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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 820 Session of  
2021

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INTRODUCED BY MASTRIANO AND SCAVELLO, AUGUST 11, 2021

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REFERRED TO STATE GOVERNMENT, AUGUST 11, 2021

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AN ACT

1 Providing for the designation of the first Tuesday in the month  
2 of November as an annual State holiday to be known as  
3 "Election Day."

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Legislative findings.

7 The General Assembly finds and declares as follows:

8 (1) Elections are the human bridge of accountability  
9 between elected officials and the constituency.

10 (2) Article VII of the Constitution of Pennsylvania,  
11 entitled Elections, and consisting of 14 sections, further  
12 attests to the inherent voting rights of every qualified  
13 citizen.

14 (3) Voting rights are executed by residents through the  
15 participation of formal elections duly comprised of the  
16 diversified polity of the Commonwealth.

17 (4) Elections are fundamental to our Republic in which  
18 the government is chosen through the electoral process and  
19 governed by the people.

1           (5) Voting is a right and privilege that is a civil duty  
2           and responsibility of residents within a free society.

3           (6) It is deemed plausible to set aside time to  
4           commemorate the importance of Election Day for the  
5           preservation and sustainability of our great Republic.

6 Section 2. Definitions.

7           The following words and phrases when used in this act shall  
8           have the meanings given to them in this section unless the  
9           context clearly indicates otherwise:

10          "Election Day." The day of the general election held  
11          biennially on the Tuesday next following the first Monday of  
12          November in each even-numbered year.

13          "Employee." An individual from whose wages an employer is  
14          required under the Internal Revenue Code of 1986 (Public Law 99-  
15          514, 26 U.S.C. § 1 et seq.) to withhold Federal income tax.

16          "Employer." An individual, partnership, association,  
17          corporation, governmental body or unit or agency, or any other  
18          entity who or that is required under the Internal Revenue Code  
19          of 1986 to withhold Federal income tax from wages paid to an  
20          employee.

21          "Government entity." A Commonwealth agency or political  
22          subdivision.

23          "Political subdivision." A county, city, borough,  
24          incorporated town, township or school district of this  
25          Commonwealth or an agency designated to act on behalf of a  
26          county, city, borough, incorporated town, township, or school  
27          district of this Commonwealth.

28 Section 3. Designation.

29          The first Tuesday during the month of November, Election Day,  
30          is designated an annual State holiday.

1 Section 4. Commonwealth employer.

2 This act shall require an employer of the Commonwealth or  
3 political subdivision to provide two hours of paid leave to an  
4 employee during the civic holiday recognized as Election Day.

5 Section 5. Construction.

6 Nothing in this act shall be construed as requiring a private  
7 employer to treat the first Tuesday during the month of November  
8 as a legal or official holiday or to provide paid leave to an  
9 employee on any given Election Day solely by virtue of the date  
10 being designated under this act.

11 Section 6. Effective date.

12 This act shall take effect immediately.