 the records with the list of electors in the Statewide Uniform
8 Registry of Electors, and for any elector found to be deceased,
9 to notify the elector's county of residence.

10 (y) In addition to the requirements of 25 Pa.C.S. Ch. 15, to
11 fully participate in the Electronic Registration Information
12 Center (ERIC) and to utilize all available information received
13 through that system and through the National Change of Address
14 system to ensure the accuracy of the Statewide Uniform Registry
15 of Electors and the continued eligibility of all registered
16 electors in this Commonwealth.

17 (z) To receive from counties a monthly report of any newly
18 registered elector who was previously registered in another
19 state and to notify the chief elections administrator in that
20 state of the elector's registration in this Commonwealth.

21 (z.1) To create and maintain a tracking system for each
22 qualified mail-in or absentee elector to track the status of an
23 application for a mail-in or absentee ballot, the date on which
24 an elector's ballot is prepared, the date on which an elector's
25 ballot is mailed, the date on which an elector's ballot is
26 received and the date on which an elector's ballot is pre-
27 canvassed or canvassed.

28 (z.2) To develop and offer the training prescribed by the
29 Election Law Advisory Board under section 1302-E, and to make
30 such training available free of charge to any individual

1 required to complete the training.

2 Section 4. The act is amended by adding a section to read:

3 Section 209. Reports on Implementation of Elections.--(a)

4 No later than 75 days after an election, the Bureau of

5 Commissions, elections and legislation of the Department of

6 State shall issue a report to the chair and minority chair of

7 the State Government Committee of the Senate and the chair and

8 minority chair of the State Government Committee of the House of

9 Representatives. A copy of the report shall also be made

10 available on the Department of State's publicly accessible

11 Internet website.

12 (b) The report under subsection (a) shall include only the

13 following information relating to the administration of the

14 election by the Department of State, a county board of elections

15 or a registration commission established under 25 Pa.C.S. §

16 1203(a) (relating to commissions):

17 (1) For each county and the sum for this Commonwealth, the

18 number of applications for an absentee ballot which were

19 received by the county board of elections.

20 (2) For each county and the sum for this Commonwealth, the

21 number of applications for a mail-in ballot which were received

22 by the county board of elections.

23 (3) For each county and the sum for this Commonwealth, the

24 number of applications for an absentee ballot which were

25 approved by the county board of elections.

26 (4) For each county and the sum for this Commonwealth, the

27 number of applications for a mail-in ballot which were approved

28 by the county board of elections.

29 (5) For each county and the sum for this Commonwealth, the

30 number of absentee ballots which were voted by qualified

1 electors.

2 (6) For each county and the sum for this Commonwealth, the
3 number of mail-in ballots which were voted by qualified
4 electors.

5 (7) For each county and the sum for this Commonwealth, the
6 number of provisional ballots cast under section 1210(a.4).

7 (8) For each county and the sum for this Commonwealth, the
8 number of qualified electors voting by a provisional ballot
9 under section 1306(b) (2).

10 (9) For each county and the sum for this Commonwealth, the
11 number of qualified electors voting by provisional ballot under
12 section 1306-D(b) (2).

13 (10) For each county and the sum for this Commonwealth, the
14 number of provisional ballots under paragraph (7) which were
15 canvassed.

16 (11) For each county and the sum for this Commonwealth, the
17 number of provisional ballots under paragraph (8) which were
18 canvassed.

19 (12) For each county and the sum for this Commonwealth, the
20 number of provisional ballots under paragraph (9) which were
21 canvassed.

22 (13) (Reserved).

23 (14) For each county and the sum for this Commonwealth, the
24 number of polling places in school buildings.

25 (15) For each county, the date, starting time and ending
26 time that the county board of elections met to pre-canvass
27 absentee ballots and mail-in ballots under section 1308(g) (1.1).

28 (16) For each county, the date, starting time and ending
29 time that the county board of elections met to canvass absentee
30 ballots and mail-in ballots under section 1308(g) (2).

1 (17) For each county and the sum for this Commonwealth, the
2 number of absentee ballots which were challenged under section
3 1302.2(c).

4 (18) For each county and the sum for this Commonwealth, the
5 number of mail-in ballots which were challenged under section
6 1302.2-D(a)(2).

7 (19) For each county and the sum for this Commonwealth, the
8 number of absentee ballots subject to challenges under paragraph
9 (17) which were not canvassed.

10 (20) For each county and the sum for this Commonwealth, the
11 number of mail-in ballots subject to challenges under paragraph
12 (18) which were not canvassed.

13 (21) The number of incidents known to the Department of
14 State, county boards of elections or registration commissions
15 relating to each of the following categories:

16 (i) An absentee ballot or mail-in ballot which was sent to
17 the wrong individual or wrong address.

18 (ii) An absentee ballot or mail-in ballot which was voted by
19 an individual other than the individual who applied for the
20 absentee ballot or mail-in ballot.

21 (iii) An absentee ballot or mail-in ballot which was
22 returned to the county board of elections by a means other than
23 permitted by law.

24 (22) To the extent consistent with Federal and State law, a
25 review of any action taken by the Department of State, county
26 board of elections or registration commissions in response to an
27 incident under paragraph (21), including determinations made on
28 the incident, legal actions filed and referrals to law
29 enforcement.

30 (23) A review of issues or incidents encountered with an

1 electronic voting system that received the approval of the
2 Secretary of the Commonwealth under section 1105-A, including
3 technical issues encountered at polling places.

4 (c) The Department of State shall develop a process to
5 collect data required to be included in the report under
6 subsection (b) from each county board of elections which
7 conducts an election and each registration commission under 25
8 Pa.C.S. Pt. IV (relating to voter registration) in a county
9 which conducts an election, as applicable. A county board of
10 elections or registration commission under this subsection shall
11 comply with the process for submission of data under this
12 subsection no later than 60 days after an election.

13 Section 5. Section 302(f), (k) and (m) of the act are
14 amended and the section is amended by adding subsections to
15 read:

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

21 * * *

22 (f) [To make and issue such rules, regulations and
23 instructions, not inconsistent with law, as they may deem
24 necessary for the guidance of voting machine custodians,
25 elections officers and electors.] To follow and obey rules,
26 regulations and instructions as are included for each election
27 in the manual of operations published under section 201.

28 * * *

29 (k) To receive from district election officers the returns
30 of all primaries and elections, to canvass and compute the same,

1 and to certify, no later than the [third Monday] fourth Friday
2 following the primary or election, the results thereof to the
3 Secretary of the Commonwealth, as may be provided by law, and to
4 such other authorities as may be provided by law. The
5 certification shall include the number of votes received in each
6 election district by each candidate for the General Assembly[.]
7 and a complete record of each registered elector in the county
8 on the date of the election, including which registered electors
9 are recorded as participating in that election and the article
10 of this act under which each elector voted.

11 * * *

12 (m) To prepare and submit, within twenty days after the last
13 day to register to vote in each primary, municipal and general
14 election, a report to the Secretary of the Commonwealth in the
15 form prescribed by him, which shall contain a statement of the
16 total number of electors registered in each election district,
17 together with a breakdown of registration by each political
18 party or other designation. Copies of said statement shall be
19 furnished, upon request, to the county chairman of each
20 political party and political body[.] and shall be posted to the
21 county board of election's publicly accessible Internet website.

22 The Secretary of the Commonwealth shall forthwith submit such
23 information to the Legislative Data Processing Center and shall
24 publicly report the total number of registered electors for each
25 political party or other designation in each county not later
26 than five days prior to the primary, municipal or general
27 election.

28 * * *

29 (q) To maintain a publicly accessible Internet website using
30 a .gov domain name. The website shall additionally adhere to

1 generally accepted accessibility standards, including
2 compatibility with screen reading software.

3 (r) To decline to accept any private donation or
4 contribution for the purposes of operating elections, employing
5 staff or selecting and equipping a polling place or for use in
6 voter education, unless received from the secretary under a
7 distribution provided for in section 201(h).

8 (s) To provide to each registered elector in a county,
9 within one year of the effective date of this subsection and
10 upon new or updated registration after the effective date of
11 this subsection, or at the request of an elector, a durable
12 voter registration card, including a scannable identification
13 code and a likeness of a registered elector's signature. A
14 county board of elections shall investigate the circumstances of
15 any registration card returned as undeliverable by the United
16 States Postal Service. The investigation shall include
17 contacting the applicant, further attempts to have his or her
18 registration card delivered and the correction or
19 reconsideration of his or her registration status and registered
20 address, if they are found to be incorrect.

21 (t) To capture and store signatures submitted by an elector
22 for use in matching an elector's signature under the
23 requirements of this act.

24 (u) To implement the minimum voter education standards
25 established under section 1302-E and to conduct additional
26 nonpartisan education efforts as necessary to ensure that
27 electors have a working knowledge of the voting process.

28 (v) To report to the election law advisory board, by
29 December 31 of each general election year, a detailed
30 description of the voter education programs implemented and any

1 other information that may be useful in evaluating the
2 effectiveness of voter education.

3 (w) To purchase electronic poll books for use as the
4 district register in each election district within one year
5 after the effective date of this subsection. The electronic poll
6 books must provide an elector with the ability to scan his or
7 her driver's license or his or her voter registration card in
8 order to have his or her eligibility to vote verified, and must
9 have a means for an elector to electronically record his or her
10 signature. Notwithstanding any other provision of this act, for
11 elections held within one year of the effective date of this
12 section, paper district register cards may still be utilized by
13 any county. After the purchase of electronic poll books, paper
14 district register cards may be retained for use in the event of
15 an unforeseen issue in using electronic poll books at an
16 election.

17 (x) To provide each election district with at least one
18 accessible voting machine approved by the secretary under this
19 act.

20 (y) To publish at each polling place the voter bill of
21 rights, senior voter bill of rights and disabled voter bill of
22 rights established by this act.

23 (z) To provide copies of the voter bill of rights, senior
24 voter bill of rights and disabled voter bill of rights during
25 the process of supervised voting established by this act.

26 (z.1) To review any polling place where voters waited longer
27 than 30 minutes to cast a ballot and to identify and enact plans
28 to alleviate any such waiting time for future elections.

29 (z.2) For counties with a population of fewer than 100,000
30 at the time of the most recent Federal decennial census, to

1 collaborate with other counties to share resources or property
2 required for the administration of voting by absentee and mail-
3 in electors. The collaboration is not required and participation
4 in any resource sharing shall be at the discretion of each
5 county board.

6 (z.3) In addition to the requirements of 25 Pa.C.S. Ch. 15,
7 to seek a record of all deaths among residents of the county and
8 each month to compare the records with the list of registered
9 electors in the county. A registered elector whose first and
10 last name, date of birth and last four digits of the elector's
11 Social Security number are found on a death record shall be
12 subject to immediate removal from the SURE system. The local
13 commission shall notify the elector by mail of its action.

14 (z.4) To enter into an agreement with the Unified Judicial
15 System of Pennsylvania to receive a record of any county
16 resident who claims ineligibility for service as a juror under
17 42 Pa.C.S. § 4502 (relating to qualifications of jurors) and to
18 investigate the registration status of any registered elector
19 who claimed ineligibility to serve as a juror on the basis of a
20 lack of citizenship.

21 (z.5) To cooperate with the department to any degree
22 necessary in the creation of the system required under section
23 201(z.1).

24 (z.6) To cooperate with the election integrity officer
25 appointed in the county under section 1779, and to include the
26 election integrity officer in all correspondence related to the
27 conduct of the election.

28 Section 6. The act is amended by adding a section to read:

29 Section 313. County Boards of Elections and Satellite
30 Offices.--In addition to the permanent offices operated by any

1 county board of elections, the board may, as necessary,
2 establish additional satellite election offices if the satellite
3 election office established under this section complies with the
4 requirements under this section. The following shall apply:

5 (a) A satellite election office must meet the requirements
6 for and be subject to the same restrictions as a polling place
7 under this act.

8 (b) A satellite election office must offer the same services
9 and capabilities as the permanent offices maintained by the
10 county board of elections.

11 (c) A satellite election office must be operated by paid
12 staff of the county board of elections.

13 (d) A board establishing satellite election offices must
14 ensure that the location of the offices are geographically
15 distributed across the county.

16 (e) A satellite election office must be established within a
17 permanent building. For purposes of this section, a permanent
18 building is any existing structure not temporarily erected for
19 use as a satellite election office.

20 (f) The location and hours of operation of a satellite
21 election office shall be published under section 106 at least 30
22 days prior to its establishment.

23 (g) After the establishment of in-person early voting under
24 Article XIII-F, a satellite election office may only be
25 established at the same premises as early voting locations in a
26 county.

27 Section 7. Sections 401, 402, 403, 404, 405, 406, 407, 408,
28 409, 410, 411, 412.2, 417(b), 526, 527 and 528 of the act are
29 amended to read:

30 Section 401. District Election Boards; Election.--(a) All

1 primaries and elections shall be conducted in each election
2 district by a district election board consisting of a judge of
3 election, a majority inspector of election and a minority
4 inspector of election, assisted by two clerks and machine
5 inspectors [in certain cases, as hereinafter provided] as
6 provided in this act. The judge and inspectors of election of
7 each election district shall be elected [by the electors
8 thereof] at the municipal election[,] and shall hold office for
9 a term of four years from the first Monday of January next
10 succeeding [their] the election. Each elector may vote for one
11 [person] individual as judge and for one [person] individual as
12 inspector[, and the person]. The individual receiving the
13 highest number of votes for judge shall be declared elected
14 judge of election, the [person] individual receiving the highest
15 number of votes for inspector shall be declared elected majority
16 inspector of election[, and the person] and the individual
17 receiving the second highest number of votes for inspector shall
18 be declared elected minority inspector of election.

19 (b) The county board shall fill all vacancies in conjunction
20 with the county parties. All vacancies must be filled two months
21 prior to a general election and one month prior to special
22 elections, midterm elections and primaries.

23 (c) The county board shall submit a status report to the
24 Department of State at the beginning of each month notifying the
25 department of the number of vacancies.

26 (d) The county board and county parties shall be provided
27 money to advertise the vacancies and recruit new election day
28 workers. Advertising may include television, radio and social
29 media.

30 (e) Each county board shall place information about county

1 board vacancies on the board's publicly accessible Internet
2 websites and shall produce public service announcements to
3 recruit workers.

4 (f) The county board and parties shall meet each month for
5 progress updates.

6 Section 402. Qualifications of Election Officers.-- (a)
7 Except as provided in subsection (b), election officers shall be
8 qualified registered electors of the [district in which they]
9 county in which the election officers are elected or appointed.
10 [No person shall be qualified to] No individual shall be
11 qualified to run or serve as an election officer who [shall
12 hold, or shall within two months have held,] holds or in the
13 previous two months has held any office, appointment or
14 employment in or under the Government of the United States or of
15 this [State] Commonwealth or of any city or county or poor
16 district, of any municipal board, commission or trust in any
17 city, [save only district justices] except magisterial district
18 judges, notaries public and persons in the militia service of
19 the [State; nor shall any] Commonwealth. An election officer
20 shall not be eligible to any civil office [to be] voted for at a
21 primary or election at which [he shall serve] the election
22 officer serves, except that of an election officer.

23 (b) The county board may appoint students, notwithstanding
24 [their] the student's eligibility to vote, to serve as a clerk
25 or machine inspector [pursuant to the following]. The following
26 shall apply:

27 (1) The county board may not appoint [no] more than two
28 students per precinct.

29 (2) [The] A judge of elections shall have direct supervision
30 of the student.

1 (3) The county board may compensate the student.

2 (4) The county board shall comply with all applicable
3 Federal and State laws.

4 (5) The student must at the time of the election for which
5 the student shall serve:

6 (i) be at least [seventeen (17)] 17 years of age;

7 (ii) be a United States citizen and a resident of the county
8 in which [he] the student was appointed to serve;

9 (iii) be enrolled in a secondary educational institution
10 with an exemplary academic record as determined by the
11 educational institution;

12 (iv) be approved by the principal or director of the
13 secondary educational institution; and

14 (v) have obtained the consent of [their] the student's
15 parent or guardian.

16 (6) The student may not serve as a judge of election or
17 [majority or minority] inspector.

18 Section 403. Tie Votes for Judge and Inspector.--If at any
19 municipal election in any district there [shall be] is a tie
20 vote for the office of judge of election, the majority inspector
21 of election [elected at said election] shall decide the tie
22 vote. If at any municipal election in any district there is a
23 tie vote for inspectors, the two candidates who receive the same
24 number of votes shall determine by lot which of [them] the
25 candidate's shall be the majority inspector. [, and the other
26 candidate shall be the minority inspector, and in case of a tie
27 vote also for judge of election at said election, the tie shall
28 be decided by the person so determined to be majority inspector.
29 The county board shall be notified immediately upon the
30 determination of any such tie vote.]

1 Section 404. Clerks of Election, Machine Inspectors.--[Prior
2 to the opening of the polls at each primary and election in
3 districts in which voting machines are not used, each] Each
4 inspector shall appoint one clerk to serve at [such] a primary
5 or election. [One clerk shall be appointed by the minority
6 inspector in each district in which a voting machine or machines
7 are used, and in each district in which more than one voting
8 machine is used, the] The county board of elections shall, prior
9 to each primary [and] or general election, appoint for [each
10 additional voting machine to be used in such] every two voting
11 machines in each district, one qualified registered elector of
12 the county to serve as machine inspector [therein for such
13 primary or election]. The qualifications of clerks and machine
14 inspectors shall be the same as [herein] those provided for
15 election officers.

16 Section 405. Vacancies in Election Boards; Appointment;
17 Judge and Majority Inspector to Be Members of Majority Party;
18 Minority Inspector to Be Member of Minority Party.--(a)
19 Vacancies in election boards existing by reason of the
20 disqualification, removal, resignation or death of an election
21 officer, or from any other cause, occurring prior to the fifth
22 day before any primary or election, shall[, in all cases,] be
23 filled by appointment[, by the court of the proper county of
24 competent persons, qualified in accordance with the provisions
25 of this act, who] by the county board of elections, in
26 consultation with the county parties and the appointed
27 individual shall serve for the unexpired term of the [person]
28 individual whose place [he] the appointed individual is
29 appointed to fill[: Provided, however, That any]. A district
30 election officer who, after [his] election or appointment,

1 changes [his] political affiliation, [shall not thereby become]
2 is not disqualified to serve on [said] the election board, and
3 [shall not thereby] may not be subject to removal. In making
4 [such] appointments, the [court] county board shall receive and
5 consider any petitions filed by qualified electors of the
6 district affected[, and shall make no] and may not make an
7 appointment to fill any vacancy unless notice of the time at
8 which [they will make such appointment shall have been posted on
9 the polling place of such district, and in the immediate
10 vicinity thereof, at least five days prior thereto.] the board
11 will make the appointment was posted in the district polling
12 place at least five days prior to the appointment. In the
13 appointment of inspectors in any election district, both shall
14 not be of the same political party at the time of [said]
15 appointment, but one shall be of the party having the largest
16 number of votes and the other shall be of the party having the
17 second largest number of votes in [said] the district at the
18 last preceding November election, as [nearly as the judge or
19 judges can ascertain the fact] determined by the county board.
20 The judge of election shall, in all cases of appointment, be of
21 the political party having the majority of votes in [said] the
22 district at the last preceding November election, as [nearly as
23 the judge or judges can ascertain the fact. Immediately upon the
24 entry of an order of court filling any vacancy on an election
25 board, the clerk of said court shall forthwith transmit a
26 certified copy of said order to the county board, giving the
27 name and address of said appointee] determined by the county
28 board. Notwithstanding any provisions to the contrary, in
29 counties which have adopted home rule charters or optional plans
30 and which appoint the members of the county election board under

1 section 301(b), vacancies in the county board of elections shall
2 be filled consistent with the provisions for appointment of
3 county election board members under [that] section 301.

4 (a.1) Vacancies in county boards existing by reason of the
5 disqualification, removal, resignation or death of a clerk or
6 machine inspector appointed [pursuant to] under section 404 or a
7 vacancy of a clerk or machine inspector from any other cause
8 occurring prior to the day of any primary or election may be
9 filled by a student [pursuant to] under section 402(b).

10 (b) The first election board for any new district shall be
11 selected, by the court of the proper county, of competent
12 [persons] individuals, qualified in accordance with the
13 provisions of this act, who shall serve until the next municipal
14 election at which all election officials are elected under the
15 provisions of section 401.

16 (c) Vacancies in election boards occurring at any time
17 during the five days immediately preceding any primary or
18 election or on the day of the primary or election may be filled
19 by appointment by the county board [of elections] from a pool of
20 competent [persons] individuals who are qualified registered
21 electors of the county and who have been trained by the county
22 to perform the duties of election officers [which are required
23 by] required under this act. [Any person] An individual
24 appointed to fill a vacancy in accordance with this subsection
25 shall serve as a member of the election board on the day of the
26 primary or election only. Any election board position filled in
27 accordance with this subsection shall be deemed vacant on the
28 day immediately following the primary or election and
29 subsequently shall be filled in accordance with subsection (a).

30 Section 406. Election Officers to Be Sworn.--All judges,

1 inspectors, clerks of election and machine inspectors shall,
2 before entering upon [their] duties at any primary or election,
3 [be duly sworn in the presence of each other and of the watchers
4 and overseers, if any. The judge shall first be sworn by the
5 minority inspector or by a magistrate, alderman or justice of
6 the peace, and the inspectors, clerks and machine inspectors
7 shall then be sworn by the judge. Each of them shall forthwith
8 sign in duplicate the oath taken by him upon forms to be
9 furnished by the county board, and the same shall be attested by
10 the officer who administered the oath.

11 Section 407. Oath of Judge of Election.--The following shall
12 be the oath of each judge of election:

13 "I (John Doe) do swear (or affirm) that I will as judge duly
14 attend the ensuing election (or primary) during the continuance
15 thereof, and in cooperation with the inspectors, faithfully
16 carry on the same; that I will not give my consent to the
17 admission of any person to vote, except such as I firmly believe
18 to be registered and entitled to vote at such election (or
19 primary), according to the provisions of the Constitution and
20 laws of this Commonwealth, and that I will use my best endeavors
21 to prevent any fraud, deceit or abuse in carrying on the same,
22 and that I will make a true and perfect return of the said
23 election (or primary), and will at all times impartially and
24 faithfully perform my duty respecting the same, to the best of
25 my judgment and ability; and that I am not directly or
26 indirectly interested in any bet or wager on the result of this
27 election (or primary)."

28 Section 408. Oaths of Inspectors of Election.--The following
29 shall be the form of the oath to be taken by each inspector:

30 "I (John Doe) do swear (or affirm) that I will as an

1 inspector duly attend the ensuing election (or primary) during
2 the continuance thereof, and that I will not admit any person to
3 vote, except such as I shall firmly believe to be registered and
4 entitled to vote at such election (or primary), according to the
5 provisions of the Constitution and laws of this Commonwealth,
6 that I will not vexatiously delay or refuse to permit any person
7 to vote whom I shall believe to be entitled to vote as
8 aforesaid, that I will make a true and perfect return of the
9 said election (or primary), and that I will in all things truly,
10 impartially and faithfully perform my duties therein, to the
11 best of my judgment and ability; and that I am not directly or
12 indirectly interested in any bet or wager on the result of this
13 election (or primary)."

14 Section 409. Oaths of Clerks of Election.--The following
15 shall be the form of the oath to be taken by each clerk:

16 "I (John Doe) do swear (or affirm) that I will as a clerk
17 attend the ensuing election (or primary) during the continuance
18 thereof, that I will carefully and truly record the number of
19 votes that shall be given for each candidate at the election (or
20 primary) as often as his name shall be read to me by the judge
21 or inspectors thereof, and in all things truly and faithfully
22 perform my duty respecting the same to the best of my judgment
23 and ability; and that I am not directly or indirectly interested
24 in any bet or wager on the result of this election (or
25 primary)."

26 Section 410. Oath of Machine Inspectors.--The following
27 shall be the form of the oath to be taken by each machine
28 inspector:

29 "I (John Doe) do swear (or affirm) that I will as a machine
30 inspector attend the ensuing election (or primary) during the

1 continuance thereof, that I will in all things truly and
2 faithfully perform my duty respecting the same to the best of my
3 judgment and ability; and that I am not directly or indirectly
4 interested in any bet or wager on the result of this election
5 (or primary)."

6 Section 411. Power of Election Officers to Administer
7 Oaths.--The judge and inspectors of election shall each have the
8 power to administer oaths to any person claiming the right to
9 vote, or to his witnesses, or in any matter or thing required to
10 be done or inquired into by them under this act.] sign a written
11 oath of office which the judges shall transmit to the county
12 board of elections after the polling place closes. The
13 Department of State shall promulgate the text of the written
14 oath for all judges, inspectors, clerks and machine operators.

15 Section 412.2. Compensation of District Election Officers.--

16 (a) In all counties regardless of class, judges of election,
17 inspectors of election, clerks and machine operators shall be
18 paid compensation as fixed by the county board of elections for
19 each election, which amount shall be at least [~~\$75~~] \$175 and not
20 more than [~~\$200~~] \$300.

21 (a.1) An election officer shall receive additional
22 compensation, as fixed by the county board of elections, for
23 participating in election training.

24 (a.2) A judge of election shall receive additional
25 compensation, as fixed by the county board of elections, for
26 picking up and returning election materials.

27 (b) If a county board of elections authorizes that the
28 duties of a clerk of elections or machine operator may be
29 performed by two individuals who each perform the duties for
30 one-half of an election day, each individual shall be

1 compensated at one-half of the rate authorized for a single
2 individual who performs the duties for the entire election day.

3 (c) The county board of elections may establish different
4 per diem rates within minimum and maximum rates provided for
5 under subsection (a) based on the number of votes cast for the
6 following groups:

7 (1) 150 votes or fewer.

8 (2) 151 to 300 votes.

9 (3) 301 to 500 votes.

10 (4) 501 to 750 votes.

11 (5) 751 votes and over.

12 (d) For transmitting returns of elections and the ballot box
13 or boxes, all judges of election shall be entitled to receive
14 the additional sum of \$20.

15 (e) The county board of elections may require the minority
16 inspector of election to accompany the judge of election in
17 transmitting the returns of elections, in which case the
18 minority inspector of election shall be entitled to receive the
19 additional sum of \$20.

20 (f) The individual furnishing transportation to the judge of
21 election and the minority inspector in transmitting returns and
22 ballot boxes shall be entitled to [a minimum of 35¢] the
23 standard mileage rate set by the Internal Revenue Service for
24 the current year per circular mile from the polling place to the
25 county court house. The name of the individual shall appear on
26 the voucher of the judge of election and only one individual may
27 receive mileage compensation.

28 (h) When a primary and special election or a special
29 election and a general or municipal election take place on the
30 same date, the elections shall be construed as one election for

1 the purpose of receiving compensation.

2 (i) Compensation and other payments received by election
3 officials under this section shall not be deemed income
4 classified and categorized under section 303 of the act of March
5 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

6 (j) The department shall reimburse counties for half the
7 cost of payments made under subsections (a) and (f).

8 Section 417. Appointment of Watchers.--

9 * * *

10 (b) Each watcher so appointed must be a qualified registered
11 elector of the county in which the election district for which
12 the watcher was appointed is located and must have completed
13 training required for poll watchers under section 1302-E(c)(7).

