

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
23 compensation of district election officers;
24 providing for registration of electors;
25 in ballots, further providing for form of official election
26 ballot and for number of ballots to be printed and specimen
27 ballots;
28 in voting machines, further providing for examination and
29 approval of voting machines by the Secretary of the
30 Commonwealth, for requirements of voting machines, for
31 preparation of voting machines by county election boards and
32 for delivery of voting machines and supplies by county
33 election boards to election officers;

1 in electronic voting systems, further providing for statistical
2 sample and providing for requirements of accessible voting
3 machines;
4 in voting apparatus bonds, providing for voting system defects,
5 disclosure, investigations and penalties;
6 in preparation for and conduct of primaries and elections,
7 providing for voter's bill of rights, for senior voter's bill
8 of rights, for disabled voter's bill of rights and further
9 providing for time for opening and closing polls, for manner
10 of applying to vote, persons entitled to vote, voter's
11 certificates, entries to be made in district register,
12 numbered lists of voters and challenges and for deadline for
13 receipt of valid voter registration application;
14 in voting by qualified absentee electors, further providing for
15 applications for official absentee ballots, for date of
16 application for absentee ballot, for delivering or mailing
17 ballots, for voting by absentee electors, providing for
18 supervised voting by qualified absentee electors in certain
19 facilities and further providing for canvassing of official
20 absentee ballots and mail-in ballots;
21 in voting by qualified mail-in electors, further providing for
22 applications for official mail-in ballots, for date of
23 application for mail-in ballot, for delivering or mailing
24 ballots and for voting by mail-in electors;
25 in Pennsylvania Election Law Advisory Board, further providing
26 for Pennsylvania Election Law Advisory Board;
27 providing for early voting by qualified electors;
28 in returns of primaries and elections, further providing for
29 returns to be open to public inspection and exceptions and
30 for computation of returns by county board, certification and
31 issuance of certificates of election;
32 in recounts and contest, providing for powers and duties of the
33 Attorney General relating to elections;
34 in penalties, further providing for disobeying lawful
35 instructions, for perjury, for false affidavits of
36 candidates, for refusal to permit inspection of papers,
37 destruction or removal and Secretary of the Commonwealth, for
38 refusal to permit inspection of papers, destruction or
39 removal and county boards of elections, for insertion and
40 alteration of entries in documents, removal and refusal to
41 deliver, for refusal to permit overseers, watchers, attorneys
42 or candidates to act, for driving away watchers, attorneys,
43 candidates or overseers, for refusal to permit election
44 officers, clerks and machine inspectors to act and driving
45 away said persons, for refusal to administer oath and acting
46 without being sworn, for violation of oath of office by
47 election officers, for peace officers, failure to render
48 assistance and hindering or delaying county board members and
49 others, for nomination petitions and papers and offenses by
50 signers, for false signatures and statements in nomination
51 petitions and papers, for nomination petitions, certificates
52 and papers, destruction, fraudulent filing and suppression,
53 for offenses by printers of ballots, for unlawful possession
54 of ballots and counterfeiting ballots, for forging and
55 destroying ballots, for tampering with voting machines, for
56 destroying, defacing or removing notices, et cetera, for
57 police officers at polling places and for peace officer,
58 failure to quell disturbances at polls, hindering or delaying
59 election officers and others, for election officers
60 permitting unregistered electors to vote, challenges and

1 refusing to permit qualified electors to vote, for election
2 officers refusing to permit elector to vote in proper party
3 at primaries, for frauds by election officers, for prying
4 into ballots, for interference with primaries and elections,
5 frauds and conspiracy, for persons interfering in other
6 districts, for assault and battery at polls, for unlawful
7 assistance in voting, for election officers permitting
8 unlawful assistance, for failure to keep and return record of
9 assisted voters, for unlawful voting, for elector voting
10 ballot of wrong party at primary, for repeat voting at
11 elections, for removing ballots, for commissioners to take
12 soldiers' votes, for fraudulent voting by soldiers, for
13 bribery at elections, for receipts and disbursements of
14 primary and election expenses by persons other than
15 candidates and treasurers, for receipts of primary and
16 election expenses by unauthorized persons, for contributions
17 by corporations or unincorporated associations, for failure
18 to file expense account, for prohibiting duress and
19 intimidation of voters and interference with the free
20 exercise of the elective franchise, for failure to perform
21 duty, for hindering or delaying performance of duty, for
22 violation of any provision of act, for violations of
23 provisions relating to absentee and mail-in ballots and
24 providing for unlawful collection of ballots;
25 providing for reimbursements and withholding; and
26 making a related repeal.

