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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 422 Session of  
2019

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INTRODUCED BY VOGEL, FOLMER, COSTA, BAKER, YAW, K. WARD AND  
BROWNE, MARCH 12, 2019

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REFERRED TO STATE GOVERNMENT, MARCH 12, 2019

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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," providing for Pennsylvania Election Law Advisory  
12 Board.

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 an  
17 article to read:

18 ARTICLE XIII-D

19 Pennsylvania Election Law Advisory Board

20 Section 1301-D. Definitions.

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

1 "Board." The Pennsylvania Election Law Advisory Board  
2 established under section 1302-D(a).

3 "Department." The Department of State of the Commonwealth.  
4 Section 1302-D. Pennsylvania Election Law Advisory Board.

5 (a) Establishment.--The Pennsylvania Election Law Advisory  
6 Board is established within the department.

7 (b) Members.--The board shall be comprised of the following  
8 members:

9 (1) The Secretary of State or a designee.

10 (2) The President pro tempore of the Senate or a  
11 designee.

12 (3) The Minority Leader of the Senate or a designee.

13 (4) The Speaker of the House of Representatives or a  
14 designee.

15 (5) The Minority Leader of the House of Representatives  
16 or a designee.

17 (6) One member from each congressional district, of whom  
18 no more than half may be registered with the same political  
19 party, appointed by the Governor and confirmed by the Senate  
20 and which shall include members who:

21 (i) represent groups advocating for individuals with  
22 disabilities;

23 (ii) represent groups advocating for voting rights;  
24 and

25 (iii) represent county commissioners or county  
26 election officials.

27 (c) Duties.--The board shall have the following duties:

28 (1) Study this act and identify statutory language to  
29 repeal, modify or update.

30 (2) Collaborate with other agencies and political

1 subdivisions of the Commonwealth to study election-related  
2 issues.

3 (3) Study the development of new election technology and  
4 voting machines.

5 (4) Evaluate and make recommendations on:

6 (i) improving the electoral process in Pennsylvania  
7 by amending this act; and

8 (ii) implementing best practices identified to  
9 ensure the integrity and efficiency of the electoral  
10 process in Pennsylvania.

11 (5) By the end of each fiscal year, publish extensive  
12 and detailed findings on the department's publicly accessible  
13 Internet website and make them available in electronic format  
14 to the Office of the Governor and members of the General  
15 Assembly.

16 (d) Quorum.--A majority of appointed members shall  
17 constitute a quorum for the purpose of conducting business.

18 (e) Chairperson and vice chairperson.--The members shall  
19 select a member to be chairperson and another member to be vice  
20 chairperson.

21 (f) Transparency and ethics.--The board shall be subject to  
22 the following laws:

23 (1) The act of July 19, 1957 (P.L.1017, No.451), known  
24 as the State Adverse Interest Act.

25 (2) The act of October 4, 1978 (P.L.883, No.170),  
26 referred to as the Public Official and Employee Ethics Law.

27 (3) The act of February 14, 2008 (P.L.6, No.3), known as  
28 the Right-to-Know Law.

29 (4) 65 Pa.C.S. Ch. 7 (relating to open meetings).

30 (g) Information gathering.--The board may conduct hearings

1 and otherwise gather pertinent information and analysis that it  
2 considers appropriate and necessary to fulfill its duties.

3 (h) Reimbursement.--The board and members of the board shall  
4 be reimbursed for reasonable expenses.

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