14 Each watcher so appointed shall be authorized to serve in the
15 election district for which the watcher was appointed and, when
16 the watcher is not serving in the election district for which
17 the watcher was appointed, in any other election district in the
18 county in which the watcher is a qualified registered elector:
19 Provided, That only one watcher for each candidate at primaries,
20 or for each party or political body at general, municipal or
21 special elections, shall be present in the polling place at any
22 one time from the time that the election officers meet prior to
23 the opening of the polls under section 1208 until the time that
24 the counting of votes is complete and the district register and
25 voting check list is locked and sealed, and all watchers in the
26 room shall remain outside the enclosed space. It shall not be a
27 requirement that a watcher be a resident of the election
28 district for which the watcher is appointed. After the close of
29 the polls and while the ballots are being counted or voting
30 machine canvassed, all the watchers shall be permitted to be in

1 the polling place outside the enclosed space. Each watcher shall
2 be provided with a certificate from the county board of
3 elections, stating his name and the name of the candidate, party
4 or political body he represents. Watchers shall be required to
5 show their certificates when requested to do so. Watchers
6 allowed in the polling place under the provisions of this act,
7 shall be permitted to keep a list of voters and shall be
8 entitled to challenge any person making application to vote and
9 to require proof of his qualifications, as provided by this act.
10 During those intervals when voters are not present in the
11 polling place either voting or waiting to vote, the judge of
12 elections shall permit watchers, upon request, to inspect the
13 voting check list and either of the two numbered lists of voters
14 maintained by the county board: Provided, That the watcher shall
15 not mark upon or alter these official election records. The
16 judge of elections shall supervise or delegate the inspection of
17 any requested documents.

18 * * *

19 Section 526. Polling Places to Be Selected by County
20 Board.--(a) The county board of elections shall select and fix
21 the polling place within each new election district and may, at
22 any time [for any reason that may seem proper to it,], but not
23 less than 14 days before an election, either on [its own] board
24 motion or on petition of [ten] 10 qualified registered electors
25 of an election district, change the polling place within any
26 election district. Except in case of an emergency or unavoidable
27 event occurring within [twenty] 14 days of a primary or
28 election, which renders any polling place unavailable for use at
29 [such] a primary or election, the county board shall not change
30 any polling place until at least five days after notice of the

1 proposed change shall have been posted on the existing polling
2 place and in the immediate vicinity [thereof] of the polling
3 place, and until at least five days after written notice of the
4 proposed change shall have been given to the occupant or owner
5 of [said] the polling place, or [their] the owner's agent.

6 (b) Except in case of emergency or unavoidable event,
7 occurring within [twenty] 14 days of a primary or election,
8 which renders any polling place unavailable for use, if a
9 petition [be] is presented to the county board on or before the
10 day set for hearing of the petition for change of polling place,
11 signed by a majority of the registered electors of the district,
12 objecting to the proposed change, [said] the change shall not be
13 ordered.

14 (c) The county board of elections shall publicly announce
15 and post on the board's publicly accessible Internet website,
16 not less than [twenty] 14 days prior to the primary election,
17 special election, municipal election or general election, by
18 posting at [its] the board's office in a conspicuous place, a
19 list of the places at which the election is to be held in the
20 various election districts of the county. The list shall be
21 available for public inspection at the office of the county
22 board of elections. The posting on the Internet website shall
23 include the name and contact information of all election
24 officers in the county.

25 Section 527. Public Buildings to Be Used Where Possible;
26 Portable Polling Places.--(a) In selecting polling places, the
27 county board of elections shall, [wherever] if possible and
28 practicable, select schoolhouses, municipal buildings or rooms,
29 or other public buildings for that purpose. Any board of public
30 education or school directors, or county or the municipal

1 authorities shall, upon request of the county board, make
2 arrangements for the use of school property, or of county or
3 municipal property for polling places. In selecting polling
4 places, the county board of elections shall make every effort to
5 select polling places that provide all electors with an
6 environment that is free from intimidation and [violence]
7 accessible to all electors.

8 [In the event no available] If a public building as
9 contemplated under this section is not situated within the
10 boundaries of any election district, the county board of
11 elections may, not less than [twenty] 20 days prior to any
12 election, designate as the polling place for [such] the election
13 district any [such public building situated in another election
14 district within the same or immediately adjacent ward, or, if
15 there are no wards, then within the same borough or township as
16 the case may be, provided such other building is located in an
17 election district which is immediately adjacent to the boundary
18 of the election district for which it is to be the polling place
19 and is directly accessible therefrom by public street or
20 thoroughfare.] building that is located in the election district
21 and is accessible to all electors. If no building is available
22 in the election district, a polling place may be identified in a
23 public building within an adjacent election district. If no
24 public building can be identified, a building location in the
25 adjacent election district accessible to all electors may be
26 used. Two or more polling places may be located in the same
27 public building under this section. A polling place may be
28 selected and designated [hereunder less than twenty] less than
29 20 days prior to any election, with the approval of a court of
30 competent jurisdiction.

1 [(b) In the event no available public building as
2 contemplated under subsection (a) is situated within the
3 boundaries of a borough which constitutes a single election
4 district, the county board of elections may, not less than ten
5 days prior to any election, designate as the polling place for
6 such election district a municipal building owned by that
7 borough and located in an adjoining second class township:
8 Provided, That the municipal building which is to serve as the
9 polling place is located in an election district immediately
10 adjacent to the boundary of such borough and is directly
11 accessible from the borough by public street or thoroughfare.
12 Such municipal building may be designated as the polling place
13 for an election less than ten days prior to that election, with
14 the approval of a court of competent jurisdiction.]

15 (c) The board[, in its discretion,] may procure and provide
16 portable or movable polling places of adequate size and
17 facilities for any or all election districts if no public
18 building or other usable building is available for use.

19 Section 528. Temporary Polling Places.--If, in any election
20 district, no proper polling place can be obtained, the county
21 board of elections shall cause to be constructed for [such] the
22 district, a temporary room of adequate size to be used as a
23 polling place. Moveable polling places and temporary polling
24 places may be used if no public building or other usable
25 building is available for use.

26 Section 8. The act is amended by adding an article to read:

27 ARTICLE VII-A

28 REGISTRATION OF ELECTORS

29 SUBARTICLE A

30 PRELIMINARY PROVISIONS

1 Section 700-A. Definitions.

2 The following words and phrases when used in this article
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Applicant." An individual who applies to be registered to
6 vote as provided for under this article and 25 Pa.C.S. Pt. IV
7 (relating to voter registration).

8 "Commission." A registration commission established under 25
9 Pa.C.S. § 1203 (relating to commissions).

10 "Commissioner." A member of a commission.

11 "County." A county of this Commonwealth. The term includes a
12 county within which is located a city of the first class or with
13 which a city of the first class is coextensive.

14 "Department." The Department of State of the Commonwealth.

15 "District." An election district or precinct of a
16 municipality.

17 "District register." The list of registered electors
18 prepared by the commission under 25 Pa.C.S. § 1402 (relating to
19 district registers).

20 "Election." A general, special, municipal or primary
21 election.

22 "General election." The election which the Constitution of
23 Pennsylvania requires to be held in even-numbered years.

24 "General register." The list of registered electors prepared
25 by the commission under 25 Pa.C.S. § 1401 (relating to general
26 register).

27 "In military service." Serving in the uniformed services as
28 defined in section 102 of the Career Compensation Act of 1949
29 (Public Law 81-350, 63 Stat. 801) or serving in the Pennsylvania
30 National Guard.

1 "Members of the United States merchant marine." Any of the
2 following:

3 (1) Individuals employed as officers or members of crews
4 of vessels documented under the law of the United States or
5 of vessels owned by the United States or of vessels of
6 foreign-flag registry under charter to or control of the
7 United States. This paragraph does not include individuals in
8 military service.

9 (2) Individuals enrolled with the United States for
10 employment or for training for employment or maintained by
11 the United States for emergency relief service as officers or
12 members of crews of vessels referred to in paragraph (1). The
13 term does not include individuals in military service or
14 individuals employed or enrolled for employment or for
15 training for employment or maintained for emergency relief on
16 the Great Lakes or the inland waterways.

17 "Military elector." Any of the following:

18 (1) An individual in military service and the
19 individual's spouse and dependents.

20 (2) An individual in the merchant marine and the
21 individual's spouse and dependents.

22 (3) An individual in a religious or welfare group
23 officially attached to and serving with the armed forces of
24 the United States and the individual's spouse and dependents.

25 (4) An individual who is a civilian employee of the
26 United States outside the territorial limits of the United
27 States, whether or not the individual is subject to the civil
28 service laws and whether or not the individual is paid from
29 funds appropriated by Congress, and the individual's spouse
30 and dependents.

1 "Municipal election." The election which the Constitution of
2 Pennsylvania requires to be held in odd-numbered years.

3 "Municipality." A city, borough, town or township.

4 "Party." Any of the following:

5 (1) A party or political body, one of whose candidates
6 at the general election immediately preceding the primary:

7 (i) polled, in each of at least 10 counties, at
8 least 2% of the largest entire vote cast in the county
9 for any elected candidate; and

10 (ii) polled a total vote in this Commonwealth equal
11 to at least 2% of the largest entire vote cast in this
12 Commonwealth for any elected candidate.

13 (2) A party or political body, one of whose candidates
14 at either the general or municipal election preceding the
15 primary polled at least 5% of the largest entire vote cast
16 for any elected candidate in any county.

17 "Political body." A political body not recognized as a
18 political party which has filed proper nomination papers as
19 required by law.

20 "Primary election." An election for the nomination of
21 candidates.

22 "Public office." Any Federal, State or political
23 subdivision, office or position of employment requiring the
24 individual elected or appointed to render public service for a
25 fixed fee or compensation. The term does not include the office
26 of notary public or commissioner of deeds.

27 "Qualified elector." An applicant who possesses all of the
28 qualifications for voting prescribed by the Constitution of
29 Pennsylvania and the laws of this Commonwealth or who, being
30 otherwise qualified by continued residence in the election

1 district, obtains such qualifications before the next ensuing
2 election. The term does not include a military elector.

3 "Registrant" or "registered elector." A qualified elector
4 who is registered to vote in accordance with this article and 25
5 Pa.C.S. Pt. IV.

6 "Registration card." A registration record containing all
7 information required on the registration application, including
8 the elector's signature, and suitable space for the insertion by
9 the appropriate official of the following information:

10 (1) The ward and election district of residence.

11 (2) The registrant's street address.

12 (3) Data required to be given upon removal from the
13 registrant's residence.

14 (4) The date of each election at which the registrant
15 votes.

16 (5) The number and letter of the stub of the ballot
17 issued to the registrant or the registrant's number in the
18 order of admission to the voting machines.

19 (6) The initials of the election officer who enters the
20 record of voting in the district register.

21 (7) Whether the registrant needs assistance to vote and,
22 if so, the nature of the disability.

23 "Registration records." The general register, district
24 register and any other record of registration maintained by a
25 commission. The term includes any record maintained by the
26 commission on the Statewide Uniform Registry of Electors.

27 "Secretary." The Secretary of the Commonwealth.

28 "Statewide Uniform Registry of Electors" or "SURE system."
29 The integrated voter registration system of all registered
30 electors in this Commonwealth established in 25 Pa.C.S. Ch. 12

1 Subch. B (relating to Statewide Uniform Registry of Electors
2 (SURE)).

3 SUBARTICLE B

4 QUALIFICATIONS

5 Section 701-A. Qualifications to register.

6 (a) Eligibility.--An individual who will be at least 18
7 years of age on the day of the next election, who has been a
8 citizen of the United States for at least one month prior to the
9 next election and who has resided in this Commonwealth and the
10 election district where the individual offers to vote for at
11 least 30 days prior to the next ensuing election shall be
12 eligible to register as provided in this act.

13 (b) Effect.--No individual shall be permitted to vote at any
14 election unless the individual is registered under this
15 subsection, except as provided by law or by order of a court of
16 common pleas. No registered elector shall be required to
17 register again for any election while the elector continues to
18 reside at the same address.

19 (c) Removal of residence.--Except as otherwise provided
20 under this article and 25 Pa.C.S. Pt. IV (relating to voter
21 registration), a registered elector who removes residence from
22 one place to another outside the elector's last election
23 district shall not be entitled to vote in the election district
24 of the elector's last residence except pursuant to the
25 provisions of this section and 25 Pa.C.S. §§ 1501(b) (relating
26 to removal notices), 1502 (relating to transfer of registration)
27 and 1902 (relating to procedure for voting following failure to
28 return notification card).

29 Section 702-A. Residence of electors.

30 (a) General rule.--

1 (1) For the purpose of registration and voting, no
2 individual shall be deemed to have gained a residence by
3 reason of presence or lost a residence by reason of absence
4 in any of the following circumstances:

5 (i) Being employed in the service, either civil or
6 military, of this Commonwealth or of the United States.

7 (ii) Being engaged in the navigation of the waters
8 of this Commonwealth or of the United States or on the
9 high seas.

10 (iii) Being in an institution at public expense.

11 This subparagraph does not apply to a veteran who resides
12 in a home for disabled and indigent soldiers and sailors
13 maintained by the Commonwealth. Such a veteran may elect
14 to utilize that residence for registration and voting or
15 elect to vote as an absentee elector by the use of an
16 absentee ballot.

17 (2) Nothing in paragraph (1) shall preclude any elector
18 eligible under section 701-A from establishing the district
19 of residence as the election district of residence under
20 subsection (b).

21 (3) Except as otherwise provided in this subsection, no
22 individual who is confined in a penal institution shall be
23 deemed a resident of the election district where the
24 institution is located. The individual shall be deemed to
25 reside where the individual was last registered before being
26 confined in the penal institution, or, if there was no
27 registration prior to confinement, the individual shall be
28 deemed to reside at the last known address before
29 confinement.

30 (4) An individual who resides at a mental health

1 facility, if otherwise qualified under section 701-A, shall
2 be deemed at the individual's option a resident in one of the
3 following:

4 (i) The district where the institution is located.

5 (ii) The district where the individual was last
6 registered to vote before entering the institution. For
7 purposes of this subparagraph, if the individual was not
8 registered before entering the institution, the
9 individual shall be deemed to reside at the last known
10 address before entering the institution.

11 (b) Rules for determination.--The following apply:

12 (1) That the place shall be considered the residence of
13 an individual in which habitation is fixed and to which,
14 whenever the individual is absent, the individual has the
15 intention of returning.

16 (2) An individual shall not be considered to have lost
17 residence if the individual leaves home and goes into another
18 state or another election district for temporary purposes
19 only, with the intention of returning.

20 (3) An individual shall not be considered to have gained
21 a residence in an election district if the individual comes
22 into that district for temporary purposes only, without the
23 intention of making that election district a permanent place
24 of abode.

25 (4) If an individual removes to another state with the
26 intention of making that state the permanent residence, the
27 individual shall be considered to have lost residence in this
28 Commonwealth.

29 (5) If an individual removes to another state with the
30 intention of remaining there an indefinite time and making

1 that state the place of residence, the individual shall be
2 considered to have lost residence in this Commonwealth,
3 notwithstanding an intention to return at some indefinite
4 future period.

5 (6) If an individual goes into another state and, while
6 there, votes in an election held by that state, the
7 individual shall be considered to have lost residence in this
8 Commonwealth.

9 (7) An individual employed in the service of the Federal
10 Government or of the Commonwealth and required thereby to be
11 absent from the municipality where the individual resided
12 when entering that employment and the spouse of the
13 individual may remain registered in the district where the
14 individual resided immediately prior to entering that
15 employment, and the individual and the spouse shall be
16 enrolled in the political party designated by the individual
17 or spouse without declaring a residence by street and number
18 as follows:

19 (i) An individual who registers under this paragraph
20 for Commonwealth employment must produce a certificate
21 from the head of the State agency, under the seal of
22 office, providing that the individual or the individual's
23 spouse is actually employed in the service of the
24 Commonwealth and providing the nature of the employment
25 and the time when the employee first entered the
26 employment. The commission shall retain certificates
27 under this subparagraph.

28 (ii) The commission shall note on the registration
29 record of each individual registered under this paragraph
30 the fact of Federal or State employment.

1 (iii) At least once every two years the commission
2 shall verify the employment of the individuals registered
3 under this paragraph at the proper Federal or State
4 office. If an individual is found to be no longer a
5 Federal or State employee, the individual's registration
6 shall be canceled under 25 Pa.C.S. Ch. 15 (relating to
7 changes in records).

8 SUBARTICLE C

9 PROCEDURE

10 Section 721-A. Methods of voter registration.

11 An individual qualified to register to vote under section
12 701-A(a) may apply to register as follows:

- 13 (1) Under section 722-A.
14 (2) Under section 722.1-A.
15 (3) Under section 723-A.
16 (4) Under section 724-A.
17 (5) Under section 725-A.

18 Section 722-A. In-person voter registration.

19 (a) General rule.--Applications may be submitted to register
20 to vote or change party enrollment or name or address on a
21 current registration record in person before the commission or a
22 commissioner, a registrar or a clerk at the office of the
23 commission or at a place designated by the commission. The
24 applicant shall be advised that any intentional false statement
25 on the application constitutes perjury and will be punishable as
26 such. The applicant shall provide the information required on
27 the registration application and sign the registration
28 declaration. The commission shall prepare and provide voter
29 registration applications for the purpose of registering
30 qualified electors in accordance with this section.

1 Notwithstanding any other provision of this article and 25
2 Pa.C.S. Pt. IV (relating to voter registration), the commission
3 may use a mail registration application for in-person
4 registration. The commission shall mail the qualified elector an
5 identification card in accordance with section 728-A.

6 (b) Notice.--The commission shall, at least 30 days prior to
7 each establishment's opening, publish under section 106, the
8 address of each place of registration, the address of each
9 office of the commission established for the registration of
10 qualified electors other than its main office and the days and
11 hours when the place or office is open for the registration of
12 qualified electors. The announcement shall be made by posting
13 notice at the place or office and at the commission's main
14 office and by other means as the commission deems advisable.

15 (c) Polls.--The election board of each county shall cause
16 any polling place to be open, in proper order for use, as a
17 place of registration on each day when the polling place is
18 desired by the commission or required by the provisions of this
19 article and 25 Pa.C.S. Pt. IV for use as a place of
20 registration. The appropriating authority of the county shall
21 provide for the payment of rentals for such polling places and
22 other places of registration.

23 (d) Schools.--The board of public education or the board of
24 school directors shall furnish suitable space in any public
25 school building under its jurisdiction or control and shall
26 cause the space to be open and in proper order for use as a
27 place of registration on each day when the space is desired by
28 the commission for use as a place of registration in accordance
29 with the provisions of this article and 25 Pa.C.S. Pt. IV. Use
30 under this subsection may not interfere with school instruction.

1 (e) Municipal buildings.--The proper authority in the county
2 or municipality shall furnish suitable space in a building under
3 its jurisdiction or control and shall cause the space to be open
4 and in proper order for use as a place of registration on each
5 day when the space is desired by the commission for use as a
6 place of registration. Use under this subsection may not
7 interfere with the use for which the space is primarily
8 designed.

9 Section 722.1-A. Online voter registration.

10 (a) Application.--An application may be submitted to
11 register to vote or change party enrollment or name or address
12 on a current registration record through an online application
13 developed by the secretary and provided on the department's
14 publicly accessible Internet website. The applicant shall
15 provide the information required on the registration application
16 and electronically sign the registration declaration.

17 (b) Prohibition.--Except for an application developed under
18 subsection (a), no other application or third-party interface
19 may be approved or used for the purposes of voter registration.

20 Section 723-A. Application with driver's license application.

21 (a) General rule.--

22 (1) The Department of Transportation shall provide for
23 simultaneous application for voter registration in
24 conjunction with the process under 75 Pa.C.S. § 1510
25 (relating to issuance and content of driver's license). An
26 application under this subsection shall serve as an
27 application to register to vote unless the applicant fails to
28 sign the voter registration application. The secretary has
29 the primary responsibility for implementing and enforcing the
30 driver's license voter registration system created under this

1 section. The secretary, in consultation with the Secretary of
2 Transportation, may promulgate regulations for implementing
3 this section.

4 (2) An application for voter registration submitted to
5 the Department of Transportation under this subsection shall
6 be considered as updating any previous voter registration
7 information by a registrant.

8 (3) Any change of address submitted to the Department of
9 Transportation for the purposes of driver licensing shall
10 serve as notification of change of address for voter
11 registration for the registrant involved unless the
12 registrant indicates that the change of address is not for
13 voter registration purposes.

14 (b) Process.--

15 (1) The Department of Transportation shall provide for
16 an application for voter registration as part of a driver's
17 license application.

18 (2) The format of the driver's license/voter
19 registration application shall be determined and prescribed
20 by the secretary and the Secretary of Transportation.

21 (3) The voter registration application portion of the
22 application shall contain all the requirements of an official
23 voter registration application specified in section 727-A.
24 The voter registration portion of the application:

25 (i) may not require any information that duplicates
26 information required in the driver's license portion of
27 the form, other than a second signature; and

28 (ii) may require only the minimum amount of
29 information necessary to prevent duplicate voter
30 registration, to enable the commission to assess the

1 eligibility of the applicant and to administer voter
2 registration and other parts of the election process.

3 (c) Transmission.--

4 (1) The Department of Transportation shall forward
5 completed applications or contents of the completed voter
6 registration applications in machine-readable format to the
7 department by the close of registration for the ensuing
8 election.

9 (2) The department shall transmit the material to the
10 appropriate commission within 10 days after the date of its
11 receipt by the Department of Transportation. If a voter
12 registration application is received by the Department of
13 Transportation within five days before the last day to
14 register before an election, the application shall be
15 transmitted to the appropriate commission not later than five
16 days after the date of its receipt by the Department of
17 Transportation.

18 (3) Upon receipt of the completed voter registration
19 information from the department, the commission shall make a
20 record of the date of the receipt of the application and
21 process the application. No applicant shall be deemed
22 eligible to vote until the commission has received and
23 approved the application.

24 (3.1) After the Department of Transportation is
25 connected to the SURE system and notwithstanding paragraphs
26 (1), (2) and (3), the Department of Transportation shall
27 transmit electronically the contents of a completed voter
28 registration application within five days of receipt of the
29 application. Upon receipt of the information from the
30 Department of Transportation, a commission shall make a

1 record of the date of the receipt of the application and
2 process the application in accordance with section 728-A. If
3 the commission of the county of residence has not been
4 connected to the SURE system, the Department of
5 Transportation shall forward the completed application or
6 contents of the completed application to the department in
7 accordance with paragraph (1). No applicant shall be deemed
8 eligible to vote until the commission has received and
9 approved an application in accordance with section 728-A.

10 (4) Changes of address shall comply with the following:

11 (i) Before the Department of Transportation is
12 connected to the SURE system, the Department of
13 Transportation shall notify the department of changes of
14 address received under subsection (a) (3). The department
15 shall notify the commission of the county of the
16 registrant's former residence. After the Department of
17 Transportation is connected to the SURE system, the
18 Department of Transportation shall notify the commission
19 of the county of the registrant's former residence. If
20 the registrant has moved to an address outside this
21 Commonwealth, the commission shall verify the address
22 change in accordance with 25 Pa.C.S. § 1901 (relating to
23 removal of electors). Except as provided in subparagraph
24 (ii), if the registrant confirms in accordance with 25
25 Pa.C.S. § 1901(d) that he or she has moved to another
26 county, the commission shall cancel the registration and
27 forward the registrant's registration information to the
28 commission of the registrant's new county of residence.
29 Except as provided in subparagraph (ii), if the
30 registrant has moved to an address within the

1 commission's jurisdiction, the commission shall promptly
2 update the registration record of the registrant in
3 accordance with section 728-A. All changes of address
4 received by the Department of Transportation under this
5 section at least 30 days before an election must be
6 processed by the commission for the ensuing election. For
7 the purpose of this paragraph, the term "registration
8 information" means the registration card and any other
9 record of registration maintained by a commission.

10 (ii) In the case of changes of address received by
11 the Department of Transportation which do not contain a
12 signature of the registrant, the commission receiving the
13 change of address notification shall mail a notice to the
14 registrant at the new residence address requesting
15 verification of the address change. If the change of
16 address is to a new residence outside the commission's
17 jurisdiction, the commission shall mail the following
18 notice:

19 Date.....

20 Office of the Registration Commission

21 County, Pennsylvania

22 (Address and Telephone No. of County)

23 We have been notified by the Department of Transportation
24 that you recently changed your address
25 from (old residence address)
26 to (new residence address) and that this
27 change of address is to serve as a change of address for
28 voter registration purposes. Unless you notify this
29 office within 10 days from the date of this notice that
30 this information is not correct, your voter registration

1 will be transferred to County. You may notify
2 this office by writing your residence address, the date
3 and your signature on the bottom of this form and mailing
4 this notice to this office. You need not notify this
5 office if this information is correct.

6

7 Chief Clerk

8 If the address change is within the commission's
9 jurisdiction, the commission shall mail a voter's
10 identification card to the registrant at the new
11 residence address.

12 (iii) If the registrant does not return the notice
13 under subparagraph (ii) within the 10-day period, the
14 commission shall process the change of address according
15 to subparagraph (i). If the registrant notifies the
16 commission that the information is incorrect and the
17 commission is satisfied with the registrant's explanation
18 of the discrepancy, the address of the registrant's
19 registration shall remain unchanged. If the verification
20 notification or voter identification card is returned by
21 the post office as undeliverable as addressed or with a
22 forwarding address, the commission shall send a
23 confirmation notice to the registrant's address of former
24 residence in accordance with 25 Pa.C.S. § 1901(d)(2).

25 (5) Upon notification and confirmation of any change of
26 address, a commission shall promptly update information
27 contained in its registration record.

28 (d) Prohibition.--An individual who is not a qualified
29 elector is ineligible to register to vote under this section.

30 (e) Effect.--Failure to properly complete a voter

1 registration application shall not affect the validity of an
2 application for a driver's license, a renewal application or an
3 identification card application.

4 (f) Use of information.--No information regarding a
5 declination to register to vote in connection with an
6 application made under this section may be used for any purpose
7 other than voter registration.

8 (g) Staff.--Agents and employees working on behalf of the
9 Department of Transportation assisting in the completion of
10 voter registration applications shall conduct themselves in a
11 manner consistent with the following principles:

12 (1) They shall not seek to influence an applicant's
13 political preference or party registration or display
14 political preference or party allegiance.

15 (2) They shall not make a statement to an applicant or
16 take an action the purpose or effect of which is to
17 discourage the applicant from registering to vote.

18 (3) Applicants wishing to register to vote under this
19 section shall be given the same degree of assistance with the
20 voter registration application as with all other Department
21 of Transportation forms.

22 Agency employees who violate this subsection shall be removed
23 from employment, provided that the agency at its discretion may
24 impose a penalty of suspension without pay for at least 30 days,
25 but not more than 120 days, if it finds that the violation does
26 not warrant termination.

27 (h) Retention.--The Department of Transportation shall
28 retain complete records of voter registration information
29 received, processed and submitted to the SURE system by the
30 Department of Transportation. The records shall only be for the

1 purpose of supporting audit and accounting controls established
2 to ensure accurate and complete electronic transmission of
3 records between the SURE system and the Department of
4 Transportation.

5 (i) Agreement with department.--The Department of
6 Transportation shall enter into an agreement with the department
7 to match information in the SURE system with information in the
8 database of the Department of Transportation to the extent to
9 verify the accuracy of the driver's license number,
10 identification number or last four digits of the Social Security
11 number provided on an application for voter registration.

12 (j) Agreement with Commissioner of Social Security.--The
13 Department of Transportation shall enter into an agreement with
14 the Commissioner of Social Security to verify the last four
15 digits of the Social Security number provided in an application
16 for voter registration.
17 Section 724-A. Application by mail.

18 (a) General rule.--An application to register to vote or to
19 change party enrollment or name or address on a current
20 registration may be submitted by voter registration mail
21 application in the manner provided in this section. An
22 application may be submitted by mail or by representative to the
23 commission on an official mail registration application, the
24 form of which shall be determined and prescribed by the
25 secretary or the Federal Election Commission pursuant to the
26 National Voter Registration Act of 1993 (Public Law 103-31, 52
27 U.S.C. § 1973gg et seq.). The applicant must complete the
28 information required on the registration application and sign
29 the registration declaration.

30 (b) Time.--Registration under this section may be made at

1 any time. If a registration application is received by a
2 commission beyond the deadline for registration provided in
3 section 1231, the application shall be retained by the
4 commission until the beginning of the next period during which
5 registration can be made.

6 (c) Military electors.--

7 (1) A military elector may apply at any time for
8 registration on an official registration application or any
9 form prescribed by the Federal Government for such purpose.