27 The General Assembly of the Commonwealth of Pennsylvania
28 hereby enacts as follows:

29 Section 1. Section 102(e), (n), (p), (r), (s), (t), (z-1),
30 (z.4) and (z.5) of the act of June 3, 1937 (P.L.1333, No.320),
31 known as the Pennsylvania Election Code, are amended and the
32 section is amended by adding subsections to read:

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

36 * * *

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

42 * * *

43 (n) [The] Except as provided in section 700-A, the word

1 "party" shall mean a political party, as defined in section 801
2 of this act.

3 * * *

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

7 * * *

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

12 * * *

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

17 (t) [The] Except as provided in section 700-A, the words
18 "qualified elector" shall mean any person who shall possess all
19 of the qualifications for voting now or hereafter prescribed by
20 the Constitution of this Commonwealth, or who, being otherwise
21 qualified by continued residence in his election district, shall
22 obtain such qualifications before the next ensuing election.

23 * * *

24 (z-1) [The] Except as provided in section 700-A, the words
25 "in military service" shall mean the uniformed services as
26 defined in section 102 of the Career Compensation Act of 1949
27 (63 Stat. 804 U.S. Code, Title 37, Par. 231).

28 * * *

29 (z.4) [The] Except as provided in section 700-A, the word
30 "municipality" shall mean a city, borough, incorporated town,

1 township or any similar general purpose unit of government which
2 may be created by the General Assembly.

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

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

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

10 (i) shows the name of the individual to whom the document
11 was issued and the name substantially conforms to the name of
12 the individual as it appears in the district register;

13 (ii) shows a photograph of the individual to whom the
14 document was issued;

15 (iii) includes an expiration date and is not expired,
16 except:

17 (A) for a document issued by the Department of
18 Transportation which is not more than twelve (12) months past
19 the expiration date; or

20 (B) in the case of a document from an agency of the Armed
21 forces of the United States or their reserve components,
22 including the Pennsylvania National Guard, establishing that the
23 elector is a current member of or a veteran of the United States
24 Armed Forces or National Guard which does not designate a
25 specific date on which the document expires, but includes a
26 designation that the expiration date is indefinite; and

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

28 (A) The United States Government.

29 (B) The Commonwealth of Pennsylvania.

30 (C) A municipality of this Commonwealth to an employee of

1 that municipality.

2 (D) An accredited Pennsylvania public or private institution
3 of higher learning.

4 (E) A Pennsylvania care facility.

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

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

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

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

16 (iv) in the case of an elector who has not been issued a
17 current and valid driver's license or Social Security number, a
18 copy of a document that satisfies paragraph (2).]

19 (1) In the case of any elector, at least one of the
20 following:

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

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

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

29 (iv) a document from an agency of the armed forces of the
30 United States or their reserve components, including the

Pennsylvania National Guard, establishing that the elector is a
current member of or a veteran of the United States Armed Forces
or National Guard which does not designate a specific date on
which the document expires, but includes a designation that that
expiration date is indefinite;

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

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

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

(A) The United States Government.

(B) The Commonwealth of Pennsylvania.

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

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

(E) A care facility located in this Commonwealth.

(2) (Reserved).

* * *

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

(z.8) The words "risk limit" shall mean the maximum chance
that an audit will not progress to a full hand recount if the

1 voting system record is incorrect.

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

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

8 Section 107. Legislative Authority Over Elections.--Article
9 I, section 5 of the Constitution of the United States and
10 Article VII of the Constitution of Pennsylvania vest authority
11 for prescribing election law in the General Assembly.

12 Section 108. Bureau of Election Audits.--(a) The Bureau of
13 Election Audits is established in the Department of the Auditor
14 General. The Bureau of Election Audits shall have subpoena power
15 to request from the department or a county any documents,
16 records, papers, data, ballots, election materials or testimony
17 necessary for the efficient completion of the audits required
18 under this section.

