

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2059 Session of 2024

INTRODUCED BY FLOOD, MAKO, EMRICK, BANTA, GROVE, MOUL, SMITH AND GILLEN, FEBRUARY 23, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 23, 2024

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in Election Integrity Grant Program, further
12 providing for funding for elections and for county report.

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

15 Section 1. Section 1602-A(f) and (j) of the act of June 3,
16 1937 (P.L.1333, No.320), known as the Pennsylvania Election
17 Code, are amended by adding paragraphs and the section is
18 amended by adding a subsection to read:

19 Section 1602-A. Funding for elections.

20 * * *

21 (f) Eligible uses.--A county shall use grant money awarded
22 under this section for any of the following purposes:

23 * * *

1 (10) Other costs necessary to avoid the recurrence of a
2 technical issue or administrative deficiency under an
3 approved remedial plan under subsection (i.1) (5).

4 * * *

5 (i.1) Remedial plans.--

6 (1) If the Secretary of the Commonwealth identifies a
7 technical issue or administrative deficiency with the
8 administration of an election, the Secretary of the
9 Commonwealth shall notify the county board of elections of
10 the issue or deficiency.

11 (2) No later than 30 days after a notification under
12 paragraph (1) or (4) (ii), a county board of elections shall
13 adopt a remedial plan or revise a remedial plan to address
14 the issue or deficiency and submit the remedial plan or
15 revised remedial plan to the Secretary of the Commonwealth
16 for review.

17 (3) No later than 15 days after receipt of a remedial
18 plan or revised remedial plan under paragraph (2), the
19 Secretary of the Commonwealth shall determine whether the
20 remedial plan is sufficient or insufficient to prevent a
21 recurrence of the issue or deficiency in subsequent
22 elections.

23 (4) (i) If the Secretary of the Commonwealth makes a
24 determination under paragraph (3) that the remedial plan or
25 revised remedial plan is sufficient to prevent a recurrence
26 of the issue or deficiency in subsequent elections, the
27 county board of elections may apply for an election grant
28 under this section for the next available application period
29 under subsection (d).

30 (ii) If the Secretary of the Commonwealth makes a

1 determination under paragraph (3) that the remedial plan
2 is insufficient to prevent a recurrence of the issue or
3 deficiency in subsequent elections, the Secretary of the
4 Commonwealth shall notify that county board of elections
5 of the insufficiency and the reasons for the
6 determination.

7 (5) Upon a determination under paragraph (4)(i), the
8 Secretary of the Commonwealth shall include in the grant
9 agreement under subsection (j) a requirement that the next
10 grant received by the county be used to prevent a recurrence
11 of the issue or deficiency. The grant agreement shall include
12 required expenditures as being necessary to implement the
13 remedial plan.

14 (j) Grant agreement.--The grant agreement between the
15 department and the county under this section shall include the
16 following requirements for counties:

17 * * *

18 (6) To implement an approved remedial plan under
19 subsection (i.1).

20 Section 2. Section 1603-A(a) of the act is amended by adding
21 a paragraph to read:

22 Section 1603-A. County report.

23 (a) Report.--No later than 75 days after the effective date
24 of this section, each county board of elections shall conduct an
25 internal review of practices and certify to the Department of
26 State that the county is in compliance with each of the
27 following:

28 * * *

29 (7) A review of all actions taken to comply with an
30 approved remedial plan under subsection (i.1).

1 * * *

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