10 (2) The status of a military elector to register under
11 this section with respect to residence shall remain as the
12 same home residence status from which the military elector is
13 qualified to register. If, at the time of leaving that home
14 address, the military elector had not resided in this
15 Commonwealth or in a particular election district for a
16 sufficient time to have been entitled to be registered but,
17 by continued residence, would have become entitled to be
18 registered, the military elector shall be entitled to be
19 registered at the time the military elector would have been
20 entitled to register had the military elector not left that
21 home address but continued to reside there.

22 (3) The commission is authorized to consider a request
23 for an absentee ballot as a request for an official
24 registration application and to forward to the requester all
25 of the following:

26 (i) An absentee ballot and balloting material.

27 (ii) An official registration application.

28 (4) The military elector must complete and file these
29 documents in accordance with the applicable provisions of
30 this act.

1 (5) The right to be registered pursuant to this
2 subsection shall not be subject to challenge for any reason
3 other than failure to have furnished the commission a
4 properly completed registration application.

5 Section 725-A. Government agencies.

6 (a) General rule.--The secretary shall administer a system
7 whereby all offices in this Commonwealth that provide public
8 assistance, each county clerk of orphans' court, including each
9 marriage license bureau, all offices in this Commonwealth that
10 provide State-funded programs primarily engaged in providing
11 services to persons with disabilities and all armed forces
12 recruitment centers do all of the following:

13 (1) Distribute voter registration applications with each
14 application, reapplication and application for
15 recertification, renewal or change of address.

16 (2) Assist applicants with completion of the
17 registration application unless assistance is refused.

18 (3) Accept completed registration applications.

19 (4) Transmit completed applications to the appropriate
20 commission.

21 (b) Forms.--An agency designated in subsection (a) shall
22 provide a form for office visits or, if the agency provides
23 services to persons with disabilities, for home visits which
24 contains all of the following:

25 (1) The question "If you are not registered to vote
26 where you live now, would you like to apply to register to
27 vote today?"

28 (2) If the agency provides public assistance, the
29 statement "Applying to register or declining to register to
30 vote will not affect the amount of assistance that you will

1 be provided by this agency."

2 (3) Boxes for the applicant to check to indicate whether
3 the applicant would like to register or decline to register
4 to vote. In close proximity to the boxes the following words
5 shall appear in prominent type: "IF YOU DO NOT CHECK EITHER
6 BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER
7 TO VOTE AT THIS TIME."

8 (4) The statement "In order to be qualified to register
9 to vote, you must be at least 18 years of age on the day of
10 the next election, you must have been a citizen of the United
11 States for at least one month prior to the next election and
12 have resided in Pennsylvania and the election district where
13 you plan to vote for at least 30 days prior to the next
14 election."

15 (5) The statement "If you would like help in filling out
16 the voter registration application form, we will help you.
17 The decision whether to seek help is yours. You may fill out
18 the form in private."

19 (6) The statement "If you believe that someone has
20 interfered with your right to register or to decline to
21 register to vote, your right to privacy in deciding whether
22 to register or in applying to register to vote or your right
23 to choose your own political party or other political
24 preference, you may file a complaint with the Secretary of
25 the Commonwealth, Pennsylvania Department of State,
26 Harrisburg, PA 17120." The secretary shall establish and
27 publish a toll-free telephone number for the purpose of
28 receiving complaints.

29 (c) Effect.--Failure to check either box under subsection
30 (b) (3) shall be considered a declination to register to vote.

1 (d) Staff.--Agency employees assisting in the completion of
2 voter registration applications shall conduct themselves in a
3 manner consistent with the following principles:

4 (1) They shall not seek to influence an applicant's
5 political preference or party registration or display
6 political preference or party allegiance.

7 (2) They shall not make any statement to an applicant or
8 take any action the purpose of or effect of which is to
9 discourage the applicant from registering to vote.

10 (3) They shall not make any statement to an applicant or
11 take any action the purpose of or effect of which is to lead
12 the applicant to believe that a decision to register or not
13 to register has any bearing on the availability of services
14 or benefits.

15 Agency employees who violate this subsection shall be removed
16 from employment, provided that the agency at its discretion may
17 impose a penalty of suspension without pay for at least 30 days,
18 but not more than 120 days, if it finds that the violation does
19 not warrant termination.

20 (e) Encouraging registration.--An agency designated in
21 subsection (a) shall provide reasonable space for nonpartisan
22 signs or posters encouraging voter registration. The signs and
23 posters shall be provided by the secretary.

24 (f) Transmission.--An agency designated in subsection (a)
25 shall forward all completed applications to the appropriate
26 commission within 10 days after the date of receipt. If a voter
27 registration application is received within five days before the
28 last day to register before an election, the application shall
29 be transmitted to the appropriate commission not later than five
30 days after the date of its receipt by the agency.

1 (g) Confidentiality.--The identity of the voter registration
2 agency through which any particular voter is registered in
3 accordance with this section shall not be disclosed to the
4 public.

5 (h) Use of information.--No information relating to a
6 declination to register to vote in connection with an
7 application made at an office described in this section may be
8 used for any purpose other than voter registration.

9 (i) Assistance.--Each agency shall provide to each applicant
10 who chooses to register to vote the same degree of assistance
11 with regard to the completion of the registration application
12 form as is provided by the office with regard to the completion
13 of its own forms unless the applicant refuses such assistance.

14 (j) Regulation.--The secretary shall promulgate regulations
15 regarding the maintenance and destruction of forms used pursuant
16 to this section.

17 Section 726-A. (Reserved).

18 Section 727-A. Preparation and distribution of applications.

19 (a) Form.--

20 (1) The secretary shall prescribe the form of an
21 official voter registration application. The official voter
22 registration application shall provide space for the
23 following information about the applicant:

24 (i) Full name.

25 (ii) Address of residence. If the residence is a
26 portion only of the house, the location or number of the
27 room, apartment or floor which is occupied.

28 (iii) Mailing address if different than address of
29 residence.

30 (iv) Name and residence address on previous

1 registration and the year of that registration.

2 (v) Designation of political party, for the purpose
3 of voting at a primary election.

4 (vi) Date of birth.

5 (vii) Telephone number. An application shall not be
6 rejected because of noncompliance with this subparagraph.

7 (viii) Race. An application shall not be rejected
8 because of noncompliance with this subparagraph.

9 (ix) Last four digits of Social Security number. An
10 application without the last four digits of an
11 applicant's Social Security number shall be considered
12 incomplete. An applicant who does not have a Social
13 Security number may have his or her identity confirmed
14 through an alternate record.

15 (x) A Department of Transportation driver's license
16 number or a Department of Transportation identification
17 card number. An application may not be rejected because
18 of noncompliance with this subparagraph.

19 (1.1) Data required on the voter registration
20 application shall not be more nor less than the minimum data
21 elements permissible for Federal voter registration.

22 (2) Any person who assists in the completion of the
23 registration application shall sign the application and
24 indicate the person's address. In the case of those
25 registering under sections 723-A and 725-A, the person
26 providing assistance shall insert the person's initials or
27 employee or agent identification number on a separate or
28 detachable portion of the application or computer data file.

29 (3) A voter registration application shall be printed on
30 stock of good quality and shall be of suitable uniform size.

1 Nothing under this article and 25 Pa.C.S. Pt. IV (relating to
2 voter registration) shall prohibit the design and use of an
3 electronic voter registration application which includes the
4 applicant's digitized or electronic signature. The
5 registration application shall contain the following
6 information; however, the information may be provided on a
7 separate form for voter registration made under section 723-A
8 or 725-A:

9 (i) Notice that a registered elector does not need
10 to reregister unless the registered elector has moved.

11 (ii) Instructions on how to fill out and submit the
12 application and notification of when the application must
13 be submitted to a voter registration office in order to
14 be registered for the ensuing election.

15 (iii) Notice that the applicant must be a citizen of
16 the United States for at least one month prior to the
17 next election and a resident of this Commonwealth and the
18 election district for at least 30 days and must be at
19 least 18 years of age by the day of the next ensuing
20 election. The notice required in this subparagraph shall
21 be in print identical to the declaration under subsection
22 (b).

23 (iv) Notice that political party enrollment is
24 mandatory to vote in a primary election of a political
25 party.

26 (v) Notice that the commission will mail by
27 nonforwardable mail to the applicant a voter's
28 identification card upon acceptance of the application
29 and that the applicant should contact the commission if
30 the identification card is not received within 14 days

1 from the date the application is sent to the registration
2 office.

3 (vi) Notice that registration is not complete until
4 the application is processed and accepted by the
5 commission.

6 (vii) A warning to the applicant that making a false
7 registration or furnishing false information is perjury.
8 The notice required in this subparagraph shall be in
9 print identical to the declaration under subsection (b).

10 (viii) Instructions to Federal or State employees
11 who wish to retain voting residence in county of last
12 residence to so indicate on the application.

13 (ix) Notice that, if an individual declines to
14 register to vote, the fact that the individual has
15 declined to register will remain confidential and will be
16 used only for voter registration purposes. The notice
17 required in this subparagraph shall be in print identical
18 to the declaration under subsection (b).

19 (x) Notice that, if an individual does register to
20 vote, the office at which the individual submits a voter
21 registration application will remain confidential and
22 will be used for voter registration purposes only. The
23 notices required in this subparagraph shall be in print
24 identical to the declaration in subsection (b).

25 (4) In jurisdictions where there is a single language
26 minority, the secretary may print a bilingual application.

27 (5) In jurisdictions where a single language minority
28 exceeds 5% of the population, the secretary shall:

29 (i) print a bilingual application; and

30 (ii) conduct a public educational program among that

1 language group alerting both organizations and
2 individuals of that group of the availability of the
3 bilingual application and encouraging individuals to
4 register.

5 (6) To implement section 724-A, the secretary shall
6 print an official voter registration mail application
7 designed to preserve the confidentiality of the information
8 required to be submitted. The application shall contain
9 information required by this section and shall include the
10 name of each county seat, its post office mailing address and
11 zip code and its telephone number. Voter registration mail
12 applications shall contain information indicating whether the
13 application is a new registration, change of party
14 enrollment, change of address or change of name.

15 (7) Nothing under this article and 25 Pa.C.S. Pt. IV
16 shall prohibit a private organization or individual from
17 printing blank voter registration applications or shall
18 prohibit the use of such applications by any other
19 individual, provided that the form, content and paper quality
20 of such voter registration application complies with
21 department regulations for the forms or has received prior
22 approval from the secretary.

23 (b) Registration declaration.--

24 (1) The official voter registration application shall
25 contain a registration declaration. On the declaration, the
26 applicant shall state all of the following:

27 (i) The applicant has been a citizen of the United
28 States for at least one month prior to the next election.

29 (ii) On the day of the next ensuing election, the
30 applicant shall be at least 18 years of age.

1 (iii) On the day of the next ensuing election, the
2 applicant shall have resided in this Commonwealth and in
3 the election district for at least 30 days.

4 (iv) The applicant is legally qualified to vote.

5 (2) The applicant shall affirm all of the following:

6 (i) The information provided in the registration
7 declaration is true.

8 (ii) The applicant understands that:

9 (A) the registration declaration will be
10 accepted for all purposes as the equivalent of an
11 affidavit; and

12 (B) if the registration contains a material
13 false statement, the applicant shall be subject to
14 penalties for perjury.

15 (3) The registration declaration shall contain the
16 printed name and signature of the applicant and the date of
17 signing. An applicant unable to sign the voter registration
18 application shall make a mark before a person of the
19 applicant's choice other than the applicant's employer or an
20 agent of the applicant's union. The person shall insert the
21 person's name, address and telephone number. If the person is
22 an employee or agent of the Department of Transportation or
23 another agency as provided under section 725-A and is
24 assisting the applicant in an official capacity, the employee
25 or agent shall insert the initials and identification number
26 of the employee or agent. In the case of applicants
27 registering under section 723-A or 725-A, the person
28 providing assistance shall insert initials or employee or
29 agent identification number on a separate or detachable
30 portion of the application or computer data file.

1 (4) The official registration application shall contain
2 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
3 notice shall advise the applicant that if a person signs an
4 official registration application knowing a statement
5 declared in the application to be false, the person commits
6 perjury. The notice shall specify the penalty for perjury.

7 (c) Distribution.--

8 (1) The secretary shall supply official registration
9 applications to commissions.

10 (2) The secretary shall make available for distribution
11 official voter registration applications to public libraries,
12 public schools, State-related institutions of higher
13 education, offices operated by the Department of Revenue,
14 offices operated by the Department of Aging, area agencies on
15 aging, offices operated by the Pennsylvania Game Commission
16 or any of its authorized license-issuing agents, offices
17 operated by the Pennsylvania Fish and Boat Commission or any
18 of its issuing agents and offices that provide unemployment
19 compensation.

20 (3) Each participating agency identified under paragraph
21 (2) shall:

22 (i) Provide that official voter registration mail
23 applications are available on the premises and displayed
24 prominently in a conspicuous location during normal
25 business hours.

26 (ii) Provide an official voter registration mail
27 application to any individual requesting one.

28 (iii) Provide reasonable space for nonpartisan signs
29 or posters indicating the availability of official voter
30 registration mail applications on the premises.

1 (4) The secretary may provide technical assistance to
2 commissions upon request and agencies designated under
3 paragraph (2).

4 (5) The secretary shall print and distribute mail
5 registration applications which are not postage paid and
6 which shall not be specific to any county registration
7 office. Along with the distribution of such applications, the
8 secretary shall also include instructions to inform the
9 applicant where the application is to be sent.

10 (6) The secretary and commissions shall supply
11 applications to all of the following:

12 (i) Persons and organizations who request
13 applications.

14 (ii) Federal, State and political subdivision
15 offices.

16 (iii) Political parties and political bodies.

17 (iv) Candidates.

18 (d) Staff.--Agency employees assisting in the distribution
19 of voter registration applications under subsection (c) shall
20 conduct themselves in a manner consistent with the following
21 principles:

22 (1) They shall not seek to influence an applicant's
23 political preference or party registration or display
24 political preference or party allegiance.

25 (2) They shall not make any statement to an applicant or
26 take any action the purpose of or effect of which is to
27 discourage the applicant from registering to vote.

28 (3) They shall not make any statement to an applicant or
29 take any action the purpose of or effect of which is to lead
30 the applicant to believe that a decision to register or not

1 to register has any bearing on the availability of services
2 or benefits.

3 Agency employees who violate this subsection shall be removed
4 from employment, provided that the agency at its discretion may
5 impose a penalty of suspension without pay for at least 30 days,
6 but not more than 120 days, if it finds that the violation does
7 not warrant termination.

8 Section 728-A. Approval of registration applications.

9 (a) Examination.--Upon receiving a voter registration
10 application, a commissioner, clerk or registrar of a commission
11 shall do all of the following:

12 (1) Initial and date the receipt of the application.

13 (2) Examine the application to determine all of the
14 following:

15 (i) Whether the application is complete.

16 (ii) Whether the applicant is a qualified elector,
17 including verification of the last four digits of the
18 applicant's Social Security number and the applicant's
19 Department of Transportation driver's license number or
20 Department of Transportation identification card number,
21 if available.

22 (iii) Whether the applicant has an existing
23 registration record. After the commission is connected to
24 the SURE system, the commissioner, clerk or registrar
25 shall search the SURE system on a Statewide basis to
26 determine if the applicant has an existing registration
27 record. The commissioner, clerk or registrar shall take
28 special care to scrutinize any registration for a similar
29 name at the same registered address.

30 (iv) Whether the applicant is entitled or qualified

1 to receive the requested transfer or change, if
2 applicable.

3 (b) Decision.--A commission shall do one of the following:

4 (1) Record and forward a voter registration application
5 to the proper commission if the commission finds during its
6 examination under subsection (a) that the applicant does not
7 reside within the commission's county but resides elsewhere
8 in this Commonwealth.

9 (2) Reject a voter registration application, indicate
10 the rejection and the reasons for the rejection on the
11 application and notify the applicant by first class
12 nonforwardable mail, return postage guaranteed of the
13 rejection and the reason if the commission finds during its
14 examination under subsection (a) any of the following:

15 (i) The application was not properly completed and,
16 after reasonable efforts by the commission to ascertain
17 the necessary information, the application remains
18 incomplete or inconsistent.

19 (ii) The applicant is not a qualified elector.

20 (iii) The applicant is not entitled to a transfer of
21 registration or a change of address.

22 (iv) The applicant is not legally qualified for a
23 change of name.

24 A rejection shall be made no later than 25 days before the
25 election succeeding the filing of the application.

26 (3) Process a voter registration application in
27 accordance with subsection (c) if the commission finds during
28 its examination under subsection (a) all of the following:

29 (i) The application requests registration.

30 (ii) The application contains the required

1 information indicating that the applicant is a qualified
2 elector of the county.

3 (4) Process a voter registration application in
4 accordance with subsection (c) and update its registration
5 records if the commission finds during its examination under
6 subsection (a) all of the following:

7 (i) The application requests registration.

8 (ii) The application contains the required
9 information indicating that the applicant is a qualified
10 elector of the county.

11 (iii) The applicant is currently a registered
12 elector of the county.

13 (5) Process a voter registration application in
14 accordance with subsection (c) and request transfer of
15 registration records in accordance with subsection (d) if the
16 commission finds during its examination under subsection (a)
17 all of the following:

18 (i) The application requests registration.

19 (ii) The application contains the required
20 information indicating that the applicant is a qualified
21 elector of the county.

22 (iii) The applicant is currently a registered
23 elector of another county.

24 (6) Process a voter registration application in
25 accordance with subsection (c) and request transfer of
26 registration records in accordance with subsection (d) if the
27 commission finds during its examination under subsection (a)
28 all of the following:

29 (i) The application requests a transfer of
30 registration.

1 (ii) The application contains the required
2 information indicating that the applicant is a qualified
3 elector of the county.

4 (iii) The applicant is currently a registered
5 elector of another county.

6 (7) Process a voter registration application in
7 accordance with subsection (c) and update its registration if
8 the commission finds during its examination under subsection
9 (a) all of the following:

10 (i) The application requests a change of address.

11 (ii) The application contains the required
12 information indicating that the applicant is a qualified
13 elector of the county.

14 (iii) The applicant is currently a registered
15 elector of the county.

16 (8) Process a voter registration application in
17 accordance with subsection (c) and update its registration
18 records if the commission finds during its examination under
19 subsection (a) all of the following:

20 (i) The application requests a change of name.

21 (ii) The applicant is legally qualified to a change
22 of name.

23 (iii) The application contains the required
24 information indicating that the applicant is a qualified
25 elector of the county.

26 (iv) The applicant is currently a registered elector
27 of the county.

28 (c) Processing of voter registration.--

29 (1) When a commission has accepted a voter registration
30 application under subsection (b) (3), the commission shall

1 assign each applicant a unique identification number in the
2 SURE system. The commission shall mail a durable, wallet-
3 sized voter's identification card to the individual by first
4 class nonforwardable mail, return postage guaranteed, which
5 shall serve as notice of the acceptance of the application.

6 The card shall contain all of the following:

7 (i) Name and address of the individual.

8 (ii) Name of municipality of residence.

9 (iii) Identification of the individual's ward and
10 district.

11 (iv) The effective date of registration.

12 (v) Designation of party enrollment and date of
13 enrollment.

14 (vi) An image of the individual's signature or mark.

15 (vii) The unique identification number of the
16 individual.

17 (viii) A statement that the individual must notify
18 the commission within 10 days from the date it was mailed
19 if any information on the card is incorrect otherwise,
20 the information shall be deemed correct for voter
21 registration purposes.

22 (ix) A scannable identification code or strip.

23 (2) When a commission has accepted a voter registration
24 application under subsection (b) (4), (5), (6), (7) or (8),
25 the commission shall mail a durable, wallet-sized voter's
26 identification card to the individual by first class
27 nonforwardable mail, return postage guaranteed, which shall
28 serve as notice of the acceptance of the application. The
29 card shall contain all of the following:

30 (i) Name and address of the individual.

1 (ii) Name of municipality of residence.

2 (iii) Identification of the individual's ward and
3 district.

4 (iv) The effective date of registration.

5 (v) Designation of party enrollment and date of
6 enrollment.

7 (vi) An image of the individual's signature or mark.

8 (vii) The SURE registration number of the
9 individual.

10 (viii) A statement that the individual must notify
11 the commission within 10 days from the date it was mailed
12 if any information on the card is incorrect, otherwise,
13 the information shall be deemed correct for voter
14 registration purposes.

15 (ix) A scannable identification code or strip.

16 (3) An envelope containing a voter identification card
17 shall be marked on the outside with a request to the
18 postmaster to return it within five days if it cannot be
19 delivered to the addressee at the address given.

20 (4) (Reserved).

21 (5) (Reserved).

22 (d) Transfer of registration records.--

23 (1) If, during application, an individual discloses that
24 the individual is a registered elector of another county, the
25 commission of the individual's new county of residence shall
26 direct a cancellation notice to the commission of the
27 individual's former county of residence in accordance with
28 regulations promulgated under this article or 25 Pa.C.S. Pt.
29 IV.

30 (2) Upon receipt of a notice transmitted in accordance

1 with paragraph (1), the commission of the individual's former
2 county of residence shall investigate. If the commission
3 finds that the individual is a registered elector of the
4 county, the commission shall verify the address change with
5 the registered elector in accordance with this article and 25
6 Pa.C.S. Pt. IV. Upon verifying that the registered elector
7 has moved to another county of residence, the commission
8 shall cancel the registered elector's registration, transfer
9 a copy of the canceled registration record to the commission
10 of the registered elector's new county of residence and
11 retain a record of the transfer. The commission of both
12 counties shall promptly update information contained in their
13 registration records.

14 (e) Challenges.--All challenges to applications for
15 registration shall be made as provided in section 729-A.
16 Section 728.1-A. SURE registration number.

17 Each registered elector shall be assigned a single and unique
18 SURE registration number in accordance with sections 728-A and
19 25 Pa.C.S. § 1514 (relating to conversion of registration
20 records). Once assigned, a SURE registration number shall not be
21 changed, modified or altered.

22 Section 729-A. Challenges.

23 (a) Standing.--An individual claiming the right to be
24 registered may be challenged by a commissioner, registrar or
25 clerk or by a qualified elector of the municipality.

26 (b) Complaint.--To make a challenge, a complainant must file
27 a challenge affidavit in a form prescribed by the secretary
28 containing the following information:

29 (1) Name of challenged individual.

30 (2) Address of challenged individual.

- 1 (3) Name of complainant.
- 2 (4) Address of complainant.
- 3 (5) Date of affidavit.
- 4 (6) Reason for challenge.

5 (c) Response.--An individual who is challenged must respond
6 to the challenge affidavit as provided in subsection (b) in a
7 written statement sworn or affirmed by the individual. The
8 challenged individual must produce such other evidence as may be
9 required to satisfy the registrar or commissioner as to the
10 individual's qualifications as a qualified elector.

11 (d) Resolution.--If the challenged individual establishes to
12 the satisfaction of the commission the right to be registered as
13 required under this article and 25 Pa.C.S. Pt. IV (relating to
14 voter registration), the challenged individual shall be
15 registered. If the challenged individual does not establish to
16 the satisfaction of the commission the right to be registered as
17 provided under this article and 25 Pa.C.S. Pt. IV, the
18 challenged individual's registration, if any, shall be canceled,
19 and the commission shall promptly update information contained
20 in its registration records.

21 Section 730-A. (Reserved).

22 Section 731-A. Privacy in voter registration.

23 The secretary shall provide a means for an elector who has an
24 active protection from abuse order under 23 Pa.C.S. Ch. 61
25 (relating to protection from abuse) entered against another
26 party to have the elector's birth date recorded in the Statewide
27 Uniform Registry of Electors so that the birth year shall be
28 listed as not fewer than 18 years and not greater than 50 years
29 prior to the year in which the claim was made. The secretary
30 shall ensure that the accommodation under this section shall end

1 when the protection from abuse order expires.

2 Section 9. Section 1003(f) of the act is amended and the
3 section is amended by adding a subsection to read:

4 Section 1003. Form of Official Election Ballot.--

5 * * *

6 [(f) In order that each elector may have the opportunity of
7 designating his choice for all the candidates nominated by one
8 political party or political body, there shall be printed on the
9 extreme left of the ballot, and separated from the rest of the
10 ballot by a space of at least one-half inch, a list of the names
11 of all the political parties or political bodies represented on
12 such ballot which have nominated candidates to be voted for at
13 such election. Such names shall be arranged in the order of the
14 votes obtained at the last gubernatorial election by the
15 candidate for Governor of the parties or bodies nominating,
16 beginning with the party that received the highest number of
17 votes cast. Following the names of such political parties and
18 political bodies shall be the names of the parties and bodies
19 not represented on the ballot at the last gubernatorial
20 election, arranged alphabetically, according to the party name
21 or appellation. A square of sufficient size for the convenient
22 insertion of a cross mark shall be placed at the right of each
23 party name or appellation.]

24 * * *

25 (h) The official ballots shall be printed on paper of the
26 correct size for the machines used by a county and watermarked
27 with the name of the county in which it shall be used.

28 Section 10. Section 1007(a) of the act is amended to read:

29 Section 1007. Number of Ballots to Be Printed; Specimen

30 Ballots.--(a) The county board of each county shall provide for

1 each election district a supply of official election ballots
2 for:

3 [(1) the general primary election held in even-numbered
4 years in which candidates for the office of President of the
5 United States are not nominated in an amount of at least 10%
6 greater than the highest number of ballots cast in the election
7 district in any of the previous three general primary elections
8 at which candidates for the office of President of the United
9 States were not nominated;

10 (2) the general primary election held in even-numbered years
11 in which candidates for the office of President of the United
12 States are nominated in an amount of at least 15% greater than
13 the highest number of ballots cast in the election district in
14 any of the previous three general primary elections at which
15 candidates for the office of President of the United States were
16 nominated;

17 (3) the municipal primary election held in odd-numbered
18 years in an amount of at least 10% greater than the highest
19 number of ballots cast in any of the previous three municipal
20 primary elections in the election district;

21 (4) the general election held in even-numbered years in
22 which candidates for the office of President of the United
23 States are not elected in an amount of at least 10% greater than
24 the highest number of ballots cast in the election district in
25 any of the previous three general elections at which candidates
26 for the office of President of the United States were not
27 elected;

28 (5) the general election held in even-numbered years in
29 which candidates for the office of President of the United
30 States are elected in an amount of at least 15% greater than the

1 highest number of ballots cast in the election districts in any
2 of the previous three general elections at which candidates for
3 the office of President of the United States were elected; and

4 (6) the municipal election held in odd-numbered years in an
5 amount of at least 10% greater than the highest number of
6 ballots cast in any of the previous three municipal elections in
7 the election district.]

8 (1) Any primary election, 50% of the registered electors in
9 an election district, less the number of electors in the
10 district who have requested an absentee or mail-in ballot.

11 (2) Any general election, 100% of the registered electors in
12 an election district, less the number of electors in the
13 district who have requested an absentee or mail-in ballot.

14 * * *

15 Section 11. Sections 1106, 1107 and 1111 of the act are
16 amended by adding subsections to read:

17 Section 1106. Examination and Approval of Voting Machines by
18 the Secretary of the Commonwealth.--

19 * * *

20 (g) Examination shall include, but is not limited to,
21 testing of all software required for the voting system's
22 operation, the ballot reader, the digital printer, the fail-safe
23 operations, the counting center environmental requirements and
24 the equipment reliability estimate.

25 (h) For the purposes of examining the system, the secretary
26 shall employ or contract for the services of at least one
27 individual who is an expert in one or more fields of data
28 processing, mechanical engineering and public administration and
29 shall require from the individual a written report of his or her
30 examination.