19 (b) The Auditor General shall conduct independent election
20 audits in accordance with generally accepted governmental audit
21 standards (GAGAS) and appropriate Service Organization Control
22 standards and shall ensure that the audit methodology will
23 verify the accuracy of the election and the accuracy of
24 election equipment used.

25 (c) If the Auditor General is on the ballot, the Auditor
26 General shall appoint an independent special auditor who shall
27 be a licensed certified public accountant and shall have
28 experience in completing election audits to oversee the
29 operation of the Bureau of Election Audits.

30 (d) The Bureau of Election Audits shall ensure continuous

1 improvement of the election audits required under this section
2 to ensure the accuracy of election results and compliance with
3 Federal and State laws.

4 (e) The duties of the Bureau of Election Audits shall
5 include:

6 (1) To conduct result-confirming audits of each election in
7 this Commonwealth, completed by the third Friday following the
8 election. The audits shall include:

9 (i) A statistically sound, ballot-comparison risk-limiting
10 audit of ballots for each election, except for an election which
11 is uncontested, and except as provided in section 1117-A where a
12 ballot-polling audit shall be conducted.

13 (ii) An audit of election machine logs.

14 (iii) An audit of the returned absentee and mail-in ballots
15 in each county, including a comparison of retained envelopes on
16 which the executed declarations appear, for mail-in and absentee
17 ballots, secrecy envelopes and the total number of absentee and
18 mail-in ballots canvassed.

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

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

23 (vi) Any other audit deemed necessary by the Bureau of
24 Election Audits to ensure public trust in the outcome of each
25 election.

26 (2) To conduct performance audits of the operations of
27 elections systems and processes at least once every five years.
28 The audits shall include:

29 (i) An audit of each county election office in the
30 Commonwealth.

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

3 (iii) An audit of the Statewide voter registration system,
4 including an audit of the accuracy of the list of registered
5 electors.

6 (iv) An audit of the Department of State's administration of
7 elections.

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

11 (3) To publicly post audit methodologies for each of the
12 audits required under this section, including on the Auditor
13 General's publicly accessible Internet website and the
14 Department of State's publicly accessible Internet website.

15 (4) To publicly post the results of each audit required
16 under this section, including on the Auditor General's publicly
17 accessible Internet website, the Department of State's publicly
18 accessible Internet website and each county's publicly
19 accessible Internet website.

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

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

27 (f) The duties of the county board of elections shall
28 include:

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

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

4 (3) Holding a public meeting between the third Saturday
5 after an election and the fourth Thursday after an election, at
6 which the board shall make publicly available to the residents
7 of the county the results of audits conducted under subsection
8 (d).

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

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

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

17 (iii) The identified causes of any problems or
18 discrepancies.

19 (iv) Recommended corrective actions with respect to avoiding
20 or mitigating any problems or discrepancies in future elections.

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

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

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

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

30 (3) To develop a corrective action plan to address any

1 findings of error or deficiency within an audit conducted under
2 this section.

3 Section 109. Special Standing in Challenges to the Election
4 Code.--(a) In a judicial proceeding in which all or part of
5 this act is alleged to be unconstitutional, either or both
6 chambers of the General Assembly, subject to subsection (b),
7 shall have special standing to intervene as a party in the
8 action and to defend the act.

9 (b) The following shall apply:

10 (1) Special standing to intervene as a party under
11 subsection (a) for the Senate shall require an action of the
12 Senate Subcommittee on Management Operation as provided under
13 section 2.1 of the act of January 10, 1968 (1967 P.L.925,
14 No.417), referred to as the Legislative Officers and Employees
15 Law.

16 (2) Special standing to intervene as a party under
17 subsection (a) for the House of Representatives shall require an
18 action of the Bi-partisan Management Committee as provided under
19 section 21.1 of the Legislative Officers and Employees Law.

20 (c) Intervention by either or both chambers of the General
21 Assembly under this section shall not constitute a waiver of
22 sovereign immunity, legislative privilege or other privilege or
23 immunity.

24 (d) This section shall not make either or both chambers of
25 the General Assembly a necessary or indispensable party to an
26 action. A party to an action may not name either or both
27 chambers of the General Assembly as a party or move to join
28 either or both chambers of the General Assembly as a party based
29 on this section.

