

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 31 Session of 2021

INTRODUCED BY DAY, ARMANINI, COX, DOWLING, FRITZ, GILLEN, HAMM, KAUFFMAN, KERWIN, MILLARD, PENNYCUICK, ROWE AND RYAN, JUNE 3, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 3, 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," in voting by qualified mail-in electors,
 12 providing for drop boxes and drop-off locations.

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

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

18 Section 1309-D. Drop boxes and drop-off locations.

19 (a) Location and monitoring.--The following apply to a
 20 designated drop box and a drop-off location that is authorized
 21 to accept ballots for an election:

22 (1) The drop box may only be located in a staffed area

1 of a building operated by the Commonwealth or a municipality.
2 The drop box may not be located on any property owned or
3 operated by a school district.

4 (2) A county board, in coordination with the Department
5 of State, shall contract to have a video monitoring system
6 installed to surveil each drop box and drop-off location
7 during those times that ballots may be received.

8 (b) Receipt of ballots.--A designated drop box or drop-off
9 location that is authorized to accept ballots for an election
10 shall:

11 (1) Accept only one ballot at a time.

12 (2) Affix a date, time and location stamp to the mailing
13 envelope of each ballot.

14 (3) Scan and record any bar code required by law or
15 other similar measure designed to electronically distinguish
16 a qualified elector's ballot security envelope.

17 (c) Oversight.--A county board shall permit oversight of the
18 collection and transportation of the ballots received at each
19 designated drop box or drop-off location from representatives of
20 the three political parties with the highest number of
21 registered electors in the county.

22 (d) Penalties.--In addition to the penalties prescribed in
23 this act and in 25 Pa.C.S. (relating to elections), a person
24 that willfully tampers with a drop box or video monitoring
25 system for the purpose of impeding, preventing or otherwise
26 interfering with the collection or recording of ballots shall
27 also be subject to penalties under 18 U.S.C. Ch. 63 (relating to
28 mail fraud and other fraud offenses).

29 (e) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "Municipality." A county, city, borough, incorporated town
3 or township.

4 Section 2. This act shall apply to elections occurring more
5 than 90 days after the effective date of this section.

6 Section 3. This act shall take effect immediately.