1 (i) Within 30 days after completing the examination and upon
2 approval of any electronic or electromechanical voting system,
3 the secretary shall make and maintain a report on the system,
4 together with a written or printed description and drawings and
5 photographs clearly identifying the system and the operation
6 thereof. As soon as practicable after the filing, the department
7 shall send a notice of certification and upon request, a copy of
8 the report to county boards of elections in this Commonwealth.
9 The report under this subsection shall be a public record under
10 the act of February 14, 2008 (P.L.6, No.3), known as the Right-
11 to-Know Law.

12 (j) After a voting system has been approved by the
13 secretary, any change or improvement in the system must be
14 approved by the secretary prior to the adoption of the change or
15 improvement by a county. If the change or improvement does not
16 comply with the requirements of this act, the secretary shall
17 suspend sales of the equipment or system in this Commonwealth
18 until the equipment or system complies with the requirements of
19 this act.

20 (k) The secretary shall examine and approve at least two
21 accessible voting machines which meet the requirements of
22 section 1123-A.

23 (l) The secretary shall examine and approve all electronic
24 or electromechanical devices used in the casting, processing or
25 tabulation of ballots or in the recording of electors,
26 including, but not limited to, ballot sorters, envelope
27 extractors, ballot scanners and electronic pollbooks.

28 (m) The examination and approval under subsection (l) shall
29 ensure that the device conforms with standards to provide
30 timeliness and accuracy in the casting and counting of ballots

1 or in the recording of electors.

2 Section 1107. Requirements of Voting Machines.--No voting
3 machine shall, upon any examination or reexamination, be
4 approved by the Secretary of the Commonwealth, or by any
5 examiner appointed by him, unless it shall, at the time, satisfy
6 the following requirements:

7 * * *

8 (u) It shall immediately reject a ballot where the number of
9 votes for an office or question exceeds the number which the
10 elector is entitled to cast or where the tabulating equipment
11 reads the ballot as a ballot with no votes cast.

12 (v) It shall be capable of providing records from which the
13 operation of the voting system may be audited.

14 (w) It shall be capable of recording votes from ballots of
15 different political parties from the same precinct, for a
16 primary election.

17 (x) It shall be manufactured in the United States and sold
18 by a vendor with a primary place of business within the United
19 States.

20 (y) It shall utilize open-source software code.

21 (z) It shall fully comply with the most recently adopted
22 Voluntary Voting System Guidelines developed by the Election
23 Assistance Commission.

24 (z.1) The requirements of subsections (u), (v), (w), (x),
25 (y) and (z) shall apply only to machines newly examined or
26 approved by the secretary after 2024. No machines purchased by a
27 county prior to 2024 shall be decertified on the basis of
28 noncompliance with subsection (u), (v), (w), (x), (y) or (z).

29 Section 1111. Preparation of Voting Machines by County
30 Election Boards.--

1 * * *

2 (g) On any day not more than 35 days before the commencement
3 of voting, the county election board shall have the automatic
4 tabulating equipment publicly tested to ascertain that the
5 equipment will correctly count the votes cast for all offices
6 and on all measures. If the ballots to be used at the polling
7 place on election day are not available at the time of the
8 testing, the county election board may conduct an additional
9 test not more than 10 days before election day. Public notice of
10 the time and place of the test shall be given at least 48 hours
11 prior to the test by publication on the county election board's
12 publicly accessible Internet website and once in one or more
13 newspapers of general circulation in the county or, if there is
14 no newspaper of general circulation in the county, by posting
15 the notice in at least four conspicuous places in the county.
16 The county election board shall provide written notice to each
17 candidate for election of the time and location of the public
18 preelection test. The test shall be open to representatives of
19 the political parties, the press and the public and shall be
20 video recorded and broadcast simultaneously on a publicly
21 accessible Internet website. Each political party may designate
22 one person with expertise in the computer field who shall be
23 allowed in the central counting room when tests are being
24 conducted and when the official votes are being counted. The
25 designee shall not interfere with the normal operation of the
26 canvassing board.

27 (h) For electronic or electromechanical voting systems
28 configured to tabulate mail-in or absentee ballots at a central
29 or regional site, the public testing shall be conducted by
30 processing a preaudited group of ballots so produced as to

1 record a predetermined number of valid votes for each candidate
2 and on each measure and to include one or more ballots for each
3 office which have activated voting positions in excess of the
4 number allowed by law in order to test the ability of the
5 automatic tabulating equipment to reject the votes. If an error
6 is detected, the cause of the error shall be corrected and an
7 errorless count shall be made before the automatic tabulating
8 equipment is approved. The test shall be repeated and errorless
9 results must be achieved immediately before the start of the
10 official count of the ballots and again after the completion of
11 the official count. The programs and ballots used for testing
12 shall be sealed and retained under the custody of the county
13 election board.

14 (i) For electronic or electromechanical voting systems
15 configured to include electronic or electromechanical tabulation
16 devices which are distributed to the precincts, all or a sample
17 of the devices to be used in the election shall be publicly
18 tested. If a sample is to be tested, the sample shall consist of
19 a random selection of at least 10% of the devices. The test
20 shall be conducted by processing a group of ballots, causing the
21 device to output results for the ballots processed and comparing
22 the output of results to the results expected for the ballots
23 processed. The group of ballots shall be produced so as to
24 record a predetermined number of valid votes for each candidate
25 and on each measure and to include for each office one or more
26 ballots which have activated voting positions in excess of the
27 number allowed by law in order to test the ability of the
28 tabulating device to reject such votes.

29 (j) If a tested tabulating device is found to have an error
30 in tabulation, it shall be deemed unsatisfactory. For each

1 device deemed unsatisfactory, the county election board shall
2 take steps to determine the cause of the error, shall attempt to
3 identify and test other devices that could reasonably be
4 expected to have the same error and shall test a number of
5 additional devices sufficient to determine that each device is
6 satisfactory. Upon deeming a device unsatisfactory, the county
7 election board may require all devices to be tested or may
8 declare that all devices are unsatisfactory.

9 (k) If the operation or output of any tested tabulation
10 device, such as spelling or the order of candidates on a report,
11 is in error, the problem shall be reported to the county
12 election board, which shall determine if the reported problem
13 warrants the county election board deeming the device
14 unsatisfactory.

15 (l) At the completion of testing under this section, the
16 county election board, the representatives of the political
17 parties and the candidates or their representatives who attended
18 the test shall witness the resetting of each device that passed
19 to a preelection state of readiness and the sealing of each
20 device that passed in such a manner as to secure its state of
21 readiness until the opening of the polls.

22 (m) The county election board shall execute a written
23 statement setting forth the tabulation devices tested, the
24 results of the testing, the protective counter numbers, if
25 applicable, of each tabulation device, the number of the seal
26 securing each tabulation device at the conclusion of testing,
27 any problems reported to the board as a result of the testing
28 and whether each device tested is satisfactory or
29 unsatisfactory. The written statement under this subsection
30 shall be a public record under the act of February 14, 2008

1 (P.L.6, No.3), known as the Right-to-Know Law.

2 (n) Any tabulating device deemed unsatisfactory shall be
3 recoded, repaired or replaced and shall be made available for
4 retesting. The device must be determined by the county election
5 board to be satisfactory before the device may be used in an
6 election. The county election board shall announce at the close
7 of the first testing the date, place and time that an
8 unsatisfactory device will be retested or may, at the option of
9 the board, notify by telephone each person who was present at
10 the first testing as to the date, place and time that the
11 retesting will occur.

12 (o) Records must be kept of all preelection testing of
13 electronic or electromechanical tabulation devices used in an
14 election. The records shall be present and available for
15 inspection and reference during public preelection testing by
16 any person in attendance during the testing. The need of the
17 county election board for access to the records during the
18 testing shall take precedence over the need of other attendees
19 to access such records so that the work of the county election
20 board will not be delayed or hindered. Records of testing must
21 include, for each device, the name of each person who tested the
22 device and the date, place, time and results of each test.
23 Records of testing shall be retained as part of the official
24 records of the election in which any device was used and shall
25 be public records under the Right-to-Know Law.

26 (p) The county election board shall submit a copy of all
27 records required under this section to the Office of the Auditor
28 General.

29 Section 12. Sections 1112(c)1, 1106-A and 1117-A of the act
30 are amended to read:

1 Section 1112. Delivery of Voting Machines and Supplies by
2 County Election Boards to Election Officers.--

3 * * *

4 (c) The county election board shall furnish, at the expense
5 of the county, and deliver with each voting machine:

6 1. A [lantern] flashlight, or a proper substitute for one,
7 which, in the case of a loss of electricity, shall give
8 sufficient light to enable voters, while in the voting machine
9 booth, to read the ballot labels, and suitable for the use of
10 election officers in examining the counters. The [lantern]
11 flashlight, or proper substitute therefor, shall be prepared and
12 in good order for use before the opening of the polls.

13 * * *

14 Section 1106-A. Experimental Use of Electronic Voting
15 Systems.--(a) The county board of elections of any county may
16 provide for experimental use at any primary or election in one
17 or more election districts of said county, of an electronic
18 voting system, and the use of such system shall be as valid for
19 all purposes as if the electronic voting system had been adopted
20 in accordance with the provisions of this act.

21 (b) The Secretary of the Commonwealth may approve the use of
22 an experimental electronic voting system by the county board of
23 elections of any county which complies with section 1306(a) for
24 absentee voters as provided for in the Uniformed and Overseas
25 Citizens Absentee Voting Act (Public Law 99-410, 100 Stat. 924)
26 and for disabled voters if the system allows the elector to mark
27 his electronic ballot in secrecy as provided for paper absentee
28 ballots pursuant to section 1306(a). The system shall be exempt
29 from the requirements of sections 1107-A, 1302, 1303, 1304, 1305
30 and 1306.

1 (c) The Secretary of the Commonwealth shall investigate the
2 use and viability of blockchain technology for the purposes of
3 electronic voting by disabled voters and absentee voters as
4 provided for in the Uniformed and Overseas Citizens Absentee
5 Voting Act.

6 Section 1117-A. [Statistical Sample.--The county board of
7 elections, as part of the computation and canvass of returns,
8 shall conduct a statistical recount of a random sample of
9 ballots after each election using manual, mechanical or
10 electronic devices of a type different than those used for the
11 specific election. The sample shall include at least two (2) per
12 centum of the votes cast or two thousand (2,000) votes whichever
13 is the lesser.] Post-election Audit.--The county board of
14 elections, as part of the computation and canvass of returns,
15 and prior to certification, shall cooperate in a result-
16 confirming audit conducted by the department of the Auditor
17 General. The audit shall be a ballot comparison, risk-limiting
18 audit, conducted with a risk limit of one (1) per centum for
19 mail-in and absentee ballots and for ballots cast on voting
20 machines, the audit shall be a ballot-polling, risk-limiting
21 audit, conducted with a risk limit of one (1) per centum.

22 Section 13. The act is amended by adding sections to read:

23 Section 1123-A. Requirements of Accessible Voting
24 Machines.--An accessible voting machine may not, upon any
25 examination or reexamination, be approved by the Secretary of
26 the Commonwealth, or by an examiner appointed by the Secretary,
27 unless the accessible voting machine satisfies the following
28 requirements:

29 (1) The voting system must provide a tactile input or audio
30 input device, or both.

1 (2) The voting system must provide a method by which voters
2 can confirm any tactile or audio input by having the capability
3 of audio output using synthetic or recorded human speech that is
4 reasonably phonetically accurate.

5 (3) Any operable controls on the input device which are
6 needed for voters who are visually impaired must be discernible
7 tactilely without actuating the keys.

8 (4) Audio and visual access approaches must be able to work
9 both separately and simultaneously.

10 (5) If a nonaudio access approach is provided, the system
11 may not require color perception. The system must use black text
12 or graphics, or both, on white background or white text or
13 graphics, or both, on black background, unless the office of the
14 secretary approves other high-contrast color combinations that
15 do not require color perception.

16 (6) Any voting system that requires any visual perception
17 must offer the election official who programs the system, prior
18 to its being sent to the polling place, the capability to set
19 the font size, as it appears to the voter, from a minimum of 14
20 points to a maximum of 24 points.

21 (7) The voting system must provide audio information,
22 including any audio output using synthetic or recorded human
23 speech or any auditory feedback tones that are important for the
24 use of the audio approach, through at least one mode, by handset
25 or headset, in enhanced auditory fashion (increased
26 amplification), and must provide incremental volume control with
27 output amplification up to a level of at least 97 db spl.

28 (8) For transmitted voice signals to the voter, the voting
29 system must provide a gain adjustable up to a minimum of 20 db
30 spl with at least one intermediate step of 12 db spl of gain.

1 (9) For the safety of others, if the voting system has the
2 possibility of exceeding 120 db spl, a mechanism must be
3 included to reset the volume automatically to the voting
4 system's default volume level after every use.

5 (10) If sound cues and audible information such as "beeps"
6 are used, there must be simultaneous corresponding visual cues
7 and information.

8 (11) Controls and operable mechanisms must be operable with
9 one hand, including operability with a closed fist and operable
10 without tight grasping, pinching or twisting of the wrist.

11 (12) The force required to operate or activate the controls
12 must be no greater than five pounds of force.

13 (13) Voting booths must have voting controls at a minimum
14 height of 36 inches above the finished floor with a minimum knee
15 clearance of 27 inches high, 30 inches wide and 19 inches deep,
16 or the accessible voter interface devices must be designed so as
17 to allow their use on top of a table to meet these requirements.
18 Tabletop installations must include adequate privacy.

19 (14) Any audio ballot must provide the voter with the
20 following functionalities:

21 (i) After the initial instructions that the system requires
22 election officials to provide to each voter, the voter should be
23 able to independently operate the voter interface through the
24 final step of casting a ballot without assistance.

25 (ii) The voter must be able to determine the races that he
26 or she is allowed to vote in and to determine which candidates
27 are available in each race.

28 (iii) The voter must be able to determine how many
29 candidates may be selected in each race.

30 (iv) The voter must be able to have confidence that the

1 physical or vocal inputs given to the system have selected the
2 candidates that he or she intended to select.

3 (v) The voter must be able to review the candidate
4 selections that he or she has made.

5 (vi) Prior to the act of casting the ballot, the voter must
6 be able to change any selections previously made and confirm a
7 new selection.

8 (vii) The system must communicate to the voter the fact that
9 the voter has failed to vote in a race or has failed to vote the
10 number of allowable candidates in any race and require the voter
11 to confirm his or her intent to undervote before casting the
12 ballot.

13 (viii) The system must prevent the voter from overvoting any
14 race.

15 (ix) The voter must be able to input a candidate's name in
16 each race that allows a write-in candidate.

17 (x) The voter must be able to review his or her write-in
18 input to the interface, edit that input and confirm that the
19 edits meet the voter's intent.

20 (xi) There must be a clear, identifiable action that the
21 voter takes to "cast" the ballot. The system must make clear to
22 the voter how to take this action so that the voter has minimal
23 risk of taking the action accidentally but, when the voter
24 intends to cast the ballot, the action can be easily performed.

25 (xii) Once the ballot is cast, the system must confirm to
26 the voter that the action has occurred and that the voter's
27 process of voting is complete.

28 (xiii) Once the ballot is cast, the system must preclude the
29 voter from modifying the ballot cast or voting or casting
30 another ballot.

1 Section 1124-A. Voting system defects, disclosure,
2 investigations and penalties.

3 (a) (Reserved).

4 (b) Disclosure.--No later than January 1 of every odd-
5 numbered year, each vendor shall file a written disclosure with
6 the department identifying any known defect in the voting system
7 or the fact that there is no known defect, the effect of any
8 defect on the operation and use of the approved voting system
9 and any known corrective measures to cure a defect, including,
10 but not limited to, advisories and bulletins issued to system
11 users.

12 (c) Cure of defect.--Implementation of corrective measures
13 approved by the department which enable a system to conform to
14 the standards and ensure the timeliness and accuracy of the
15 casting and counting of ballots constitutes a cure of a defect.

16 (d) New defect.--If a vendor becomes aware of the existence
17 of a defect, the vendor must file a new disclosure with the
18 department as provided in subsection (a) within 30 days of the
19 date the vendor determined or reasonably should have determined
20 that the defect existed.

21 (e) Suspension.--If a vendor discloses to the department
22 that a defect exists, the department may suspend all sales or
23 leases of the voting system in this Commonwealth and may suspend
24 the use of the system in any election in this Commonwealth. The
25 department shall provide written notice of a suspension under
26 this subsection to the affected vendor and county boards of
27 elections. If the department determines that the defect no
28 longer exists, the department shall lift the suspension and
29 provide written notice to each affected vendor and supervisor of
30 elections.

1 (f) Prohibition.--If a vendor fails to file a required
2 disclosure for a voting system previously approved by the
3 department, that system may not be sold, leased or used for
4 elections in this Commonwealth until the voting system has been
5 submitted for examination and approval under this act. The
6 department shall provide written notice to each county board of
7 elections that the system is no longer approved.

8 (g) Investigation.--If the department has reasonable cause
9 to believe a voting system approved under this act contains a
10 defect either before, during or after an election which has not
11 been disclosed pursuant to this section, the department shall
12 investigate whether the voting system has a defect.

13 (h) Initiation of investigation.--The department shall
14 initiate an investigation on its own initiative or upon the
15 written request of the board of elections of a county that
16 purchased a voting system that contains the alleged defect.

17 (i) Notice of investigation.--Upon initiation of an
18 investigation, the department shall provide written notice to
19 the vendor and each county board of elections.

20 (j) Notice of defect.--If the department determines by a
21 preponderance of the evidence that a defect exists in the voting
22 system, or that vendor failed to timely disclose a defect under
23 this section, the department shall provide written notice to the
24 affected vendor and county board of elections.

25 (k) Response.--A vendor who receives notice of a defect
26 shall, within 10 days of receipt of the notice under subsection
27 (j), file a written response to the department which:

28 (1) denies that the alleged defect exists or existed as
29 alleged by the department or that the vendor failed to timely
30 disclose a defect and sets forth the reasons for the denial;

1 or

2 (2) admits that the defect exists or existed as alleged
3 by the department or that the vendor failed to timely
4 disclose a defect.

5 (l) Cure.--If the defect has been cured, the vendor shall
6 provide an explanation of how the defect was cured.

7 (m) Failure to cure.--If the defect has not been cured, the
8 vendor shall inform the department whether the defect can be
9 cured and shall provide the department with a plan for curing
10 the defect.

11 (n) Time frame.--If the defect can be cured, the department
12 shall establish a time frame within which to cure the defect.

13 (o) Action.--If, after receiving a response from the vendor,
14 the department determines that a defect does not exist or has
15 been cured within the time frame established by the department,
16 the department shall take no further action.

17 (p) Civil penalty.--If the department determines that a
18 vendor failed to timely disclose a defect or that a defect
19 exists and a vendor has not filed a written response or has
20 failed to cure within the time frame established by the
21 department, or if the defect cannot be cured, the department
22 shall impose a civil penalty of \$25,000 for the defect plus an
23 amount equal to the actual costs incurred by the department in
24 conducting the investigation.

25 (g) Administrative penalty.--If the department finds that a
26 defect existed:

27 (1) The department may suspend all sales and leases of
28 the voting system and may suspend its use in any county in
29 this Commonwealth. The department shall provide written
30 notice of the suspension to each affected vendor and county

1 board of elections.

2 (2) If the department determines that a defect no longer
3 exists in a voting system that has been suspended from use
4 under this section, the department shall lift the suspension
5 and authorize the sale, lease and use of the voting system in
6 any election in the State. The department shall provide
7 written notice that the suspension has been lifted to each
8 affected vendor and county board of elections.

9 (3) If the defect cannot be cured, the department may
10 disapprove the voting system for use in elections in this
11 Commonwealth. The department shall provide written notice to
12 all directors of elections that the system is no longer
13 approved. After approval of a system that has been withdrawn
14 under this paragraph, the system may not be sold, leased or
15 used in this Commonwealth until it has been resubmitted for
16 examination and approval and adopted for use under this act.

17 (4) A vendor for whom a civil penalty was imposed under
18 this section may not submit a voting system for approval by
19 the department or enter into a contract for sale or lease of
20 a voting system in this Commonwealth until each civil penalty
21 has been paid and the department provides written
22 confirmation of the payment to the county board of elections.

23 (r) Report.--The department shall prepare a written report
24 of any investigation conducted pursuant to this section and
25 submit the report to the President pro tempore of the Senate,
26 the Speaker of the House of Representatives, the Majority Leader
27 and Minority Leader of the Senate, the Majority Leader and
28 Minority Leader of the House of Representatives, the chair and
29 minority chair of the State Government Committee of the Senate
30 and the chair and minority chair of the State Government

1 Committee of the House of Representatives.

2 (s) Authority.--The authority of the department under this
3 section shall be in addition to, and not exclusive of, any other
4 authority provided by law.

5 (t) Definitions.--For the purposes of this section:

6 "Defect" means a failure, fault or flaw in an electronic or
7 electro-mechanic voting system approved under this act, which
8 results in nonconformance with the standards in a manner that
9 affects the timeliness or accuracy of the casting or counting of
10 ballots or a failure or inability of the voting system
11 manufacturer or vendor to make available and provide approved
12 replacements of hardware or software to the counties that have
13 purchased the approved voting system, the unavailability of
14 which results in the system's nonconformance with the standards
15 in a manner that affects the timeliness or accuracy of the
16 casting or counting of ballots.

17 "Department" means the Department of State of the
18 Commonwealth.

19 Section 13.1. Article XI-B of the act is repealed:

20 [ARTICLE XI-B
21 VOTING APPARATUS BONDS

22 Section 1101-B. Definitions.

23 The following words and phrases when used in this article
24 shall have the meanings given to them in this section unless the
25 context clearly indicates otherwise:

26 "Account." The County Voting Apparatus Reimbursement Account
27 established under section 1106-B.

28 "Authority." The Pennsylvania Economic Development Financing
29 Authority.

30 "Bond." Any type of revenue obligation, including a bond or

1 series of bonds, note, certificate or other instrument, issued
2 by the authority for the benefit of the department under this
3 article.

4 "Bond administrative expenses." Expenses incurred to
5 administer bonds as provided under the Financing Law, or as
6 otherwise necessary to ensure compliance with applicable Federal
7 or State law.

8 "Bond obligations." The principal of a bond and any premium
9 and interest payable on a bond, together with any amount owed
10 under a related credit agreement or a related resolution of the
11 authority authorizing a bond.

12 "Credit agreement." A loan agreement, a revolving credit
13 agreement, an agreement establishing a line of credit, a letter
14 of credit or another agreement that enhances the marketability,
15 security or creditworthiness of a bond.

16 "Department." The Department of State of the Commonwealth.

17 "Election security equipment." Information technology such
18 as intrusion detection sensors and other infrastructure deployed
19 to enhance the security of voting apparatus and election systems
20 by detecting and reporting hacking attempts and other election
21 security breaches.

22 "Electronic voting system." As defined in section 1101-A.

23 "Financing Law." The act of August 23, 1967 (P.L.251,
24 No.102), known as the Economic Development Financing Law.

25 "Voting apparatus." A kind or type of electronic voting
26 system that received the approval of the Secretary of the
27 Commonwealth under section 1105-A.

28 Section 1102-B. Bond issuance.

29 (a) Declaration of policy.--The General Assembly finds and
30 declares that funding the replacement of voting apparatuses,

1 including interest, through the authority, is in the best
2 interest of this Commonwealth.

3 (b) Authority.--Notwithstanding any other law, the following
4 shall apply:

5 (1) The department may be a project applicant under the
6 Financing Law and may apply to the authority for the funding
7 of the replacement of voting apparatuses.

8 (2) The authority may issue bonds under the Financing
9 Law, consistent with this article, to finance projects to
10 fund the replacement of county voting apparatuses or to
11 reimburse counties for their cost to purchase or enter into
12 capital leases for voting apparatuses.

13 (3) Participation of an industrial and commercial
14 development authority shall not be required to finance the
15 replacement of voting apparatuses.

16 (c) Debt or liability.--

17 (1) Bonds issued under this article shall not be a debt
18 or liability of the Commonwealth and shall not create or
19 constitute any indebtedness, liability or obligation of the
20 Commonwealth.

21 (2) Bond obligations and bond administrative expenses
22 shall be payable solely from revenues or money pledged or
23 available for repayment as authorized under this article.
24 This paragraph shall include the proceeds of any issuance of
25 bonds.

26 (3) Each bond shall contain on its face a statement
27 that:

28 (i) the authority is obligated to pay the principal
29 or interest on the bonds only from the revenues or money
30 pledged or available for repayment as authorized under

1 this article;

2 (ii) neither the Commonwealth nor a county is
3 obligated to pay the principal or interest; and

4 (iii) the full faith and credit of the Commonwealth
5 or any county is not pledged to the payment of the
6 principal of or the interest on the bonds.

7 Section 1103-B. Criteria for bond issuance.

8 (a) Determination.--If the department decertifies one or
9 more voting apparatuses that are in use in any county of this
10 Commonwealth, the department shall apply to the authority to
11 issue bonds for reimbursements to each county for the cost of
12 procuring new voting apparatuses.

13 (a.1) Issuance.--Bonds may be issued in one or more series,
14 and each series may finance reimbursement grants to one or more
15 counties.

16 (b) Terms.--

17 (1) The department, with the approval of the Office of
18 the Budget, shall specify in its application to the
19 authority:

20 (i) the maximum principal amount of the bonds for
21 each bond issue; and

22 (ii) the maximum term of the bonds consistent with
23 applicable law.

24 (2) The total principal amount for all bonds issued
25 under this article may not exceed \$90,000,000.

26 (3) The term of the bonds issued under this article may
27 not exceed 10 years from the respective date of original
28 issuance.

29 (c) Expiration.--For the purpose of this article,
30 authorization to issue bonds, not including refunding bonds,

1 shall expire December 31, 2020.

2 Section 1104-B. Issuance of bonds, security and sources of
3 payments.

4 (a) Issuance.--The authority shall consider issuance of
5 bonds upon application by the department. Bonds issued under
6 this article shall be subject to the provisions of the Financing
7 Law, unless otherwise specified under this article.

8 (b) Service agreement authorized.--The authority and the
9 department may enter into an agreement or service agreement to
10 effectuate this article, including an agreement to secure bonds
11 issued for the purposes under section 1102-B(b), pursuant to
12 which the department shall agree to pay the bond obligations and
13 bond administrative expenses to the authority in each fiscal
14 year that the bonds or refunding bonds are outstanding in
15 amounts sufficient to timely pay in full the bond obligations,
16 bond administrative expenses and any other financing costs due
17 on the bonds issued for the purposes under section 1102-B(b).
18 The department's payment of the bond obligations, bond
19 administrative expenses and other financing costs due on the
20 bonds as service charges under an agreement or service agreement
21 shall be subject to and dependent upon the appropriation of
22 funds by the General Assembly to the department for payment of
23 the service charges. The service agreement may be amended or
24 supplemented by the authority and the department in connection
25 with the issuance of any series of bonds or refunding bonds
26 authorized under this section.

27 (c) Security.--Bond obligations and bond administrative
28 expenses may be secured, for the benefit of the holders of the
29 bonds and the obligees under credit agreements or the agreements
30 under subsection (b), by pledge of a security interest in and

1 first lien on the following:

2 (1) Money relating to the bonds held on deposit in any
3 other fund or account under an instrument or agreement
4 pertaining to the bonds, including bond reserves and interest
5 income on the money.

6 (2) The security provided under this subsection shall
7 not apply to money in any fund relating to arbitrage rebate
8 obligations.

9 Section 1105-B. Sale of bonds.

10 The authority shall offer the bonds for sale by means of a
11 public, competitive sale or by means of a negotiated sale based
12 on the authority's determination of which method will produce
13 the most benefit to counties and the Commonwealth.

14 Section 1106-B. Deposit of bond proceeds.

15 The net proceeds of bonds, other than refunding bonds,
16 exclusive of costs of issuance, reserves and any other financing
17 charges, shall be transferred by the authority to the State
18 Treasurer for deposit into a restricted account established in
19 the State Treasury and held solely for the purposes under
20 section 1102-B(b) to be known as the County Voting Apparatus
21 Reimbursement Account. The department shall pay out the bond
22 proceeds to the counties from the account in accordance with
23 this article.

24 Section 1107-B. Payment of bond-related obligations.

25 For each fiscal year in which bond obligations and bond
26 administrative expenses will be due, the authority shall notify
27 the department of the amount of bond obligations and the
28 estimated amount of bond administrative expenses in sufficient
29 time, as determined by the department, to permit the department
30 to request an appropriation sufficient to pay bond obligations

1 and bond administrative expenses that will be due and payable in
2 the following fiscal year. The authority's calculation of the
3 amount of bond obligations and bond administrative expenses that
4 will be due shall be subject to verification by the department.

5 Section 1108-B. Commonwealth not to impair bond-related
6 obligations.

7 The Commonwealth pledges that it shall not do any of the
8 following:

9 (1) Limit or alter the rights and responsibilities of
10 the authority or the department under this article, including
11 the responsibility to:

12 (i) pay bond obligations and bond administrative
13 expenses; and

14 (ii) comply with any other instrument or agreement
15 pertaining to bonds.

16 (2) Alter or limit the service agreement under section
17 1104-B(b).

18 (3) Impair the rights and remedies of the holders of
19 bonds, until each bond issued at any time and the interest on
20 the bond are fully met and discharged.

21 Section 1109-B. (Reserved).

22 Section 1110-B. Personal liability.

23 The members, directors, officers and employees of the
24 department and the authority shall not be personally liable as a
25 result of good faith exercise of the rights and responsibilities
26 granted under this article.

27 Section 1111-B. Annual report.

28 No later than March 1 of the year following the first full
29 year in which bonds have been issued under this article and for
30 each year thereafter in which bond obligations existed in the

1 prior year, the department shall submit an annual report to the
2 chair and minority chair of the Appropriations Committee of the
3 Senate, the chair and minority chair of the Appropriations
4 Committee of the House of Representatives, the chair and
5 minority chair of the State Government Committee of the Senate
6 and the chair and minority chair of the State Government
7 Committee of the House of Representatives providing all data
8 available on bonds issued or existing in the prior year. The
9 report shall include existing and anticipated bond principal,
10 interest and administrative costs, revenue, repayments,
11 refinancing, overall benefits to counties and any other relevant
12 data, facts and statistics that the department believes
13 necessary in the content of the report.

14 Section 1112-B. Reimbursement of county voting apparatus
15 expenses.

16 (a) Application.--A county may apply to the department to
17 receive funding to replace the county's voting apparatuses or to
18 reimburse the county's cost to purchase or lease by capital
19 lease voting apparatuses. Each county shall submit an
20 application for funding on a form containing information and
21 documentation prescribed by the department no later than July 1,
22 2020.

23 (b) Documentation for prior purchase or lease.--If a county
24 seeks reimbursement of the county's cost to purchase or lease by
25 capital lease a voting apparatus that the county purchased or
26 leased before the date that the county submits its application
27 to the department, the county's application shall include
28 documentation prescribed by the department to substantiate the
29 county's cost to purchase or lease the voting apparatus,
30 including copies of fully executed voting apparatus contracts,

1 invoices and proof of payment to the vendor of the voting
2 apparatus.

3 (c) Documentation for subsequent purchase or lease.--If a
4 county seeks funding to purchase or lease by capital lease a
5 voting apparatus that the county will purchase or lease after
6 the date that the county submits its application to the
7 department, the county's application shall include documentation
8 prescribed by the department to substantiate the county's
9 estimate to purchase or lease the voting apparatus, including
10 copies of fully executed voting apparatus contracts, bids or
11 price quotes submitted to the county by voting apparatus vendors
12 and other price estimates or cost proposals.

13 (d) Review.--The department shall review each county
14 application on a rolling basis and shall either approve or deny
15 each county's application within 90 days of the date the
16 application is received by the department. A county may
17 supplement or amend submitted applications during the 90-day
18 review period in consultation with the department.

19 (e) Approval for prior purchase or lease.--If the department
20 approves a county's application submitted under subsection (b),
21 the department and the county shall enter into a written grant
22 agreement through which the department shall reimburse the
23 county at the amount determined under subsection (g).

24 (f) Approval for subsequent purchase or lease.--If the
25 department approves a county's application under subsection (c),
26 the department and the county shall enter into a written grant
27 agreement through which the department will provide funding to
28 reimburse the county's cost to purchase or lease a voting
29 apparatus at the amount determined under subsection (g). The
30 county shall hold the grant money in an account of the county

1 that is separate from each other county account. The county
2 shall deliver quarterly reports to the department of the voting
3 apparatus costs paid from the grant money in a form prescribed
4 by the department. The county shall return any unspent grant
5 money to the department within 30 days of the expiration of the
6 grant agreement.

7 (g) Payments.--

8 (1) A county shall only receive amounts under this
9 section to the extent that the department has bond proceeds
10 available in the account from which to make payments.

11 (2) Except as provided under paragraph (3), a county
12 which submitted an application approved under subsection (e)
13 or (f) shall receive 60% of the total amount submitted under
14 subsection (b) or (c) which may be reimbursed or paid.

15 (3) If the total amount submitted by all counties under
16 paragraph (2) exceeds the total amount available for
17 reimbursement or payment, a county shall receive a portion of
18 the amount available equal to the total amount submitted by
19 the county under subsection (b) or (c) which may be
20 reimbursed or paid, divided by the total amount submitted by
21 all counties under subsection (b) or (c) which may be
22 reimbursed or paid.

23 (4) If any bond proceeds remain after the department has
24 issued all reimbursements in accordance with paragraphs (1),
25 (2) and (3), the department may utilize the remaining balance
26 for grants for counties for the purchase and distribution to
27 the counties of election security equipment. The department
28 shall provide notice to each county no later than 30 days
29 prior to receiving applications for grants under this
30 paragraph.

1 (h) Certification.--A county shall only receive the
2 reimbursement or funding under this article after making a
3 certification to the department, the President pro tempore of
4 the Senate, the Speaker of the House of Representatives, the
5 Minority Leader of the Senate, the Minority Leader of the House
6 of Representatives, the chair and minority chair of the
7 Appropriations Committee of the Senate, the chair and minority
8 chair of the Appropriations Committee of the House of
9 Representatives, the chair and minority chair of the State
10 Government Committee of the Senate and the chair and minority
11 chair of the State Government Committee of the House of
12 Representatives that the county has completed a program under 25
13 Pa.C.S. § 1901(b)(1) (relating to removal of electors) and
14 mailed notices required under 25 Pa.C.S. § 1901(b)(3) within the
15 prior 12 months. The certification shall include information on
16 whether the county has undertaken a canvass under 25 Pa.C.S. §
17 1901(b)(2).

18 (i) Department application.--The department shall apply to
19 the authority for funding under section 1102-B only if the
20 department has approved county applications under this article
21 which total at least \$50,000,000.]

22 Section 13.2. The act is amended by adding an article to
23 read:

24 ARTICLE XI-C

25 ELECTION EQUIPMENT FUNDING

26 Section 1101-C. Definitions.

27 The following words and phrases when used in this article
28 shall have the meanings given to them in this section unless the
29 context clearly indicates otherwise:

30 "Account." The Election Equipment Funding Program Account

1 established under section 1105-C(c).

2 "Authority." The Commonwealth Financing Authority.

3 "Board." The board of directors of the authority.

4 "Election equipment." The following:

5 (1) Voting machines.

6 (2) Sorters.

7 (3) Extractors.

8 (4) Electronic poll books.

9 (5) Servers for data storage.

10 (6) Tabulators.

11 "Program." The Election Equipment Funding Program

12 established under section 1102-C.

13 Section 1102-C. Establishment.

14 The Election Equipment Funding Program is established. The
15 authority shall administer and act as the fiscal agent for the
16 program and shall be responsible for receiving and reviewing
17 grant applications and awarding grants. The purpose of the
18 program shall be to award grants to counties for the purchase
19 and maintenance of election equipment.

20 Section 1103-C. Grant awards.

21 Grant awards shall be at the discretion of the authority and
22 shall be limited to amounts appropriated to the authority for
23 the program.

24 Section 1104-C. Application.

25 (a) Period.--The authority shall establish an annual
26 application period during which applications for grant funding
27 under the program may be submitted. The annual application
28 period shall be no fewer than 21 days and no longer than 60
29 days.

30 (b) Form and contents.--An application shall be submitted to

1 the authority. An application shall include the following
2 information:

3 (1) A receipt for the equipment purchased.

4 (2) Verification that the specific equipment purchased
5 has been certified by the Election Assistance Commission and
6 the Department of State.

7 (3) A copy of the security protocols for each type of
8 equipment.

9 (4) A copy of the most recent post-election audit
10 conducted in that county.

11 (5) A copy of the Auditor General's report on the most
12 recent election conducted in that county, including any
13 corrective action plan issued under section 108(5).

14 (6) A copy of any service contract agreed to as part of
15 the purchase of equipment.

16 (c) Review.--In reviewing an application, the authority
17 shall conduct a review of each item required under subsection
18 (b) to ensure that the county and equipment being purchased is
19 in full compliance with this act.

20 (d) Criteria.--The authority shall award grants based on a
21 county's compliance with this act. Specific criteria to be
22 considered when weighing an application shall be:

23 (1) Whether the county submitting an application has
24 provided proof of full compliance with this act during the
25 most recent election.

26 (2) Whether the equipment purchased qualifies for
27 reimbursement under this act.

28 Section 1105-C. Implementation.

29 (a) Requirements.--The following apply:

30 (1) The requirements for the administration of the

1 program shall be as follows:

2 (i) An application for a grant under this section
3 must be received by a deadline established by the
4 authority.

5 (ii) The authority shall execute a grant agreement
6 between the board and a county before the payment of a
7 grant award.

8 (iii) A county shall maintain full and accurate
9 records for the purchase or maintenance of election
10 equipment.

11 (iv) A county shall submit to the authority copies
12 of all canceled checks or other records verifying
13 expenditures of grant money.

14 (2) The authority may establish additional requirements
15 for the program as the authority deems necessary to
16 administer the program.

17 (b) Restrictions and limitations.--The following apply:

18 (1) Any unused portion of a grant award shall be
19 returned to the authority.

20 (2) Grant money may not be used for any of the
21 following:

22 (i) The operation of satellite election offices or
23 ballot return locations.

24 (ii) The mailing of applications for mail-in or
25 absentee ballots to electors.

26 (iii) A voter education or election awareness
27 program.

28 (3) The authority may establish additional restrictions
29 and limitations as the authority deems necessary to
30 administer the program.

1 (c) Account.--The authority shall establish the Election
2 Equipment Funding Program Account. The following shall apply:

3 (1) The purpose of the account shall be to award grants
4 under this act.

5 (2) The following shall be sources of funding for the
6 account:

7 (i) Appropriations, including Federal money.

8 (ii) Return on the money in the account.

9 (3) Money in the account is continuously appropriated to
10 the account. This appropriation shall not lapse at the end of
11 a fiscal year.

12 (d) Guidelines.--Within 180 days of the effective date of
13 this section, the board shall adopt guidelines to implement this
14 section. The guidelines shall include provisions for submission,
15 review and approval of applications and award of grants.

16 Section 13.3. The act is amended by adding sections to read:

17 Section 1201.3. Voter's Bill of Rights.--Each registered
18 voter in this Commonwealth shall have the right to:

19 (1) Vote and have his or her vote accurately counted.

20 (2) Cast a vote if he or she is in line at the time of the
21 closing of polls.

22 (3) Ask for and receive assistance in voting.

23 (4) Receive up to two replacement ballots if he or she makes
24 a mistake prior to the ballot being cast.

25 (5) Receive an explanation if his or her registration or
26 identity is in question.

27 (6) Cast a provisional ballot, if his or her registration or
28 identity is in question.

29 (7) Receive written instructions to use when voting and,
30 upon request, oral instructions from elections officers to use

1 when voting.

2 (8) Vote free from coercion or intimidation by elections
3 officers or any other person.

4 (9) Vote on a voting system that is in working condition and
5 that will allow votes to be accurately cast and accurately
6 counted.

7 (10) Any other rights as provided by Federal, State or local
8 law.

9 Section 1201.4. Senior Voter's Bill of Rights.--In addition
10 to the rights of a voter under section 1201.3, a voter in this
11 Commonwealth who is 70 years of age or older shall have the
12 right to:

13 (1) Receive any assistance necessary to successfully cast a
14 ballot.

15 (2) Move to the front of the line upon arrival at a polling
16 place.

17 (3) Receive assistance through supervised voting under
18 section 1306.2.

19 (4) Any other rights as provided by Federal, State or local
20 law.

21 Section 1201.5. Disabled Voter's Bill of Rights.--In
22 addition to the rights of a voter under section 1201.3, a voter
23 in this Commonwealth who is disabled shall have the right to:

24 (1) Receive any assistance necessary to successfully cast a
25 ballot.

26 (2) Move to the front of the line upon arrival at a polling
27 place.

28 (3) Bring into a polling place or elections office a service
29 animal qualified under the Americans with Disabilities Act of
30 1990 (Public Law 101-336, 104 Stat. 327).

1 (4) Vote using an accessible voting machine approved under
2 this act.

3 (5) Have all polling places in this Commonwealth meet
4 accessibility requirements under the Americans with Disabilities
5 Act of 1990 (Public Law 101-336, 104 Stat. 327).

6 (6) Request a ballot be brought by election officers outside
7 the polling place of the qualified elector, provided that:

8 (i) A qualified elector's vote under this section shall be
9 cast within 150 feet of the entrance to the polling place.

10 (ii) The qualified elector shall mark the ballot in the
11 presence of two election officers, with one representing each of
12 the political parties with the greatest number of registered
13 electors in this Commonwealth.

14 (iii) The qualified elector shall mark the ballot in a
15 secret manner and, obscuring the vote, return the ballot to the
16 election officers. The election officers shall immediately
17 return to the polling place and deposit the ballot in the voting
18 machine.

19 (iv) The electronic poll book utilized by the polling place
20 shall be brought to the qualified elector, if possible, or
21 otherwise made to record the qualified elector's participation
22 in the election.

23 (v) A record shall be made of each elector voting under this
24 section and of each election officer assisting in the casting of
25 each such ballot.

26 (7) Any other rights as provided by Federal, State or local
27 law.

28 Section 14. Sections 1204, 1205, 1209(a), 1210(a.3)(4),
29 1218(a), 1231(a), (b)(1), (3) and (4), 1302(b), (i)(2) and (k),
30 1302.1(a) and (a.3)(1) and (2) and 1305(b) of the act are

1 amended to read:

2 Section 1204. Delivery of Ballots and Supplies to Judges of
3 Election.--(a) The [cards of instruction, return sheets, tally
4 papers, statements, oaths of election officers, affidavits,
5 voter's certificates, and other forms and supplies required for
6 use in each election district, and also the district register of
7 such district, and in districts in which ballots are used, the
8 official and specimen ballots prepared for use therein, shall be
9 packed by the county board of elections in separate sealed
10 packages for each election district, marked on the outside so as
11 to clearly designate the districts for which they are intended,
12 and, in the case of districts in which ballots are used, the
13 number of ballots of each kind enclosed. They shall then be
14 delivered by the county board,] following materials shall be
15 prepared by the county board and delivered to all districts:

- 16 (1) Cards of instruction.
- 17 (2) Return sheets.
- 18 (3) Tally papers.
- 19 (4) Statements.
- 20 (5) Written oaths of election officers.
- 21 (6) Affidavits.
- 22 (7) Voter's certificates.
- 23 (8) Other forms and supplies.
- 24 (9) The district register of each district.
- 25 (10) The official and sample ballots prepared.

26 (b) The materials shall be delivered by the election board,
27 together with the ballot box, which shall bear the name and
28 number of the election district[,] to the judges of election in
29 the [several] election districts[,] not later than the day prior
30 to the day of the primary or election[: Provided, however, That

1 if,]. If, for any reason, it is impossible to deliver [such] the
2 packages to the judge of election in any district, [such] the
3 packages may be delivered to one of the inspectors [therein] or
4 the judges or inspectors may pick up the materials. The
5 respective judges of election or inspectors shall, [on delivery
6 to them of such packages,] upon delivery, return receipts
7 [therefor] to the county board[, which]. The board shall keep a
8 record of the time [when and the] and manner in which the
9 [several] packages are delivered. [The county board may, in its
10 discretion, require the respective judges of election to call at
11 its office to obtain the said packages.]

12 Section 1205. Time for Opening and Closing Polls.--At all
13 primaries and elections the polls shall be opened at 7 A.M.[,
14 Eastern Standard Time,] local time and shall remain open
15 continuously until 8 P.M. local time, [Eastern Standard Time,]
16 at which time they shall be closed.

17 Section 1209. Opening of Polls; Posting Cards of Instruction
18 and Notices of Penalties and Voters' Rights; Examination of
19 Voting Machines.--(a) [In districts in which ballots are used,
20 the election officers shall, after taking the oath, open the
21 ballot boxes which have been furnished to them, and burn and
22 totally destroy all the ballots and other papers which they may
23 find therein, before the opening of the polls.

24 Whenever during any emergency, it becomes necessary to save
25 waste paper on account of a shortage thereof, the Governor of
26 the Commonwealth may, by proclamation, suspend the foregoing
27 provisions relating to the destruction of ballots and papers,
28 and in that case, the election board shall set the ballots and
29 other papers aside and they shall be collected and disposed of
30 by such means and in such manner as may be determined by the

1 county election board.] When the polling place is opened, the
2 ballot box shall be securely locked[,] and shall not be opened
3 until the close of the polls, as provided in section 1221. At
4 the opening of the polls the seals of the packages furnished by
5 the county board shall be publicly broken[, and the said
6 packages] and the packages shall be opened by the judge of
7 election. The cards of instruction and notices of penalties
8 shall be immediately posted in each voting compartment, and not
9 less than three [such] cards and notices of penalties and
10 voters' rights[,] and not less than five [specimen] sample
11 ballots (at primaries five of each party)[,] shall be
12 immediately posted in or about the voting room outside the
13 enclosed space[, and such cards], cards of instruction, notices
14 of penalties and [specimen] sample ballots shall be given to any
15 elector [at his request, so long as there are any on hand.] upon
16 request if the cards or sample ballots are available.

17 * * *

18 Section 1210. Manner of Applying to Vote; Persons Entitled
19 to Vote; Voter's Certificates; Entries to Be Made in District
20 Register; Numbered Lists of Voters; Challenges.--* * *

21 (a.3) * * *

22 (4) As each voter is found to be qualified and votes, the
23 election officer in charge of the district register shall [write
24 or stamp] record the date of the election or primary, his number
25 in the order of admission to the voting machines, and at
26 primaries a letter or abbreviation designating the party in
27 whose primary he votes, and shall sign [his name or initials in
28 the proper space on the registration card of such voter
29 contained in the district register.] electronically.

30 * * *

1 Section 1218. Assistance in Voting.--

2 (a) [No voter shall be permitted to] (1) Voters may not
3 receive any assistance in voting at any primary or election,
4 unless [there is recorded upon his registration card his
5 declaration] upon arriving to vote, the voter signs an affidavit
6 that, by reason of blindness, disability, or inability to read
7 or write, [he is] the voter:

8 (i) is unable to read the names on the ballot or on the
9 voting machine labels[, or that he]; or

10 (ii) has a physical disability which renders [him] the voter
11 unable to see or mark the ballot or operate the voting
12 machine[,] or to enter the voting compartment or voting machine
13 booth without assistance. [, the exact nature of such condition
14 being recorded on such registration card, and unless the
15 election officers are satisfied that he still suffers from the
16 same condition.]

17 (2) Election officers must be satisfied that the voter
18 suffers from the same condition in the affidavit in order to
19 receive assistance under paragraph (1).

20 (3) If the voter is blind or has impaired vision, an
21 election officer shall read the affidavit to the voter and
22 provide assistance in completion of the affidavit.

23 * * *

24 Section 1231. Deadline for Receipt of Valid Voter
25 Registration Application.--(a) Except as provided under
26 subsection (b), each commission, commissioner and registrar or
27 clerk appointed by the commission shall receive, during ordinary
28 business hours and during additional hours as the commission
29 prescribes, at the office of the commission and at additional
30 places as the commission designates, applications from

1 individuals who apply to be registered to vote as provided under
2 25 Pa.C.S. Pt. IV (relating to voter registration) who appear
3 and claim that they are entitled to be registered as electors of
4 a municipality. A commission may not accept the registration
5 application of an individual until after the commission has
6 confirmed the individual's eligibility to register to vote under
7 Article VII-A.

8 (b) In the administration of voter registration, each
9 commission shall ensure that an applicant who is a qualified
10 elector is registered to vote in an election when the applicant
11 has met any of the following conditions:

12 (1) In the case of voter registration with a motor vehicle
13 driver's license application under [25 Pa.C.S. § 1323 (relating
14 to application with driver's license application)] section 723-
15 A, if the valid voter registration application is received by
16 the appropriate commission not later than [fifteen] thirty days
17 before the election.

18 * * *

19 (3) In the case of voter registration at a voter
20 registration agency under 25 Pa.C.S. § 1325 (relating to
21 government agencies), if the valid voter registration
22 application is received by the appropriate commission not later
23 than [fifteen] thirty days before the election.

24 (4) In any other case, if the valid voter registration
25 application of the applicant is received by the appropriate
26 commission not later than [fifteen] thirty days before the
27 election.

28 * * *

29 Section 1302. Applications for Official Absentee Ballots.--*

30 * *

1 (b) The following shall apply:

2 (1) An application for a qualified elector under subsection
3 (a) shall contain the following information, without which the
4 application shall be rejected:

5 (i) Home residence at the time of entrance into actual
6 military service or Federal employment, [length of time a
7 citizen; length of residence in Pennsylvania; date] if
8 applicable.

9 (ii) Date of birth. [, length of time a resident of voting
10 district, voting district if known, party]

11 (iii) Party choice in case of primary [, name and, for a
12 military].

13 (iv) Name.

14 (v) For a military elector, his stateside military address,
15 FPO or APO number and serial number.

16 (vi) At least two of the following:

17 (A) Last four digits of the elector's Social Security
18 number.

19 (B) If the elector has a Pennsylvania driver's license, the
20 license number.

21 (C) The elector's voter registration number.

22 (1.1) A qualified elector's application shall contain the
23 following, but the application shall not be rejected if the
24 information is unknown or not provided:

25 (i) Voting district.

26 (ii) Length of time a resident of voting district.

27 (iii) Length of time a citizen.

28 (iv) Length of residence in this Commonwealth.

29 (2) Any elector other than a military elector shall in
30 addition specify the nature of his employment, the address to

1 which ballot is to be sent, relationship where necessary, and
2 such other information as may be determined and prescribed by
3 the Secretary of the Commonwealth.

4 (3) When such application is received by the Secretary of
5 the Commonwealth it shall be forwarded to the proper county
6 board of election.

7 * * *

8 (i) * * *

9 (2) Nothing in this act shall prohibit a private
10 organization or individual from printing blank voter
11 applications for absentee ballots or shall prohibit the use of
12 such applications by another individual, provided the form,
13 content and paper quality have been approved by the Secretary of
14 the Commonwealth. Voter applications for absentee ballots
15 distributed under this section must clearly indicate that they
16 have not been sent or distributed by a county or by the
17 department and must be blank upon distribution to any elector.

18 * * *

19 (k) The Secretary of the Commonwealth [may] shall develop an
20 electronic system through which all qualified electors may apply
21 for an absentee ballot and request permanent absentee voter
22 status under subsection (e.1), provided the system is able to
23 capture a digitized or electronic signature of the applicant. A
24 county board of elections shall treat any application or request
25 received through the electronic system as if the application or
26 request had been submitted on a paper form or any other format
27 used by the county.

28 Section 1302.1. Date of Application for Absentee Ballot.--

29 (a) Except as provided in subsection (a.3), applications for
30 absentee ballots shall be received in the office of the county

1 board of elections not earlier than fifty (50) days before the
2 primary or election, except that if a county board of elections
3 determines that it would be appropriate to its operational
4 needs, any applications for absentee ballots received more than
5 fifty (50) days before the primary or election may be processed
6 before that time. Applications for absentee ballots shall be
7 processed if received not later than five o'clock P.M. of the
8 [first Tuesday] fifteenth day prior to the day of any primary or
9 election.

10 (a.3) (1) The following categories of electors may apply
11 for an absentee ballot under this subsection, if otherwise
12 qualified:

13 (i) An elector whose physical disability or illness
14 prevented the elector from applying for an absentee ballot
15 before five o'clock P.M. on the [first Tuesday] fifteenth day
16 prior to the day of the primary or election.

17 (ii) An elector who, because of the elector's business,
18 duties or occupation, was unable to apply for an absentee ballot
19 before five o'clock P.M. on the [first Tuesday] fifteenth day
20 prior to the day of the primary or election.

21 (iii) An elector who becomes so physically disabled or ill
22 after five o'clock P.M. on the [first Tuesday] fifteenth day
23 prior to the day of the primary or election that the elector is
24 unable to appear at the polling place on the day of the primary
25 or election.

26 (iv) An elector who, because of the conduct of the elector's
27 business, duties or occupation, will necessarily be absent from
28 the elector's municipality of residence on the day of the
29 primary or election, which fact was not and could not reasonably
30 be known to the elector on or before five o'clock P.M. on the

1 [first Tuesday] fifteenth day prior to the day of the primary or
2 election.

3 (2) An elector described in paragraph (1) may submit an
4 application for an absentee ballot at any time up until the time
5 of the closing of the polls on the day of the primary or
6 election. The application shall include a declaration describing
7 the circumstances that prevented the elector from applying for
8 an absentee ballot before five o'clock P.M. on the [first
9 Tuesday] fifteenth day prior to the day of the primary or
10 election or that prevent the elector from appearing at the
11 polling place on the day of the primary or election, and the
12 elector's qualifications under paragraph (1). The declaration
13 shall be made subject to the provisions of 18 Pa.C.S. § 4904
14 (relating to unsworn falsification to authorities).

15 * * *

16 Section 1305. Delivering or Mailing Ballots.--

17 * * *

18 (b) (1) The county board of elections upon receipt and
19 approval of an application filed by any elector qualified in
20 accordance with the provisions of section 1301, subsections (i)
21 to (l), inclusive, shall commence to deliver or mail official
22 absentee ballots [as soon as a ballot is certified and the
23 ballots are available.] on the day after the deadline for
24 registering to vote in any election. While any proceeding is
25 pending in a Federal or State court which would affect the
26 contents of any ballot, the county board of elections may await
27 a resolution of that proceeding but in any event, shall commence
28 to deliver or mail official absentee ballots not later than the
29 second Tuesday prior to the primary or election. For those
30 applicants whose proof of identification was not provided with

1 the application or could not be verified by the board, the board
2 shall send the notice required under section 1302.2(d) with the
3 absentee ballot. As additional applications are received and
4 approved after the time that the county board of elections
5 begins delivering or mailing official absentee and mail-in
6 ballots, the board shall deliver or mail official absentee
7 ballots to such additional electors within forty-eight hours.

8 [(2) Notwithstanding any other provisions of this act and
9 notwithstanding the inclusion of a mailing address on an
10 absentee or mail-in ballot application, a voter who presents the
11 voter's own application for an absentee or mail-in ballot within
12 the office of the county board of elections during regular
13 business hours may request to receive the voter's absentee or
14 mail-in ballot while the voter is at the office. This request
15 may be made orally or in writing. Upon presentation of the
16 application and the making of the request and upon approval
17 under sections 1302.2 and 1302.2-D, the county board of
18 elections shall promptly present the voter with the voter's
19 absentee or mail-in ballot. If a voter presents the voter's
20 application within the county board of elections' office in
21 accordance with this section, a county board of elections may
22 not deny the voter's request to have the ballot presented to the
23 voter while the voter is at the office unless there is a bona
24 fide objection to the absentee or mail-in ballot application.]

25 (2) A county board of elections shall investigate the
26 circumstances of any absentee ballot returned as undeliverable
27 by the United States Postal Service. The investigation shall
28 include contacting the absentee elector, further attempts to
29 have his ballot delivered and the correction or reconsideration
30 of his registration status and registered address, if these are

1 found to be incorrect.

2 (3) If a qualified absentee elector directs the qualified
3 elector's ballot to be mailed to an address other than the
4 qualified elector's registered address, a county board of
5 elections shall additionally mail a notice of the request to the
6 qualified elector's registered address.

7 * * *

8 Section 15. Section 1306(a) of the act, amended March 27,
9 2020 (P.L.41, No.12), is amended and the section is amended by
10 adding a subsection to read:

11 Section 1306. Voting by Absentee Electors.--(a) Except as
12 provided in paragraphs (2) and (3), at any time after receiving
13 an official absentee ballot, but on or before eight o'clock P.M.
14 the day of the primary or election, the elector shall, in
15 secret, proceed to mark the ballot only in black lead pencil,
16 indelible pencil or blue, black or blue-black ink, in fountain
17 pen or ball point pen, and then fold the ballot, enclose and
18 securely seal the same in the envelope on which is printed,
19 stamped or endorsed "Official Election Ballot." This envelope
20 shall then be placed in the second one, on which is printed the
21 form of declaration of the elector, and the address of the
22 elector's county board of election and the local election
23 district of the elector. The elector shall then fill out, date
24 and sign the declaration printed on such envelope. [Such
25 envelope shall then be securely sealed and the elector shall
26 send same by mail, postage prepaid, except where franked, or
27 deliver it in person to said county board of election.]

28 * * *

29 (a.1) The elector shall, prior to eight o'clock P.M. on
30 election day, return his or her completed absentee ballot by one

1 of the following methods only:

2 (1) Delivery through the United States Postal Service to the
3 offices of his or her county board of elections.

4 (2) Delivery in person to the permanent offices of his or
5 her county board of elections during its regular hours of
6 operation.

7 (3) Delivery to a ballot return location established under
8 the following conditions:

9 (i) A ballot return location may only be operated during the
10 hours of seven o'clock A.M. to eight o'clock P.M. during the
11 seven days prior to an election.

12 (ii) Ballot return locations may be established by a county
13 board of elections as necessary. The following shall apply:

14 (A) A county shall maintain at least one ballot return
15 location and may maintain an additional ballot return location
16 for each 100,000 residents of that county as of the most recent
17 census. The county board of election office may serve as a
18 ballot return location.

19 (B) Ballot return locations must be monitored by at least
20 one inspector of elections from each of the two parties with the
21 highest number of registered electors in this Commonwealth. If
22 two such inspectors of elections are unavailable to appear at a
23 ballot return location on any particular day, a county shall not
24 operate the ballot return location. Each inspector of elections
25 shall receive the same compensation provided for an election
26 under this act for each day on which he monitors a ballot return
27 location.

28 (C) The inspectors of election monitoring a ballot return
29 location shall verify the identification of each individual
30 returning a ballot consistent with the provisions of this act.

1 The inspectors of election shall also review each ballot prior
2 to the ballot's return to ensure completeness of the declaration
3 of the elector, signature and date.

4 (D) Ballot return locations must be monitored by video
5 recording during each hour of operation. The recording must be
6 made available for public inspection and retained for a period
7 of two years.

8 (E) Ballots returned to a location established under this
9 section must be promptly collected and secured each evening
10 after eight o'clock P.M., or immediately upon being closed for
11 the day, whichever is earlier.

12 (F) Each ballot return location intended to be established
13 in an election must be published under section 106 at least
14 thirty (30) days prior to establishment.

15 (G) Each ballot return location must be considered a polling
16 place for the requirements of this act, including accessibility,
17 access of observers and restriction of political activity.

18 (H) Ballot return locations must be established at a fixed
19 location for the duration of the seven days prior to an
20 election.

21 (I) Ballot return locations must be evenly distributed
22 throughout a county to ensure equal access of voters.

23 (J) After the establishment of in-person early voting under
24 Article XIII-F, ballot return locations may only be established
25 at the same premises as early voting locations in a county.

26 (K) No reimbursement shall be provided by the department or
27 the State Treasury for the costs that a county incurs in
28 operating ballot return locations.

29 (4) Nothing in this section shall be construed to prohibit
30 an elector from returning the completed ballot of another member

1 of his household, registered at the same residential address and
2 unit number. At any time that an elector appears with the intent
3 of returning more than one completed ballot, the inspectors of
4 election shall review the ballots for compliance with this
5 subsection. An elector returning more than one completed ballot
6 shall be informed of the penalty provided under section 1855 for
7 any unlawful collection of ballots.

8 * * *

9 Section 16. The act is amended by adding a section to read:

10 Section 1306.2. Supervised Voting by Qualified Absentee
11 Electors in Certain Facilities.--(a) The county board of
12 elections shall provide supervised voting for absent electors
13 residing in an assisted living facility or nursing home facility
14 within that county at the request of an administrator of the
15 facility. The request for supervised voting in the facility
16 shall be made by submitting a written request to the board of
17 elections no later than twenty-one (21) days prior to the
18 election for which that request is submitted. The request shall
19 specify the name and address of the facility and the name of
20 electors who wish to vote absentee in that election. If the
21 request contains the names of fewer than five voters, the board
22 of elections is not required to provide supervised voting.

23 (b) The county board of elections may, in the absence of a
24 request from the administrator of a facility, provide for
25 supervised voting in the facility for persons who have requested
26 an absentee ballot. The county board of elections shall notify
27 the administrator of a facility that supervised voting will
28 occur.

29 (c) The county board of elections shall, in cooperation with
30 the administrator of a facility, select a date and time when the

1 supervised voting will occur.

2 (d) The county board of elections shall designate supervised
3 voting teams to provide services prescribed by this section.
4 Each supervised voting team shall include at least two persons.
5 Each supervised voting team must include representatives of at
6 least the two parties with the largest number of registered
7 electors in this Commonwealth, except that, in a primary
8 election to nominate party nominees in which only one party has
9 candidates appearing on the ballot, each supervised voting team
10 members may be of only that party. Supervised voting teams shall
11 not be required to be employed by a county and may be volunteers
12 from each party, except that a candidate may not provide
13 supervised voting services.

14 (e) The supervised voting team shall deliver the ballots to
15 the respective absentee electors and each member of the team
16 shall jointly supervise the voting of the ballots. If an elector
17 requests assistance in voting, the oath prescribed under this
18 act shall be completed and the elector may receive the
19 assistance of two members of the supervised voting team or some
20 other person of the elector's choice to assist the elector in
21 casting the elector's ballot.

22 (f) Before providing assistance, the supervised voting team
23 shall disclose to the elector that the ballot may be retained to
24 vote at a later time and that the elector has the right to seek
25 assistance in voting from some other person of the elector's
26 choice without the presence of the supervised voting team.

27 (g) If an elector declines to vote a ballot or is unable to
28 vote a ballot, the supervised voting team shall mark the ballot
29 "refused to vote" or "unable to vote."

30 (h) After the ballots have been voted or marked in

1 accordance with the provisions of this section, the supervised
2 voting team shall deliver the ballots to the county board of
3 elections.

4 (i) The department shall provide training and information to
5 assisted living facilities and nursing home facilities in order
6 to assist residents in voting, including applicable laws
7 regarding assistance in voting and penalties for violation of
8 election laws.

9 Section 17. Sections 1308(g) and 1302-D(b) and (g) of the
10 act, amended March 27, 2020 (P.L.41, No.12), are amended to
11 read:

12 Section 1308. Canvassing of Official Absentee Ballots and
13 Mail-in Ballots.--* * *

14 (g) (1) (i) An absentee ballot cast by any absentee
15 elector as defined in section 1301(a), (b), (c), (d), (e), (f),
16 (g) and (h) shall be canvassed in accordance with this
17 subsection if the ballot is cast, submitted and received in
18 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to
19 uniform military and overseas voters).

20 (ii) An absentee ballot cast by any absentee elector as
21 defined in section 1301(i), (j), (k), (l), (m) and (n), an
22 absentee ballot under section 1302(a.3) or a mail-in ballot cast
23 by a mail-in elector shall be canvassed in accordance with this
24 subsection if the absentee ballot or mail-in ballot is received
25 in the office of the county board of elections no later than
26 eight o'clock P.M. on the day of the primary or election.

27 (1.1) The county board of elections shall meet [no earlier
28 than seven o'clock A.M. on] at least twice prior to election day
29 to pre-canvass all ballots received prior to the meeting.
30 Meetings to pre-canvass ballots may occur only between seven

1 o'clock A.M. and eleven o'clock P.M. on the five days prior to
2 election day and while polls are open on election day. A county
3 board of elections shall provide at least forty-eight hours'
4 notice of a pre-canvass meeting by publicly posting a notice of
5 a pre-canvass meeting on its publicly accessible Internet
6 website. One authorized representative of each candidate in an
7 election, one authorized representative of the county
8 chairperson of each political party and one representative
9 [from] of each political party shall be permitted to remain in
10 the room in which the absentee ballots and mail-in ballots are
11 pre-canvassed. Authorized representatives shall be provided with
12 meaningful access to view and observe the entire process of pre-
13 canvassing or canvassing activities. Such access shall allow all
14 authorized representatives to easily read the text on any ballot
15 or envelope at any point in the process of pre-canvassing or
16 canvassing activities. A county board of elections must
17 designate an official to respond to issues reported by
18 authorized representatives. The department shall establish a
19 procedure for authorized representatives to report any concerns
20 arising from any pre-canvass meeting and the department must
21 investigate and report on any concerns raised in each election.
22 A county board of elections shall record the pre-canvassing and
23 canvassing meetings with audio and visual recording. The entire
24 recording under this section shall be made available only after
25 the close of the polls. No person observing, attending or
26 participating in a pre-canvass meeting may disclose the results
27 of any portion of any pre-canvass meeting prior to the close of
28 the polls.

29 (2) The county board of elections shall meet [no earlier
30 than] immediately upon the close of polls on the day of the

1 election [and no later than the third day following the
2 election] to begin canvassing absentee ballots and mail-in
3 ballots not included in the pre-canvass meeting. The meeting
4 under this paragraph shall continue until all absentee ballots
5 and mail-in ballots received prior to the close of the polls
6 have been canvassed. The county board of elections shall not
7 record or publish any votes reflected on the ballots prior to
8 the close of the polls. The canvass process shall continue
9 through the eighth day following the election for valid
10 military-overseas ballots timely received under 25 Pa.C.S. §
11 3511 (relating to receipt of voted ballot). A county board of
12 elections shall provide at least forty-eight hours' notice of a
13 canvass meeting by publicly posting a notice on its publicly
14 accessible Internet website. One authorized representative of
15 each candidate in an election and one representative from each
16 political party shall be permitted to remain in the room in
17 which the absentee ballots and mail-in ballots are canvassed.

18 (3) When the county board meets to pre-canvass or canvass
19 absentee ballots and mail-in ballots under paragraphs (1), (1.1)
20 and (2), the board shall [examine] do all of the following:

21 (i) Examine the declaration on the envelope of each ballot
22 not set aside under subsection (d) and shall compare the
23 information and signature thereon with that contained in the
24 "Registered Absentee and Mail-in Voters File," the absentee
25 voters' list and/or the "Military Veterans and Emergency
26 Civilians Absentee Voters File," whichever is applicable.

27 (ii) A county board of elections shall use an automated
28 sorting or extracting machine to assist in its processing of
29 absentee ballots and mail-in ballots, the machine must possess
30 capabilities as a signature verification device, and the

1 capabilities must additionally be used by the county board of
2 elections to assist in comparing the signature on each ballot
3 with the signature in a voter's file.

4 (iii) If the county board has verified the proof of
5 identification as required under this act and is satisfied that
6 the declaration is sufficient [and], that the information
7 contained in the "Registered Absentee and Mail-in Voters File,"
8 the absentee voters' list and/or the "Military Veterans and
9 Emergency Civilians Absentee Voters File" verifies his right to
10 vote[,] and that the signature on the ballot matches the
11 signature on file, the county board shall provide a list of the
12 names of electors whose absentee ballots or mail-in ballots are
13 to be pre-canvassed or canvassed.

14 (iv) For absentee ballots or mail-in ballots which the
15 county board is not satisfied that proof of identification has
16 been provided due to an inability to match the signature present
17 on the ballot to the signature on file, or for a ballot on which
18 the declaration of the elector is incomplete, or are unsigned or
19 undated, the county board shall:

20 (A) Attempt to notify the elector by mail, email, telephone
21 or text message that the elector's ballot is incomplete and will
22 not be counted unless action is taken by the elector prior to
23 the closing of polls on Election Day.

24 (B) Direct the elector to appear before the Board of
25 Elections to complete the missing information or to provide an
26 electronic, facsimile or paper copy to the county board of
27 elections, including:

28 (I) proof of identification and an executed affirmation
29 attesting, under penalty of perjury, that the elector is the
30 same individual who personally remitted the absentee ballot or

1 mail-in ballot; or

2 (II) an executed affirmation attesting, under penalty of
3 perjury, that the elector is the same individual who personally
4 remitted the absentee ballot or mail-in ballot and that the
5 elector is indigent and unable to obtain proof of identification
6 without the payment of a fee.

7 (v) For absentee ballots or mail-in ballots with incurable
8 errors, including lacking a secrecy envelope, or the marking of
9 identifying information on the secrecy envelope, the county
10 board shall:

11 (A) attempt to notify the elector by mail, email, telephone
12 or text message that the elector's ballot cannot be counted due
13 to an incurable error; and

14 (B) direct the elector to vote on election day using a
15 provisional ballot; or

16 (C) if the elector is unable to appear at his or her polling
17 place on election day due to a reason listed under section 1301,
18 direct the elector to apply for an emergency absentee ballot.

19 (4) All absentee ballots which have not been challenged
20 under section 1302.2(c) and all mail-in ballots which have not
21 been challenged under section 1302.2-D(a)(2) and that have been
22 verified under paragraph (3) shall be counted and included with
23 the returns of the applicable election district as follows:

24 (i) The county board shall open the envelope of every
25 unchallenged absentee elector and mail-in elector in such manner
26 as not to destroy the declaration executed thereon.

27 (ii) If any of the envelopes on which are printed, stamped
28 or endorsed the words "Official Election Ballot" contain any
29 text, mark or symbol which reveals the identity of the elector,
30 the elector's political affiliation or the elector's candidate

1 preference, the envelopes and the ballots contained therein
2 shall be set aside and declared void.

3 (iii) The county board shall then break the seals of such
4 envelopes, remove the ballots and count, compute and tally the
5 votes.

6 (iv) Following the close of the polls, the county board
7 shall record and publish the votes reflected on the ballots.

8 (5) Ballots received whose applications have been challenged
9 and ballots which have been challenged shall be placed unopened
10 in a secure, safe and sealed container in the custody of the
11 county board until it shall fix a time and place for a formal
12 hearing of all such challenges, and notice shall be given where
13 possible to all absentee electors and mail-in electors thus
14 challenged and to every individual who made a challenge. The
15 time for the hearing shall not be later than seven (7) days
16 after the deadline for all challenges to be filed. On the day
17 fixed for said hearing, the county board shall proceed without
18 delay to hear said challenges, and, in hearing the testimony,
19 the county board shall not be bound by the Pennsylvania Rules of
20 Evidence. The testimony presented shall be stenographically
21 recorded and made part of the record of the hearing.

22 (6) The decision of the county board in upholding or
23 dismissing any challenge may be reviewed by the court of common
24 pleas of the county upon a petition filed by any person
25 aggrieved by the decision of the county board. The appeal shall
26 be taken, within two (2) days after the decision was made,
27 whether the decision was reduced to writing or not, to the court
28 of common pleas setting forth the objections to the county
29 board's decision and praying for an order reversing the
30 decision.

1 (7) Pending the final determination of all appeals, the
2 county board shall suspend any action in canvassing and
3 computing all challenged ballots received under this subsection
4 irrespective of whether or not appeal was taken from the county
5 board's decision. Upon completion of the computation of the
6 returns of the county, the votes cast upon the challenged
7 official absentee ballots that have been finally determined to
8 be valid shall be added to the other votes cast within the
9 county.

10 * * *

11 Section 1302-D. Applications for official mail-in ballots.

12 * * *

13 (b) Content.--The following shall apply:

14 (1) The qualified elector's application shall contain
15 the following information, without which the application
16 shall be rejected:

17 (i) Date of birth.

18 [(ii) Length of time a resident of voting district.

19 (iii) Voting district, if known.]

20 (iv) Party choice in case of primary.

21 (v) Name.

22 (vi) At least two of the following:

23 (A) Last four digits of the elector's Social
24 Security number.

25 (B) If the elector has a Pennsylvania driver's
26 license, the license number.

27 (C) The elector's voter registration number.

28 (1.1) The qualified elector's application shall contain
29 the following, but the application shall not be rejected if
30 this information is unknown or not provided:

1 (i) Voting district.

2 (ii) Length of time a resident of voting district.

3 (2) A qualified elector shall, in addition, [specify the
4 address to which the ballot is to be sent, the relationship
5 where necessary and other information as may be determined by
6 the Secretary of the Commonwealth.] specify his or her
7 registered address, or the mailing address associated with
8 his or her voter registration record, to which the ballot
9 must be delivered by mail.

10 (3) When an application is received by the Secretary of
11 the Commonwealth it shall be forwarded to the proper county
12 board of election.

13 * * *

14 (g) Permanent mail-in voting list.--

15 [(1) Any qualified registered elector may request to be
16 placed on a permanent mail-in ballot list file at any time
17 during the calendar year. A mail-in ballot application shall
18 be mailed to every person otherwise eligible to receive a
19 mail-in ballot application by the first Monday in February
20 each year or within 48 hours of receipt of the request,
21 whichever is later, so long as the person does not lose the
22 person's voting rights by failure to vote as otherwise
23 required by this act. A mail-in ballot application mailed to
24 an elector under this section, which is completed and timely
25 returned by the elector, shall serve as an application for
26 any and all primary, general or special elections to be held
27 in the remainder of that calendar year and for all special
28 elections to be held before the third Monday in February of
29 the succeeding year.]

30 (1) Neither the department nor the county shall maintain

1 a permanent mail-in voting list. A qualified elector must
2 separately request a mail-in ballot for each election in
3 which the qualified elector chooses to vote by mail,
4 including for each election held within the same calendar
5 year.

6 (2) The Secretary of the Commonwealth may develop an
7 electronic system through which all qualified electors may
8 apply for a mail-in ballot [and request permanent mail-in
9 voter status] under this section, provided the system is able
10 to capture a digitized or electronic signature of the
11 applicant. A county board of elections shall treat an
12 application or request received through the electronic system
13 as if the application or request had been submitted on a
14 paper form or any other format used by the county.

15 [(3) The transfer of a qualified registered elector on a
16 permanent mail-in voting list from one county to another
17 county shall only be permitted upon the request of the
18 qualified registered elector.]

19 Section 18. Section 1302.1-D(a) of the act is amended to
20 read:

21 Section 1302.1-D. Date of application for mail-in ballot.

22 (a) General rule.--Applications for mail-in ballots shall be
23 received in the office of the county board of elections not
24 earlier than 50 days before the primary or election, except that
25 if a county board of elections determines that it would be
26 appropriate to the county board of elections' operational needs,
27 any applications for mail-in ballots received more than 50 days
28 before the primary or election may be processed before that
29 time. Applications for mail-in ballots shall be processed if
30 received not later than five o'clock P.M. of the [first Tuesday]

1 fifteenth day prior to the day of any primary or election.

2 * * *

3 Section 19. Section 1305-D of the act, amended March 27,
4 2020 (P.L.41, No.12), is amended to read:

5 Section 1305-D. Delivering or mailing ballots.

6 The following apply:

7 (1) The county board of elections, upon receipt and
8 approval of an application filed by a qualified elector under
9 section 1301-D, shall commence to deliver or mail official
10 mail-in ballots [as soon as a ballot is certified and the
11 ballots are available.] on the day after the deadline for
12 registering to vote in an election. While any proceeding is
13 pending in a Federal or State court which would affect the
14 contents of any ballot, the county board of elections may
15 await a resolution of that proceeding but in any event, shall
16 commence to deliver or mail official mail-in ballots not
17 later than the second Tuesday prior to the primary or
18 election. For applicants whose proof of identification was
19 not provided with the application or could not be verified by
20 the board, the board shall send the notice required under
21 section 1302.2-D(c) with the mail-in ballot. As additional
22 applications are received and approved, the board shall
23 deliver or mail official mail-in ballots to the additional
24 electors within 48 hours.

25 (2) The county board of elections shall investigate the
26 circumstances of any mail-in ballot returned as undeliverable
27 by the United States Postal Service. The investigation shall
28 include contacting the mail-in elector, further attempts to
29 have his ballot delivered, and the correction or
30 reconsideration of his registration status and registered

1 address, if these are found to be incorrect.

2 Section 20. Section 1306-D(a) of the act, amended March 27,
3 2020 (P.L.41, No.12), is amended and the section is amended by
4 adding a subsection to read:

5 Section 1306-D. Voting by mail-in electors.

6 (a) General rule.--At any time after receiving an official
7 mail-in ballot, but on or before eight o'clock P.M. the day of
8 the primary or election, the mail-in elector shall, in secret,
9 proceed to mark the ballot only in black lead pencil, indelible
10 pencil or blue, black or blue-black ink, in fountain pen or ball
11 point pen, and then fold the ballot, enclose and securely seal
12 the same in the envelope on which is printed, stamped or
13 endorsed "Official Election Ballot." This envelope shall then be
14 placed in the second one, on which is printed the form of
15 declaration of the elector, and the address of the elector's
16 county board of election and the local election district of the
17 elector. The elector shall then fill out, date and sign the
18 declaration printed on such envelope. [Such envelope shall then
19 be securely sealed and the elector shall send same by mail,
20 postage prepaid, except where franked, or deliver it in person
21 to said county board of election.]

22 * * *

23 (a.2) Return of completed mail-in ballots.--The elector
24 shall, prior to eight o'clock P.M. on election day, return his
25 or her completed mail-in ballot by one of the following methods
26 only:

27 (1) Delivery through the United States Postal Service to
28 the offices of his county board of elections.

29 (2) Delivery in person to the permanent offices of his
30 or her county board of elections during its regular hours of

1 operation.

2 (3) Delivery to a ballot return location established
3 under the following conditions:

4 (i) A ballot return location may only be operated
5 during the hours of seven o'clock A.M. to eight o'clock
6 P.M. during the seven days prior to an election.

7 (ii) Ballot return locations may be established by a
8 county board of elections as necessary, provided that:

9 (A) A county shall maintain at least one ballot
10 return location and may maintain an additional ballot
11 return location for each 100,000 residents of that
12 county as of the most recent census. A county board
13 of election office may serve as a ballot return
14 location.

15 (B) Ballot return locations must be monitored by
16 at least one inspector of elections from each of the
17 two parties with the highest number of registered
18 electors in this Commonwealth. If two such inspectors
19 of elections are unavailable to appear at a ballot
20 return location on any particular day, a county shall
21 not operate the ballot return location. Each
22 inspector of elections shall receive the same
23 compensation provided for an election under this act
24 for each day on which he monitors a ballot return
25 location.

26 (C) The inspectors of election monitoring any
27 ballot return location shall verify the
28 identification of each individual returning a ballot
29 consistent with the provisions of this act. The
30 inspectors of election shall also ensure review of

1 each ballot prior to the ballot's return to ensure
2 completeness of the declaration of the elector,
3 signature and date.

4 (D) Ballot return locations must be monitored by
5 video recording during each hours of operation. The
6 recording shall be made available for public
7 inspection and retained for a period of two years.

8 (E) Ballots returned to a location established
9 under this section must be promptly collected and
10 secured each evening after eight o'clock P.M., or
11 immediately upon being closed for the day, whichever
12 is earlier.

13 (F) Each ballot return location must be
14 considered a polling place for all requirements of
15 this act, including accessibility, access of
16 observers and restriction of political activity.

17 (G) Ballot return locations must be established
18 at a fixed location for the duration of the seven
19 days prior to an election.

20 (H) Ballot return locations must be evenly
21 distributed throughout a county to ensure equal
22 access of voters.

23 (I) After the establishment of in-person early
24 voting under Article XIII-F, ballot return locations
25 may only be established at the same premises as early
26 voting locations in a county.

27 (J) No reimbursement shall be provided by the
28 department or the State Treasury for the costs that a
29 county incurs in operating ballot return locations.

30 (4) Nothing in this subsection shall be construed to

1 prohibit an elector from returning the completed ballot of
2 another member of his or her household, registered at the
3 same residential address and unit number. At any time that an
4 elector appears with the intent of returning more than one
5 completed ballot, the inspectors of election shall review the
6 ballots for compliance with this subsection. An elector
7 returning more than one completed ballot shall be informed of
8 the penalty provided under section 1855 for any unlawful
9 collection of ballots.

10 * * *

11 Section 21. Section 1302-E(c)(4) of the act is amended by
12 adding a subparagraph and the subsection is amended by adding
13 paragraphs to read:

14 Section 1302-E. Pennsylvania Election Law Advisory Board.

15 * * *

16 (c) Duties.--The board shall have the following duties:

17 * * *

18 (4) Evaluate and make recommendations on:

19 * * *

20 (iii) The rules prescribed in the official
21 instructions and procedures manual under this section
22 shall include regulations and restrictions governing any
23 vendors contracted by counties or the department for the
24 printing or mailing of ballots.

25 * * *

26 (6) To establish a working group with directors of
27 elections from a minimum of 10 counties, and together, to
28 prescribe rules to achieve and maintain the maximum degree of
29 correctness, impartiality, uniformity and efficiency on the
30 procedures for early voting and voting and of producing,

1 distributing, collecting, counting, tabulating and storing
2 ballots. The election law advisory board shall also adopt
3 rules regarding transmittal of unvoted ballots, ballot
4 requests, voted ballots and other election materials to and
5 from a qualified absentee military or overseas elector, as
6 defined by the Uniformed and Overseas Citizens Absentee
7 Voting Act (Public Law 99-410, 100 Stat. 924). The following
8 shall apply:

9 (i) The rules shall be prescribed in an official
10 instructions and procedures manual to be issued not later
11 than December 31 of each odd-numbered year immediately
12 preceding the general election. Before its issuance, the
13 manual shall be submitted to the President pro tempore of
14 the Senate, the Speaker of the House of Representatives,
15 the Majority Leader and Minority Leader of the Senate,
16 the Majority Leader and Minority Leader of the House of
17 Representatives, the chair and minority chair of the
18 State Government Committee of the Senate, the chair and
19 minority chair of the State Government Committee of the
20 House of Representatives and the Governor not later than
21 October 1 of the year before each general election.

22 (ii) Each rule included in the official instructions
23 and procedures manual must provide citations to relevant
24 provisions of this act.

25 (7) To establish standards for annual training
26 requirements for all county election officials, poll workers,
27 election observers, judges of elections and election
28 integrity officers. Training to fulfill the requirements must
29 be conducted by the department and must be made available on
30 all business days.

1 (8) To adopt rules prescribing minimum standards for
2 nonpartisan voter education. The standards shall, at a
3 minimum, address:

4 (i) voter registration;

5 (ii) balloting procedures, by mail and polling
6 place;

7 (iii) voter rights and responsibilities;

8 (iv) distribution of sample ballots; and

9 (v) public service announcements.

10 (9) To receive reports from county boards of elections
11 required under section 302, to reexamine the rules adopted
12 under paragraph (8), and to use the findings in the reports
13 as a basis for modifying the rules to incorporate successful
14 voter education programs and techniques, as necessary.

15 * * *

16 Section 22. The act is amended by adding an article to read:

17 ARTICLE XIII-F

18 EARLY VOTING BY QUALIFIED ELECTORS

19 Section 1301-F. In-person early voting.

20 Beginning with the 2025 primary election, and for each
21 election thereafter, each county board of elections must provide
22 electors with the opportunity to vote at an early voting center,
23 prior to election day.

24 Section 1302-F. Operation.

25 The following shall apply:

26 (1) Each early voting center shall be considered a
27 polling place for the purposes of this act.

28 (2) Early voting centers shall be established beginning
29 on the second Friday prior to an election and ending on the
30 first Wednesday prior to an election. A county shall operate

1 at least one early voting center, with an additional early
2 voting center for each 100,000 residents of the county at the
3 time of the most recent census, except that no county shall
4 be required to operate more than five early voting centers.

5 (3) Early voting centers shall be open from 7 A.M to 8
6 P.M. each day.

7 (4) The board shall provide at least 30 days notice
8 prior to the establishment of any early voting center,
9 including location and intended hours of operation. The
10 notice under this paragraph shall be published under section
11 106.

12 (4.1) Early voting centers may be established only at a
13 permanent building which provides the security required under
14 paragraph (9), and which is a public library facility, public
15 or private school, college or university building, courthouse
16 or a municipal, county or Commonwealth owned building.

17 (5) Early voting centers shall be established at
18 locations distributed throughout the county so as to ensure
19 equal access to all voters.

20 (6) An early voting center shall utilize electronic poll
21 books with the capability of scanning an elector's
22 identification and printing the appropriate ballot for that
23 elector.

24 (7) Each early voting center must be accessible under
25 the requirements of the Americans with Disabilities Act of
26 1990 (Public Law 101-336, 104 Stat. 327).

27 (8) Voting at early voting centers shall be conducted
28 using the same type of voting machines utilized by that
29 county on election day.

30 (9) An early voting center shall be continually secured,

1 monitored by staff and monitored by video recording from the
2 beginning of the period provided for early voting until the
3 end, including overnight. Video recording shall be retained
4 and made available publicly.

5 (10) During any early voting period, each county board
6 of elections shall make available the total number of
7 electors having cast a ballot at each early voting location
8 during the previous day. Each county board shall prepare an
9 electronic data file listing the individual electors who cast
10 a ballot during the early voting period. This information
11 shall be updated and made available no later than noon of
12 each day and shall be provided to the public upon request.

13 Section 1303-F. Reimbursement.

14 Counties shall be reimbursed by the department for half of
15 the costs incurred in the operation of early voting centers.

16 Section 23. Section 1402 of the act is amended by adding a
17 subsection to read:

18 Section 1402. Returns to Be Open to Public Inspection;
19 Exceptions.--* * *

20 (a.1) Each ballot cast in an election shall be open to
21 public inspection at the office of the county board as soon as
22 practicable after an election, and for as long as the ballots
23 are required to be retained under this act. Public inspection
24 shall be monitored to ensure the safety and integrity of each
25 ballot. The following shall apply:

26 (1) A county official and sheriff shall be present during a
27 public inspection of ballots.

28 (2) A ballot may not be altered, damaged, moved or destroyed
29 in the course of a public inspection.

30 (3) For the 2023 primary election, and for each election

1 thereafter, digital copies of each ballot shall be created,
2 retained and provided upon request, subject to the same
3 conditions as physical ballots.

4 * * *

5 Section 24. Section 1404(f) of the act is amended and the
6 section is amended by adding a subsection to read:

7 Section 1404. Computation of Returns by County Board;
8 Certification; Issuance of Certificates of Election.--

9 * * *

10 (c.1) It shall be the duty of each county board of
11 elections, before certification or the issuance of certificates
12 of election, to record the participation of each elector and the
13 article of this act by which the elector voted, in the voter
14 registration record established in 25 Pa.C.S. Ch. 12 Subch. B
15 (relating to Statewide Uniform Registry of Electors (SURE)). If
16 it appears that the total number of ballots cast in an election
17 district, or that the total number of votes returned for a
18 candidate for the same office or nomination at an election
19 exceeds the number of electors recorded as participating in that
20 election in that district, the excess shall be deemed a
21 discrepancy and palpable error, shall be investigated by the
22 return board and no votes shall be recorded from the district
23 until an investigation is conducted. The excess shall authorize
24 the following:

25 (1) The summoning of the election officers, overseers,
26 machine inspectors and clerks to appear with any election papers
27 in their possession.

28 (2) The production of the ballot box before the return
29 board, the examination and scrutiny of its contents and of the
30 registration and election documents relating to the district, in

1 the presence of representatives of each party and candidate
2 interested who are attending the canvass of such votes.

3 (2.1) The recount of the ballots contained in the ballot
4 box, either generally or respecting the particular office,
5 nomination, or question as to which the excess exists, in the
6 discretion of the return board.

7 (3) The correction of the returns in accordance with the
8 result of the recount.

9 (4) In the discretion of the return board, the exclusion of
10 the poll of the district, either as to all offices, candidates,
11 questions and parties, or as to a particular office, candidate,
12 question or party as to which the excess exists, if the ballot
13 box is found to contain more ballots:

14 (i) than there are electors registered or enrolled in the
15 election district;

16 (ii) of one party than there are electors registered or
17 enrolled in the district as members of that party;

18 (iii) than the number of voters who voted at the election;

19 or

20 (iv) of one party than the number of voters of the party who
21 voted at the election.

22 (5) A report of the facts of the case to the district
23 attorney where the action appears to be warranted.

24 * * *

25 (f) As the returns from each election district are read,
26 computed and found to be correct or corrected as aforesaid, they
27 shall be recorded on the blanks prepared for the purpose until
28 all the returns from the various election districts which are
29 entitled to be counted shall have been duly recorded, when they
30 shall be added together, announced and attested by the clerks

1 who made and computed the entries respectively and signed by the
2 members of the county board. Returns under this subsection shall
3 be considered unofficial for five (5) days. The county board
4 shall submit the unofficial returns to the Secretary of the
5 Commonwealth [by five o'clock P. M. on the Tuesday following the
6 election.] incrementally and as often as practicable until all
7 returns have been submitted. The submission shall be as directed
8 by the secretary for public office which appears on the ballot
9 in every election district in this Commonwealth or for a ballot
10 question which appears on the ballot in every election district
11 in this Commonwealth. The unofficial returns shall be posted to
12 the department's publicly accessible Internet website and to
13 each county board of elections' publicly accessible Internet
14 website. The secretary shall establish, for the use of each
15 website displaying unofficial returns, a consistent template and
16 interface which shall provide, in electronic spreadsheet form:

17 (1) The total number of ballots voted in this Commonwealth,
18 in each county and in each voting district.

19 (2) The total number of ballots voted by electors under each
20 article of this act.

21 (3) The votes recorded for each candidate or question, in
22 each voting district and each county, and the sum for the
23 Commonwealth, including the number of votes received by each
24 candidate or question under each article of this act.

25 (4) The percentage of voting districts having reported
26 results.

27 (5) The percentage of registered electors who are recorded
28 as having voted in this Commonwealth, each county and each
29 voting district.

30 (6) The total number of registered electors in this

1 Commonwealth, each county and each voting district.

2 (7) The total number of mail-in and absentee ballots sent by
3 each county and the sum for this Commonwealth.

4 (8) The total number of overseas and military ballots
5 mailed.

6 (9) A website displaying unofficial returns shall provide an
7 interactive map allowing the information under paragraphs (1),
8 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
9 election district, county and this Commonwealth. At any time
10 that unofficial results data previously posted to the department
11 or a county's publicly accessible Internet website is amended,
12 corrected, deleted or updated in a manner other than the
13 inclusion of additional results, the department and an affected
14 county shall post a disclosure to the unofficial returns website
15 explicitly noting the time such update occurred, the reason and
16 the impact on unofficial returns.

17 At the expiration of five (5) days after the completion of
18 the computation of votes, in case no petition for a recount or
19 recanvass has been filed in accordance with the provisions of
20 this act, or upon the completion of the recount or recanvass if
21 a petition therefor has been filed within five (5) days after
22 the completion of the computation of votes, the county board
23 shall certify the returns so computed in said county in the
24 manner required by this act, unless upon appeals taken from any
25 decision, the court of common pleas shall have directed any
26 returns to be revised, or unless in case of a recount, errors in
27 the said returns shall have been found, in which case said
28 returns shall be revised, corrected and certified accordingly.
29 The county board shall thereupon, in the case of elections,
30 issue certificates of election to the successful candidates for

1 all county, city, borough, township, ward, school district, poor
2 district and election offices, and local party offices to be
3 filled by the votes of the electors of said county, or of any
4 part thereof.

5 * * *

6 Section 25. The act is amended by adding sections to read:

7 Section 1778. Powers and Duties of the Attorney General
8 Relating to Elections.--(a) The Attorney General shall, at
9 least ninety days prior to each primary election, nominate an
10 independent prosecutor for confirmation by the Senate. The
11 independent prosecutor shall review election complaints received
12 by the department and the county boards of elections for
13 elections occurring during that calendar year. The independent
14 prosecutor shall have experience prosecuting election law
15 violations and shall coordinate efforts with each level of law
16 enforcement. The independent prosecutor shall publish a report
17 following each election including:

18 (1) The total number of complaints filed and to which entity
19 the complaint was filed.

20 (2) A summary of how each complaint was investigated by the
21 independent prosecutor.

22 (3) Recommendations to the General Assembly, the department,
23 and county boards of elections for reducing future complaints.

24 (b) The report under this section shall be a public record
25 under the act of February 14, 2008 (P.L.6, No.3), known as the
26 Right-to-Know Law.

27 Section 1779. Powers and Duties of District Attorneys
28 Relating to Elections.--The district attorney of each county in
29 this Commonwealth, or an appointee, shall serve as a county
30 election integrity officer for elections occurring in that

1 county. In an election year in which a district attorney is a
2 candidate in any election, the district attorney shall appoint
3 an independent prosecutor at least ninety days prior to a
4 primary election to serve as a county election integrity officer
5 for elections occurring during that calendar year.

6 Section 26. Sections 1801, 1802, 1802.1, 1803, 1804, 1805,
7 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815,
8 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824, 1825, 1826,
9 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836,
10 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847, 1848, 1849 and
11 1850 of the act are amended to read:

12 Section 1801. Disobeying Lawful Instructions.--Any person
13 who wilfully disobeys any lawful instruction or order of any
14 county board of elections, or who refuses to obey their subpoena
15 duly issued and served under the provisions of this act, shall
16 be guilty of a misdemeanor, and, upon conviction thereof, shall
17 be sentenced to pay a fine not exceeding [five hundred (\$500)]
18 one thousand (\$1,000) dollars, or to undergo an imprisonment not
19 exceeding [one (1) year] two (2) years, or both, in the
20 discretion of the court.

21 Section 1802. Perjury.--Any wilful false statement made
22 under oath or affirmation or in writing, stating that it is so
23 made, although such oath or affirmation may not have actually
24 been made, by any person regarding any material matter or thing
25 relating to any subject being investigated, heard, determined or
26 acted upon by any county board of elections, or member thereof,
27 or by any court or judge thereof, judge of election, inspector
28 of election, or overseer, in accordance with the terms of this
29 act, shall be perjury, a misdemeanor of the first degree, and
30 any person, upon conviction thereof, shall be sentenced to pay a

1 fine not exceeding [~~ten thousand (\$10,000)~~] twenty thousand
2 (\$20,000) dollars, or to undergo an imprisonment of not more
3 than [~~five (5)~~] ten (10) years, or both, in the discretion of
4 the court.

5 Section 1802.1. False Affidavits of Candidates.--Any
6 candidate for State, county, city, borough, incorporated town,
7 township or school district office or for the office of United
8 States Senator or Representative in Congress or any other
9 elective public office who knowingly makes a false statement
10 regarding his eligibility or qualifications for such office in
11 his candidate's affidavit shall, in litigation which results in
12 the removal of the candidate from the ballot, be liable for
13 court costs, including filing fees, attorney fees, investigation
14 fees and similar costs, in an amount up to [~~ten thousand~~
15 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars.

16 Section 1803. Refusal to Permit Inspection of Papers;
17 Destruction or Removal; Secretary of the Commonwealth.--Any
18 Secretary of the Commonwealth, deputy, or employe of his office,
19 who shall refuse to permit the public inspection or copying as
20 authorized, except when in use in his office, by this act, of
21 any return, nomination petition, certificate or paper, other
22 petition, account, contract, report or any other document or
23 record in his custody which, under the provisions of this act,
24 is required to be open to public inspection; or who shall
25 destroy or alter, or permit to be destroyed or altered, any such
26 document or record during the period for which the same is
27 required to be kept in his office; or who shall remove any such
28 document or record from his office during said period, or permit
29 the same to be removed, except pursuant to the direction of any
30 competent court or any committee required to determine any

1 contested primary or election, shall be guilty of a misdemeanor,
2 and, upon conviction thereof, shall be sentenced to pay a fine
3 not exceeding [one thousand (\$1,000)] two thousand (\$2,000)
4 dollars, or to undergo an imprisonment of not less than [one (1)
5 month] two (2) months nor more than [two (2)] four (4) years, or
6 both, in the discretion of the court.

7 Section 1804. Refusal to Permit Inspection of Papers;
8 Destruction or Removal; County Boards of Elections.--Any member,
9 chief clerk or other employe of any county board of elections,
10 who shall refuse to permit the public inspection or copying, as
11 authorized by this act, of any general or duplicate return
12 sheet, tally paper, affidavit, nomination petition, certificate
13 or paper, other petition, witness list, account, contract,
14 report or any other document or record in the custody of such
15 county board which, under the provisions of this act, is
16 required to be open to public inspection; or who shall destroy
17 or alter, or permit to be destroyed or altered, any such
18 document or record during the period for which the same is
19 required to be kept in the office of such county board; or who
20 shall remove any such document or record from the office of such
21 county board during said period, or permit the same to be
22 removed, except pursuant to the direction of any competent court
23 or any committee required to determine any contested primary or
24 election, shall be guilty of a misdemeanor, and, upon conviction
25 thereof, shall be sentenced to pay a fine not exceeding [one
26 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
27 an imprisonment of not less than [one (1) month] two (2) months
28 nor more than [two (2)] four (4) years, or both, in the
29 discretion of the court.

30 Section 1805. Insertion and Alteration of Entries in

1 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
2 or employe of any county board of elections or judge, inspector
3 or clerk of election, machine inspector, overseer, or other
4 person, who knowingly inserts or knowingly permits to be
5 inserted any fictitious name, false figure or other fraudulent
6 entry on or in any registration card, district register, voter's
7 certificate, list of voters, affidavit, tally paper, general or
8 duplicate return sheet, statement, certificate, oath, voucher,
9 account, ballot or other record or document authorized or
10 required to be made, used, signed, returned or preserved for any
11 public purpose in connection with any primary or election; or
12 who materially alters or intentionally destroys any entry which
13 has been lawfully made therein, except by order of the county
14 board of elections or court of competent jurisdiction, or who
15 takes or removes any such book, affidavit, return, account,
16 ballot or other document or record from the custody of any
17 person having lawful charge thereof, in order to prevent the
18 same from being used or inspected or copied as required or
19 permitted by this act, or who neglects or refuses, within the
20 time and in the manner required by this act, to deliver the same
21 into the custody of the officers who are required by this act to
22 use or keep the same, shall be guilty of a misdemeanor, and,
23 upon conviction thereof, shall be sentenced to pay a fine not
24 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
25 or to undergo an imprisonment of not less than [one (1) month]
26 two (2) months or more than [two (2)] four (4) years, or both,
27 in the discretion of the court.

28 Section 1806. Refusal to Permit Overseers, Watchers,
29 Attorneys or Candidates to Act.--Any member of a county board of
30 elections, judge of election or inspector of election who shall

1 refuse to permit any overseer or watcher, attorney or candidate
2 to be present, as authorized by this act, at any session of a
3 county board, computation and canvassing of returns of any
4 primary or election, recount of ballots or recanvass of voting
5 machines, as authorized by this act, or at any polling place
6 during the time the polls are open at any primary or election,
7 and after the close of the polls during the time the ballots are
8 counted or voting machine canvassed and until the returns of
9 such primary or election have been made up and signed, shall be
10 guilty of a misdemeanor, and, upon conviction thereof, shall be
11 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
12 two thousand (\$2,000) dollars, or to undergo an imprisonment not
13 exceeding [one (1) year] two (2) years, or both, in the
14 discretion of the court.

15 Section 1807. Driving away Watchers, Attorneys, Candidates
16 or Overseers.--Any person who by violence or intimidation shall
17 threaten or drive away any watcher, attorney, candidate or
18 overseer, or representative of the county board of elections, or
19 of the Secretary of the Commonwealth, required or permitted to
20 be present at any polling place, or who shall in any manner
21 prevent any overseer, or representative of the county board of
22 elections or of the Secretary of the Commonwealth from
23 performing his duty under this act, shall be guilty of a
24 misdemeanor, and, upon conviction thereof, shall be sentenced to
25 pay a fine not exceeding [one thousand (\$1,000)] two thousand
26 (\$2,000) dollars, or to undergo an imprisonment of not less than
27 [one (1) month] two (2) months nor more than [two (2)] four (4)
28 years, or both, in the discretion of the court.

29 Section 1808. Refusal to Permit Election Officers, Clerks
30 and Machine Inspectors to Act; Driving away Said Persons.--Any

1 person, including any election officer, who shall refuse to
2 permit any election officer, clerk or machine inspector, duly
3 elected or appointed and authorized to act, to perform the
4 duties imposed on him or to act as permitted by this act; or who
5 shall by violence or intimidation threaten or drive away, any
6 such election officer, clerk or machine inspector or who shall,
7 in any manner, prevent any such election officer, clerk or
8 machine inspector from performing his rights and duties under
9 this act, shall be guilty of a misdemeanor, and, upon conviction
10 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
11 ~~thousand (\$1,000)~~] two thousand (\$2,000) dollars, or to undergo
12 an imprisonment of not less than [~~one (1) month~~] two (2) months
13 or more than [~~two (2)]~~ four (4) years, or both, in the
14 discretion of the court.

15 Section 1809. Refusal to Administer Oath; Acting Without
16 Being Sworn.--If any judge of election or minority inspector of
17 election refuses or fails to administer the oath to the officers
18 of election, in the manner required by this act, or if any judge
19 of election, inspector of election, clerk of election, or
20 machine inspector, shall act without being first duly sworn, or
21 if any such person shall sign the written form of oath without
22 being duly sworn, or if any judge of election or minority
23 inspector of election or any other person authorized to
24 administer oaths shall certify that any such person was sworn
25 when he was not, he shall be guilty of a misdemeanor, and, upon
26 conviction thereof, shall be sentenced to pay a fine not
27 exceeding [~~one hundred (\$100)~~] two hundred (\$200) dollars, or to
28 undergo an imprisonment not exceeding [~~six (6) months~~] one (1)
29 year, or both, in the discretion of the court.

30 Section 1810. Violation of Oath of Office by Election

1 Officers.--Any judge of election, inspector of election, clerk
2 of election, or machine inspector who shall wilfully violate any
3 of the provisions of his oath of office, shall be guilty of a
4 misdemeanor, and, upon conviction thereof, shall be sentenced to
5 pay a fine not exceeding [~~one thousand (\$1,000)~~] two thousand
6 (\$2,000) dollars, or to undergo an imprisonment not exceeding
7 [~~one (1) year~~] two (2) years, or both, in the discretion of the
8 court.

9 Section 1811. Peace Officers; Failure to Render Assistance;
10 Hindering or Delaying County Board Members and Others.--Any
11 sheriff, deputy sheriff, constable, deputy constable, police or
12 other peace officer, who shall fail upon demand of any member of
13 a county board of elections, judge or inspector of election, or
14 overseer to render such aid and assistance to him as he shall
15 request in the maintenance of peace and in the making of
16 arrests, as herein provided, or who shall wilfully hinder or
17 delay or attempt to hinder or delay any member of a county
18 board, judge or inspector of election, or overseer in the
19 performance of any duty under this act, shall be guilty of a
20 misdemeanor, and, upon conviction thereof, shall be sentenced to
21 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
22 (\$1,000) dollars, or to undergo an imprisonment of not less than
23 [~~three (3)~~] six (6) months nor more than [~~two (2)~~] four (4)
24 years, or both, in the discretion of the court.

25 Section 1812. Nomination Petitions and Papers; Offenses by
26 Signers.--If any person shall knowingly and wilfully sign any
27 nomination petition or nomination paper, without having the
28 qualifications prescribed by this act, or if any person shall
29 set opposite a signature on a nomination petition or paper, a
30 date other than the actual date such signature was affixed

1 thereto, or if any person shall set opposite the signature on a
2 nomination petition or nomination paper, a false statement of
3 the signer's place of residence or occupation, or if any person
4 shall sign more nomination petitions or nomination papers than
5 permitted by the provisions of this act, he shall be guilty of a
6 misdemeanor, and, upon conviction thereof, shall be sentenced to
7 pay a fine not exceeding [~~one hundred (\$100)~~] two hundred (\$200)
8 dollars, or to undergo an imprisonment of not less than [~~three~~
9 ~~(3)~~] six (6) months nor more than [~~two (2)~~] four (4) years, or
10 both, at the discretion of the court.

11 Section 1813. False Signatures and Statements in Nomination
12 Petitions and Papers.--If any person shall knowingly make a
13 false statement in any affidavit required by the provisions of
14 this act, to be appended to or to accompany a nomination
15 petition or a nomination paper, or if any person shall
16 fraudulently sign any name not his own to any nomination
17 petition or nomination paper, or if any person shall
18 fraudulently alter any nomination petition or nomination paper
19 without the consent of the signers, he shall be guilty of a
20 misdemeanor, and, upon conviction thereof, shall be sentenced to
21 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
22 (\$1,000) dollars, or to undergo imprisonment of not more than
23 [~~one (1) year~~] two (2) years, or both, in the discretion of the
24 court.

25 Section 1814. Nomination Petitions; Certificates and Papers;
26 Destruction; Fraudulent Filing; Suppression.--Any person who
27 shall falsely make any nomination certificate or who shall
28 wilfully deface or destroy any nomination petition, nomination
29 certificate or nomination paper, or any part thereof, or any
30 letter of withdrawal, or who shall file any nomination petition,

1 nomination certificate or nomination paper or letter of
2 withdrawal knowing the same, or any part thereof, to be falsely
3 made, or who shall suppress any nomination petition, nomination
4 certificate or nomination paper, or any part thereof, which has
5 been duly filed, shall be guilty of a misdemeanor, and, upon
6 conviction thereof, shall be sentenced to pay a fine not
7 exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000) dollars,
8 or to undergo an imprisonment of not more than [~~one (1) year~~]
9 two (2) years, or both, in the discretion of the court.

10 Section 1815. Offenses by Printers of Ballots.--Any printer
11 employed by any county board of elections to print any official
12 ballots, or any person engaged in printing the same who shall
13 appropriate to himself or give or deliver or knowingly permit to
14 be taken any of said ballots by any other person than such
15 county board of election or their duly authorized agent, or who
16 shall wilfully print or cause to be printed any official ballot
17 in any form other than that prescribed by such county board or
18 with any other names or printing, or with the names spelled
19 otherwise than as directed by them or the names or printing
20 thereon arranged in any other way than that authorized and
21 directed by this act, shall be guilty of a misdemeanor, and,
22 upon conviction thereof, shall be sentenced to pay a fine not
23 exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000) dollars,
24 or to undergo an imprisonment of not less than [~~six (6) months~~]
25 one (1) year nor more than [~~five (5)~~] ten (10) years, or both,
26 in the discretion of the court.

27 Section 1816. Unlawful Possession of Ballots; Counterfeiting
28 Ballots.--Any person other than an officer charged by law with
29 the care of ballots, or a person entrusted by any such officer
30 with the care of the same for a purpose required by law, who

1 shall have in his possession outside the polling place any
2 official ballot, or any person who shall make or have in his
3 possession any counterfeit of an official ballot, shall be
4 guilty of a misdemeanor of the second degree, and, upon
5 conviction thereof, shall be sentenced to pay a fine not
6 exceeding [~~five thousand (\$5,000)~~] ten thousand (\$10,000)
7 dollars, or to undergo an imprisonment of not more than [~~two~~
8 (2)] four (4) years, or both, in the discretion of the court.

9 Section 1817. Forging and Destroying Ballots.--Any person
10 who shall forge or falsely make the official endorsement on any
11 ballot or wilfully destroy or deface any ballot or wilfully
12 delay the delivery of any ballots shall be guilty of a
13 misdemeanor of the second degree, and, upon conviction thereof,
14 shall be sentenced to pay a fine not exceeding [~~five thousand~~
15 (~~\$5,000~~)] ten thousand (\$10,000) dollars, or to undergo an
16 imprisonment of not more than [~~two (2)~~] four (4) years, or both,
17 in the discretion of the court.

18 Section 1818. Tampering with Voting Machines.--Any election
19 officer or other person who shall unlawfully open or who shall
20 tamper with or injure or attempt to injure any voting machine to
21 be used or being used at any primary or election, or who shall
22 prevent or attempt to prevent the correct operation of such
23 machine, or any unauthorized person who shall make or have in
24 his possession a key to a voting machine to be used or being
25 used in any primary or election, shall be guilty of a
26 misdemeanor of the second degree, and, upon conviction thereof,
27 shall be sentenced to pay a fine not exceeding [~~five thousand~~
28 (~~\$5,000~~)] ten thousand (\$10,000) dollars, or to undergo an
29 imprisonment of not more than [~~two (2)~~] four (4) years, or both,
30 in the discretion of the court.

1 Section 1819. Destroying, Defacing or Removing Notices, Et
2 Cetera.--Any person who shall, prior to any primary or election,
3 wilfully deface, remove or destroy any notice or list of
4 candidates posted in accordance with the provisions of this act,
5 or who, during any primary or election, shall wilfully deface,
6 tear down, remove or destroy any card of instructions, notice of
7 penalties, specimen ballot or diagram printed or posted for the
8 instruction of electors, or who shall, during any primary or
9 election, wilfully remove or destroy any of the supplies or
10 conveniences furnished by the county board of elections to any
11 polling place in order to enable electors to vote, or the
12 election officers to perform their duties, or who shall wilfully
13 hinder the voting of others, shall be guilty of a misdemeanor,
14 and, upon conviction thereof, shall be sentenced to pay a fine
15 not exceeding [~~one hundred (\$100)~~] two hundred (\$200) dollars,
16 or to undergo an imprisonment of not more than [~~three (3)~~] six
17 (6) months, or both, in the discretion of the court.

18 Section 1820. Police Officers at Polling Places.--Any police
19 officer in commission, whether in uniform or in citizen's
20 clothes, who shall be within one hundred (100) feet of a polling
21 place during the conduct of any primary or election, except in
22 the exercise of his privilege of voting or for the purpose of
23 serving warrants, or in accordance with the provisions of the
24 exception set forth in section 1207 of this act where the police
25 station or headquarters is located in the same building or on
26 the premises where the polling place is located or unless called
27 upon to preserve the peace, as provided by this act, shall be
28 guilty of a misdemeanor, and, upon conviction thereof, shall be
29 sentenced to pay a fine not exceeding [~~five hundred (\$500)~~] one
30 thousand (\$1,000) dollars, or to undergo an imprisonment of not

1 more than [one (1) year] two (2) years, or both, in the
2 discretion of the court.

3 Section 1821. Peace Officer; Failure to Quell Disturbances
4 at Polls; Hindering or Delaying Election Officers and Others.--
5 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
6 deputy constable, police officer or other peace officer who
7 shall neglect or refuse to clear an avenue to the door of any
8 polling place which is obstructed in such a way as to prevent
9 electors from approaching, or who shall neglect or refuse to
10 maintain order and quell any disturbance if such arises at any
11 polling place upon the day of any primary or election, when
12 called upon so to do by any election officer or any three
13 qualified electors of the election district, or who shall
14 wilfully hinder or delay, or attempt to hinder or delay, any
15 judge, inspector or clerk of election, machine inspector or
16 overseer in the performance of any duty under this act, shall be
17 guilty of a misdemeanor in office, and, upon conviction thereof,
18 shall be sentenced to pay a fine not exceeding [one thousand
19 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
20 imprisonment of not more than [one (1) year] two (2) years, or
21 both, in the discretion of the court.

22 Section 1823. Election Officers Permitting Unregistered
23 Electors to Vote; Challenges; Refusing to Permit Qualified
24 Electors to Vote.--Any judge or inspector of election who
25 permits any person to vote at any primary or election who is not
26 registered in accordance with law, except a person in actual
27 military service or a person as to whom a court of competent
28 jurisdiction has ordered that he shall be permitted to vote, or
29 who permits any registered elector to vote knowing that such
30 registered elector is not qualified to vote, whether or not such

1 person has been challenged, or who permits any person who has
2 been lawfully challenged to vote at any primary or election
3 without requiring the proof of the right of such person to vote
4 which is required by law, or who refuses to permit any duly
5 registered and qualified elector to vote at any primary or
6 election, with the knowledge that such elector is entitled to
7 vote, shall be guilty of a felony of the third degree, and, upon
8 conviction thereof, shall be sentenced to pay a fine not
9 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
10 dollars, and to undergo an imprisonment of not more than [seven
11 (7)] fourteen (14) years, or both.

12 Section 1824. Election Officers Refusing to Permit Elector
13 to Vote in Proper Party at Primaries.--Any judge, inspector or
14 clerk of election who refuses to permit an elector at any
15 primary at which ballots are used to receive the ballot of the
16 party with which he is enrolled, or who gives to any such
17 elector the ballot of any party in which he is not enrolled, or
18 any judge, or inspector of election, or machine inspector who,
19 at any primary at which voting machines are used, adjusts any
20 voting machine about to be used by an elector so as not to
21 permit him to vote for the candidates of the party in which he
22 is enrolled, or so as to permit him to vote for the candidates
23 of any party in which he is not enrolled, shall be guilty of a
24 misdemeanor of the first degree, and, upon conviction thereof,
25 shall be sentenced to pay a fine not exceeding [ten thousand
26 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
27 imprisonment of not more than [five (5)] ten (10) years, or
28 both, in the discretion of the court.

29 Section 1825. Frauds by Election Officers.--Any judge,
30 inspector or clerk of election or machine inspector who shall be

1 guilty of any wilful fraud in the conduct of his duties at a
2 primary or election, and any person who shall make a false
3 return of the votes cast at any primary or election, or who
4 shall deposit fraudulent ballots in the ballot box or certify as
5 correct a return of ballots in the ballot box which he knows to
6 be fraudulent, or who shall register fraudulent votes upon any
7 voting machine or certify as correct a return of votes cast upon
8 any voting machine which he knows to be fraudulently registered
9 thereon, or who shall make any false entries in the district
10 register, or who shall fail to insert in the voting check list
11 the voter's certificate of any elector actually voting at any
12 primary or election, or who shall fail to record voting
13 information as required herein, or who shall fail to insert in
14 the numbered lists of voters the name of any person actually
15 voting, or who shall wilfully destroy or alter any ballot,
16 voter's certificate, or registration card contained in any
17 district register, or who shall wilfully tamper with any voting
18 machine, or who shall prepare or insert in the voting check list
19 any false voter's certificates not prepared by or for an elector
20 actually voting at such primary or election, for the purpose of
21 concealing the destruction or removal of any voter's
22 certificate, or for the purpose of concealing the deposit of
23 fraudulent ballots in the ballot box, or the registering of
24 fraudulent votes upon any voting machine or of aiding in the
25 perpetration of any such fraud, or who shall fail to return to
26 the county board of election following any primary or election
27 any keys of a voting machine, ballot box, general or duplicate
28 return sheet, tally paper, oaths of election officers,
29 affidavits of electors and others, record of assisted voters,
30 numbered list of voters, district register, voting check list,

1 unused, spoiled and cancelled ballots, ballots deposited,
2 written or affixed in or upon a voting machine, or any
3 certificate, or any other paper or record required to be
4 returned under the provisions of this act; or who shall conspire
5 with others to commit any of the offenses herein mentioned, or
6 in any manner to prevent a free and fair primary or election,
7 shall be guilty of a felony of the third degree, and, upon
8 conviction thereof, shall be sentenced to pay a fine not
9 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
10 dollars, or to undergo an imprisonment of not more than [seven
11 (7)] fourteen (14) years, or both, in the discretion of the
12 court.

13 Section 1826. Prying into Ballots.--Any judge, inspector or
14 clerk of election, or other person, who, before any ballot is
15 deposited in the ballot box as provided by this act, shall
16 unfold, open or pry into any such ballot, with the intent to
17 discover the manner in which the same has been marked, shall be
18 guilty of a misdemeanor, and upon conviction thereof, shall be
19 sentenced to pay a fine not exceeding [five hundred (\$500)] one
20 thousand (\$1,000) dollars, or to undergo an imprisonment of not
21 more than [one (1) year] two (2) years, or both, in the
22 discretion of the court.

23 Section 1827. Interference with Primaries and Elections;
24 Frauds; Conspiracy.--If any person shall prevent or attempt to
25 prevent any election officers from holding any primary or
26 election, under the provisions of this act, or shall use or
27 threaten any violence to any such officer; or shall interrupt or
28 improperly interfere with him in the execution of his duty; or
29 shall block up or attempt to block up the avenue to the door of
30 any polling place; or shall use or practice any intimidation,

1 threats, force or violence with design to influence unduly or
2 overawe any elector, or to prevent him from voting or restrain
3 his freedom of choice; or shall prepare or present to any
4 election officer a fraudulent voter's certificate not signed in
5 the polling place by the elector whose certificate it purports
6 to be; or shall deposit fraudulent ballots in the ballot box; or
7 shall register fraudulent votes upon any voting machine; or
8 shall tamper with any district register, voting check list,
9 numbered lists of voters, ballot box or voting machine; or shall
10 conspire with others to commit any of the offenses herein
11 mentioned, or in any manner to prevent a free and fair primary
12 or election, he shall be guilty of a felony of the third degree,
13 and, upon conviction thereof, shall be sentenced to pay a fine
14 not exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand
15 (\$30,000) dollars, or to undergo an imprisonment of not more
16 than [~~seven (7)]~~ fourteen (14) years, or both, in the discretion
17 of the court.

18 Section 1828. Persons Interfering in Other Districts.--Any
19 person who shall on the day of any primary or election visit any
20 polling place at which he is not entitled to vote and at which
21 he is not entitled to be present under any provision of this
22 act, and shall use any intimidation or violence for the purpose
23 of preventing any election officer from performing the duties
24 required of him by this act, or for the purpose of preventing
25 any qualified elector from exercising his right to vote or from
26 exercising his right to challenge any person offering to vote,
27 or for the purpose of influencing the vote of any elector, he
28 shall be guilty of a felony of the third degree, and, upon
29 conviction thereof, shall be sentenced to pay a fine not
30 exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand (\$30,000)

1 dollars, or to undergo an imprisonment of not more than [seven
2 (7)] fourteen (14) years, or both, in the discretion of the
3 court.

4 Section 1829. Assault and Battery at Polls.--Any person who
5 shall unlawfully strike, wound or commit an assault and battery
6 upon the person of any elector at or near the polling place
7 during the time of any primary or election shall be guilty of a
8 misdemeanor of the first degree, and, upon conviction thereof,
9 shall be sentenced to pay a fine not exceeding [ten thousand
10 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
11 imprisonment of not more than [five (5)] ten (10) years, or
12 both, in the discretion of the court.

13 Section 1830. Unlawful Assistance in Voting.--Any elector at
14 any primary or election who shall allow his ballot or the face
15 of the voting machine voted by him to be seen by any person with
16 the apparent intention of letting it be known how he is about to
17 vote; or in districts in which ballots are used, shall cast or
18 attempt to cast any other than the official ballot which has
19 been given to him by the proper election officer; or who,
20 without having made the declaration under oath or affirmation
21 required by section 1218 of this act, or when the disability
22 which he declared before any registration commission no longer
23 exists, shall permit another to accompany him into the voting
24 compartment or voting machine booth, or to mark his ballot or
25 prepare the voting machine for voting by him; or who shall mark
26 his ballot or prepare the voting machine for voting while
27 another is unlawfully present in the voting machine compartment
28 or voting machine booth with him; or who shall state falsely to
29 any election officer that because of illiteracy he is unable to
30 read the names on the ballot or ballot labels or that by reason

1 of physical disability he cannot see or mark the ballot or enter
2 the voting compartment without assistance or that he cannot see
3 or operate the voting machine or enter the voting machine booth
4 without assistance; or who shall state, as his reason for
5 requiring assistance, a disability from which he does not
6 suffer; or any person who shall go into the voting compartment
7 or voting machine booth with another while voting or be present
8 therein while another is voting, or mark the ballot of another
9 or prepare the voting machine for voting with another, except in
10 strict accordance with the provisions of this act; or any person
11 who shall interfere with any elector when inside the enclosed
12 space or when marking his ballot, or preparing the voting
13 machine for voting, or who shall endeavor to induce any elector
14 before depositing his ballot to show how he marks or has marked
15 his ballot; or any person giving assistance who shall attempt to
16 influence the vote of the elector whom he is assisting or who
17 shall mark a ballot or prepare a voting machine for voting in
18 any other way than that requested by the voter whom he is
19 assisting, or who shall disclose to anyone the contents of any
20 ballot which has been marked or any voting machine which has
21 been prepared for voting with his assistance, except when
22 required to do so in any legal proceeding, shall be guilty of a
23 misdemeanor, and, upon conviction thereof, shall be sentenced to
24 pay a fine not exceeding [one thousand (\$1,000)] two thousand
25 (\$2,000) dollars, or to undergo an imprisonment of not more than
26 [one (1) year] two (2) years, or both, in the discretion of the
27 court.

28 Section 1831. Election Officers Permitting Unlawful
29 Assistance.--Any election officer who shall permit a voter to be
30 accompanied by another into the voting compartment or voting

1 machine booth when the registration card of such person contains
2 no declaration that such person requires assistance, or when
3 such person has not made, under oath or affirmation, the
4 statement required by section 1218 of this act, or when such
5 election officer knows that the disability which the elector
6 declared before any registration commission no longer exists, or
7 who shall permit any person to accompany an elector into the
8 voting compartment or voting machine booth, except as provided
9 by this act, shall be guilty of a misdemeanor, and, upon
10 conviction thereof, shall be sentenced to pay a fine not
11 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
12 or to undergo an imprisonment of not more than [one (1) year]
13 two (2) years, or both, in the discretion of the court.

14 Section 1832. Failure to Keep and Return Record of Assisted
15 Voters.--Any judge of election who shall fail to record, as
16 required by section 1218 (c) of this act, the name of each
17 elector who received assistance or who is accompanied by another
18 into the voting compartment or voting machine booth; or who
19 shall insert in the record of assisted voters the name of any
20 elector who does not receive assistance or is not accompanied by
21 another into the voting compartment or voting machine booth; or
22 who shall fail to record the exact disability of any assisted
23 elector which makes the assistance necessary, or shall record in
24 respect of any assisted elector a disability, other than that
25 stated by the elector; or who shall fail to record the name of
26 each person rendering assistance to an elector as prescribed by
27 this act; or who shall knowingly record as the name of such
28 person giving assistance a name which is not the name of such
29 person; or who shall fail or neglect to return the record of
30 assisted voters to the county board of elections as required by

1 this act, shall be guilty of a misdemeanor, and, upon conviction
2 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
3 ~~thousand (\$1,000)~~] two thousand (\$2,000) dollars, or to undergo
4 an imprisonment of not less than [~~two (2)~~] four (4) months nor
5 more than [~~two (2)~~] four (4) years, or both, in the discretion
6 of the court.

7 Section 1833. Unlawful Voting.--Any person who votes or
8 attempts to vote at any primary or election, knowing that he
9 does not possess all the qualifications of an elector at such
10 primary or election, as set forth in this act, shall be guilty
11 of a misdemeanor of the first degree, and, upon conviction
12 thereof, shall be sentenced to pay a fine not exceeding [~~ten~~
13 ~~thousand (\$10,000)~~] twenty thousand (\$20,000) dollars, or to
14 undergo an imprisonment of not more than [~~five (5)~~] ten (10)
15 years, or both, in the discretion of the court.

16 Section 1834. Elector Voting Ballot of Wrong Party at
17 Primary.--Any elector who shall wilfully vote at any primary the
18 ballot of a party in which he is not enrolled, in violation of
19 the provisions of this act, shall be guilty of a misdemeanor of
20 the second degree, and, upon conviction thereof, shall be
21 sentenced to pay a fine not exceeding [~~five thousand (\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo an imprisonment of
22 not more than [~~two (2)~~] four (4) years, or both, in the
23 discretion of the court.

24 Section 1835. Repeat Voting at Elections.--If any person
25 shall vote in more than one election district, or otherwise
26 fraudulently vote more than once at the same primary or
27 election, or shall vote a ballot other than the ballot issued to
28 him by the election officers, or shall advise or procure another
29 so to do, he shall be guilty of a felony of the third degree,
30

1 and, upon conviction thereof, shall be sentenced to pay a fine
2 not exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand
3 (\$30,000) dollars, or to undergo an imprisonment of not more
4 than [~~seven (7)~~] fourteen (14) years, or both, in the discretion
5 of the court.

6 Section 1836. Removing Ballots.--Any person removing any
7 ballot from any book of official ballots, except in the manner
8 provided by this act, shall be guilty of a misdemeanor of the
9 second degree, and, upon conviction thereof, shall be sentenced
10 to pay a fine not exceeding [~~five thousand (\$5,000)~~] ten
11 thousand (\$10,000) dollars, or to undergo an imprisonment of not
12 more than [~~two (2)~~] four (4) years, or both, in the discretion
13 of the court.

14 Section 1837. Commissioners to Take Soldiers' Votes.--Any
15 commissioner appointed by or under the provisions of Article
16 XIII of this act who shall knowingly violate his duty or
17 knowingly omit or fail to do his duty thereunder or violate any
18 part of his oath, shall be guilty of perjury, and, upon
19 conviction thereof, shall be sentenced to pay a fine not
20 exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000) dollars,
21 or to undergo an imprisonment of not more than [~~one (1) year~~]
22 two (2) years, or both, in the discretion of the court.

23 Section 1838. Fraudulent Voting by Soldiers.--Any person who
24 shall vote or attempt to vote at any election by electors in
25 military service under the provisions of Article XIII of this
26 act, not being qualified to vote at such election, shall be
27 guilty of a misdemeanor, and, upon conviction thereof, shall be
28 sentenced to pay a fine not exceeding [~~one thousand (\$1,000)~~]
29 two thousand (\$2,000) dollars, or to undergo an imprisonment of
30 not more than [~~one (1) year~~] two (2) years, or both, in the

1 discretion of the court.

2 Section 1839. Bribery at Elections.--Any person who shall,
3 directly or indirectly, give or promise or offer to give any
4 gift or reward in money, goods or other valuable thing to any
5 person, with intent to induce him to vote or refrain from voting
6 for any particular candidate or candidates or for or against any
7 constitutional amendment or other question at any primary or
8 election; or who shall, directly or indirectly, procure for or
9 offer or promise to procure for such person any such gift or
10 reward with the intent aforesaid; or, who with the intent to
11 influence or intimidate such person to give his vote or to
12 refrain from giving his vote for any particular candidate or
13 candidates or for or against any constitutional amendment or
14 other question at any primary or election, shall give to or
15 obtain for or assist in obtaining for or offer or promise to
16 give to or obtain for or assist in obtaining for such person any
17 office, place, appointment or employment, public or private, or
18 threaten such person with dismissal or discharge from any
19 office, place, appointment or employment, public or private,
20 then held by him, shall be guilty of a felony of the third
21 degree, and, upon conviction thereof, shall be sentenced to pay
22 a fine not exceeding [~~fifteen thousand (\$15,000)] thirty
23 thousand (\$30,000) dollars, or to undergo an imprisonment of not
24 more than [~~seven (7)] fourteen (14) years, or both, in the
25 discretion of the court.~~~~

26 Section 1840. Receipts and Disbursements of Primary and
27 Election Expenses by Persons Other Than Candidates and
28 Treasurers.--Any member of a political committee who shall
29 receive or disburse any money or incur any liability for primary
30 or election expenses, except through the treasurer of such

1 political committee, and any person not a candidate or member of
2 a political committee who shall receive or disburse any money or
3 incur any liability for primary or election expenses, shall be
4 guilty of a misdemeanor, and, upon conviction thereof, shall be
5 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
6 two thousand (\$2,000) dollars, or to undergo an imprisonment of
7 not less than [one (1) month] two (2) months nor more than [two
8 (2)] four (4) years, or both, in the discretion of the court.

9 Section 1841. Receipts of Primary and Election Expenses by
10 Unauthorized Persons.--Any person or any political committee who
11 receives money on behalf of any candidate without being
12 authorized to do so under the provisions of section 1623, shall
13 be guilty of a misdemeanor, and, upon conviction thereof, shall
14 be sentenced to pay a fine not exceeding [five thousand dollars
15 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
16 imprisonment of not less than [one (1) month] two (2) months nor
17 more than [two (2)] four (4) years, or both, in the discretion
18 of the court.

19 Section 1843. Contributions by Corporations or
20 Unincorporated Associations.--Any corporation or unincorporated
21 association, which shall pay, give or lend or agree to pay, give
22 or lend any money belonging to such corporation or
23 unincorporated association or in its custody or control, in
24 violation of the provisions of section 1633, shall be guilty of
25 a misdemeanor, and, upon conviction thereof, shall be sentenced
26 to pay a fine of not less than [one thousand dollars (\$1,000)]
27 two thousand dollars (\$2,000) nor more than [ten thousand
28 dollars (\$10,000)] twenty thousand dollars (\$20,000). Any
29 director, officer, agent or employe of any corporation or
30 unincorporated association who shall on behalf of such

1 corporation or unincorporated association pay, give or lend or
2 authorize to be paid, given or lent any money belonging to such
3 corporation or unincorporated association or in its custody or
4 control in violation of the provisions of section 1633, shall be
5 guilty of a misdemeanor, and, upon conviction thereof, shall be
6 sentenced to pay a fine not exceeding [~~ten thousand dollars~~
7 ~~(\$10,000)~~] twenty thousand dollars (\$20,000), or to undergo an
8 imprisonment of not less than [~~one (1) month~~] two (2) months nor
9 more than [~~two (2)~~] four (4) years, or both, in the discretion
10 of the court.

11 Section 1845. Failure to File Expense Account.--Any
12 candidate or treasurer of a political committee or person acting
13 as such treasurer who shall fail to file an account of primary
14 or election expenses, as required by this act, shall be guilty
15 of a misdemeanor, and, upon conviction thereof, shall be
16 sentenced to pay a fine not exceeding [~~five thousand dollars~~
17 ~~(\$5,000)~~] ten thousand dollars (\$10,000), or to undergo an
18 imprisonment of not less than [~~one (1) month~~] two (2) months nor
19 more than [~~two (2)~~] four (4) years, or both, in the discretion
20 of the court.

21 Section 1847. Prohibiting Duress and Intimidation of Voters
22 and Interference with the Free Exercise of the Elective
23 Franchise.--Any person or corporation who, directly or
24 indirectly--(a) uses or threatens to use any force, violence or
25 restraint, or inflicts or threatens to inflict any injury,
26 damage, harm or loss, or in any other manner practices
27 intimidation or coercion upon or against any person, in order to
28 induce or compel such person to vote or refrain from voting at
29 any election, or to vote or refrain from voting for or against
30 any particular person, or for or against any question submitted

1 to voters at such election, or to place or cause to be placed or
2 refrain from placing or causing to be placed his name upon a
3 register of voters, or on account of such person having voted or
4 refrained from voting at such election, or having voted or
5 refrained from voting for or against any particular person or
6 persons or for or against any question submitted to voters at
7 such election, or having registered or refrained from
8 registering as a voter; or (b) by abduction, duress or coercion,
9 or any forcible or fraudulent device or contrivance, whatever,
10 impedes, prevents, or otherwise interferes with the free
11 exercise of the elective franchise by any voter, or compels,
12 induces, or prevails upon any voter to give or refrain from
13 giving his vote for or against any particular person at any
14 election; or (c) being an employer, pays his employes the salary
15 or wages due in "pay envelopes" upon which or in which there is
16 written or printed any political motto, device, statement or
17 argument containing threats, express or implied, intended or
18 calculated to influence the political opinions or actions of
19 such employes, or within ninety days of any election or primary
20 puts or otherwise exhibits in the establishment or place where
21 his employes are engaged in labor, any handbill or placard
22 containing any threat, notice, or information that if any
23 particular ticket or candidate is elected or defeated work in
24 his place or establishment will cease, in whole or in part, his
25 establishment be closed up, or the wages of his employes
26 reduced, or other threats, express or implied, intended or
27 calculated to influence the political opinions or actions of his
28 employes, shall be guilty of a misdemeanor of the second degree.
29 Any person or corporation, convicted of a violation of any of
30 the provisions of this section, shall be sentenced to pay a fine

1 not exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
2 dollars, or such person or the officers, directors or agents of
3 such corporation responsible for the violation of this section,
4 shall be sentenced to undergo an imprisonment of not more than
5 [two (2)] four (4) years, or both, in the discretion of the
6 court.

7 Section 1848. Failure to Perform Duty.--Any Secretary of the
8 Commonwealth, member of a county board of elections, chief
9 clerk, employe, overseer, judge of election, inspector of
10 election, clerk of election, machine inspector or custodian or
11 deputy custodian of voting machines on whom a duty is laid by
12 this act who shall wilfully neglect or refuse to perform his
13 duty, shall be guilty of a misdemeanor, and, upon conviction
14 thereof, shall be sentenced to pay a fine not exceeding [one
15 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
16 an imprisonment of not more than [two (2)] four (4) years, or
17 both, in the discretion of the court.

18 Section 1849. Hindering or Delaying Performance of Duty.--
19 Any person who intentionally interferes with, hinders or delays
20 or attempts to interfere with, hinder or delay any other person
21 in the performance of any act or duty authorized or imposed by
22 this act, shall be guilty of a misdemeanor, and, upon conviction
23 thereof, shall be sentenced to pay a fine not exceeding [five
24 hundred (\$500)] one thousand (\$1,000) dollars, or to undergo an
25 imprisonment of not more than [one (1) year] two (2) years, or
26 both, in the discretion of the court.

27 Section 1850. Violation of Any Provision of Act.--Any person
28 who shall violate any of the provisions of this act, for which a
29 penalty is not herein specifically provided, shall be guilty of
30 a misdemeanor, and, upon conviction thereof, shall be sentenced

1 to pay a fine not exceeding [one thousand (\$1,000)] two thousand
2 (\$2,000) dollars, or to undergo an imprisonment of not more than
3 [one (1) year] two (2) years, or both, in the discretion of the
4 court.

5 Section 27. Section 1853 of the act, amended March 27, 2020
6 (P.L.41, No.12), is amended to read:

7 Section 1853. Violations of Provisions Relating to Absentee
8 and Mail-in Ballots.--If any person shall sign an application
9 for absentee ballot, mail-in ballot or declaration of elector on
10 the forms prescribed knowing any matter declared therein to be
11 false, or shall vote any ballot other than one properly issued
12 to the person, or vote or attempt to vote more than once in any
13 election for which an absentee ballot or mail-in ballot shall
14 have been issued to the person, or shall disclose results of a
15 pre-canvassing meeting under section 1308(g)(1.1), or shall
16 violate any other provisions of Article XIII or Article XIII-D
17 of this act, the person shall be guilty of a misdemeanor of the
18 third degree, and, upon conviction, shall be sentenced to pay a
19 fine not exceeding [two thousand five hundred dollars (\$2,500)]
20 five thousand dollars (\$5,000), or be imprisoned for a term not
21 exceeding [two (2)] four (4) years, or both, at the discretion
22 of the court.

23 If any chief clerk or member of a board of elections, member
24 of a return board or member of a board of registration
25 commissioners, shall neglect or refuse to perform any of the
26 duties prescribed by Article XIII or Article XIII-D of this act,
27 or shall reveal or divulge any of the details of any ballot cast
28 in accordance with the provisions of Article XIII or Article
29 XIII-D of this act, or shall disclose results of a pre-
30 canvassing meeting under section 1308(g)(1.1), or shall count an

1 absentee ballot or mail-in ballot knowing the same to be
2 contrary to Article XIII or Article XIII-D, or shall reject an
3 absentee ballot or mail-in ballot without reason to believe that
4 the same is contrary to Article XIII or Article XIII-D, or shall
5 permit an elector to cast the elector's ballot other than a
6 provisional ballot at a polling place knowing that there has
7 been issued to the elector an absentee ballot or mail-in ballot,
8 the [elector] individual shall be guilty of a felony of the
9 third degree, and, upon conviction, shall be punished by a fine
10 not exceeding [fifteen thousand dollars (\$15,000)] thirty
11 thousand dollars (\$30,000), or be imprisoned for a term not
12 exceeding [seven (7)] fourteen (14) years, or both, at the
13 discretion of the court.

14 Section 28. The act is amended by adding sections to read:

15 Section 1855. Unlawful Collection of Ballots.--A person who
16 willfully collects or returns absentee or mail-in ballots in
17 violation of this act commits a felony of the third degree and,
18 upon conviction, shall be punished by a fine not exceeding
19 thirty thousand dollars (\$30,000), or be imprisoned for a term
20 not exceeding fourteen (14) years, or both, at the discretion of
21 the court.

22 Section 1856. Prohibiting Duress and Intimidation of
23 Elections Officials.--Any person who directly or indirectly uses
24 or threatens to use any force, violence or restraint, or
25 inflicts or threatens to inflict any injury, damage, harm or
26 loss, or in any other manner practices intimidation or coercion
27 upon or against any election official, administrator, judge of
28 elections or poll worker in the course of their duties in
29 administering an election shall be guilty of a misdemeanor of
30 the second degree. Any person convicted of a violation of this

1 section shall be fined ten thousand (\$10,000) dollars, sentenced
2 to undergo an imprisonment of not more than four (4) years, or
3 both, in the discretion of the court.

4 Section 29. The act is amended by adding an article to read:

5 ARTICLE XX

6 REIMBURSEMENTS AND WITHHOLDING

7 Section 2001. General Rule.

8 The following shall apply:

9 (1) The State Treasurer shall reimburse counties for 50%
10 of the cost of replacing voting machines, ballot processing
11 machines or electronic poll books, not more than once every
12 10 years, except that:

13 (i) The State Treasurer shall reimburse counties for
14 50% of the cost of replacing equipment at any time if the
15 equipment previously used by the county was decertified
16 by the department.

17 (ii) The State Treasurer shall reimburse counties
18 for 100% of the cost of purchasing ballot processing
19 machines or electronic poll books within one year after
20 the effective date of this section.

21 (2) The State Treasurer shall reimburse counties for
22 100% of the cost of issuing registration cards required under
23 section 302(s), within one year of the effective date of this
24 section.

25 Section 2002. Withholding.

26 The State Treasurer shall withhold all reimbursements and
27 election funding provided for under this act from any county
28 which is in violation of this act or for which an audit or
29 recount has identified violations or irregularities in voting,
30 until the issue has been successfully resolved, as certified by

1 the Auditor General.

2 Section 29.1. The sum of \$3,100,000 is hereby appropriated
3 to the Auditor General for the purpose of establishing and
4 operating a Bureau of Election Audits.

5 Section 30. The provisions of this act are nonseverable. If
6 any provision of this act or its application to any person or
7 circumstance is held invalid, the remaining provisions or
8 applications of this act are void.

9 Section 31. This act shall apply to elections held on or
10 after the effective date of this section.

11 Section 32. Repeals are as follows:

12 (1) The General Assembly declares that the repeal under
13 paragraph (2) is necessary to effectuate the addition of
14 Article VII-A of the act.

15 (2) 25 Pa.C.S. Ch. 13 is repealed.

16 Section 33. This act shall take effect immediately.