30 (e) Nothing in this section shall be construed to limit the

1 standing of either or both chambers or an individual member of
2 the General Assembly in a judicial proceeding in which the
3 subject matter relates to specific powers unique to a
4 legislator's functions under the Constitution of Pennsylvania
5 being diminished or impaired.

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

7 Section 201. Powers and Duties of the Secretary of the
8 Commonwealth.--The Secretary of the Commonwealth shall exercise
9 in the manner provided by this act all powers granted to him by
10 this act, and shall perform all the duties imposed upon him by
11 this act, which shall include the following:

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

16 (b) To examine and reexamine voting machines, and to approve
17 or disapprove them for use in this State, in accordance with the
18 provisions of this act. The secretary shall not approve any
19 voting machine for any election, Federal or State, in this
20 Commonwealth, that does not comply with the requirements of
21 section 301 of the Help America Vote Act of 2002 (Public Law
22 107-252, 42 U.S.C. § 15481).

23 (c) To certify to county boards of elections for primaries
24 and elections the names of the candidates for President and
25 Vice-President of the United States, presidential electors,
26 United States senators, representatives in Congress and all
27 State offices, including senators, representatives, and judges
28 of all courts of record, and delegates and alternate delegates
29 to National Conventions, and members of State committees, and
30 the form and wording of constitutional amendments or other

1 questions to be submitted to the electors of the State at large.

2 (d) To receive and determine, as hereinafter provided, the
3 sufficiency of nomination petitions, certificates and papers of
4 candidates for President of the United States, presidential
5 electors, United States senators, representatives in Congress
6 and all State offices, including senators, representatives and
7 judges of all courts of record, and delegates and alternate
8 delegates to National Conventions and members of State
9 committees.

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

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

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

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

27 (f.2) To order a county board to conduct a recount or
28 recanvass of an election under section 1404 for a public office
29 which appears on the ballot in every election district in this
30 Commonwealth or for a ballot question which appears on the

1 ballot in every election district in this Commonwealth.

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

5 (h) To establish a system for the remedy of complaints
6 regarding the administration of the provisions of Title III of
7 the Help America Vote Act of 2002 (Public Law 107-252, 42 U.S.C.
8 § 15481 et seq.).

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

11 (j) To provide uniform standards for the proper, accurate
12 and uniform implementation of voter registration laws and
13 records.

14 (k) To actively seek out and collect the data and statistics
15 necessary to knowledgeably scrutinize the effectiveness of
16 election laws.

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

18 (m) To maintain a voter fraud hotline and provide election
19 fraud education to the public.

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

23 (o) To publish by December 31 of each odd-numbered year the
24 official instructions and procedures manual prescribed by the
25 Pennsylvania Election Law Advisory Board.

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

1 citizen voting age population. A distribution of private funds
2 must be approved by the Election Law Advisory Board.

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

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

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

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

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

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

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

1 available upon request to any elector and retained for a period
2 of five years. A physical copy of the record required under this
3 subsection must be created, dated and retained for a period of
4 five years.

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

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

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

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

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

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

No later than 60 days after an election, the Bureau of Commissions, elections and legislation of the Department of State shall issue a report to the chair and minority chair of the State Government Committee of the Senate and the chair and minority chair of the State Government Committee of the House of Representatives. A copy of the report shall also be made available on the Department of State's publicly accessible Internet website.

(b) The report under subsection (a) shall include only the following information relating to the administration of the election by the Department of State, a county board of elections or a registration commission established under 25 Pa.C.S. § 1203(a) (relating to commissions):

(1) For each county and the sum for this Commonwealth, the number of applications for an absentee ballot which were received by the county board of elections.

(2) For each county and the sum for this Commonwealth, the number of applications for a mail-in ballot which were received by the county board of elections.

(3) For each county and the sum for this Commonwealth, the number of applications for an absentee ballot which were approved by the county board of elections.

(4) For each county and the sum for this Commonwealth, the number of applications for a mail-in ballot which were approved by the county board of elections.

(5) For each county and the sum for this Commonwealth, the number of absentee ballots which were voted by qualified electors.

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

1 electors.

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

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

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

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

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

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

19 (13) (Reserved).

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

22 (15) For each county, the date, starting time and ending
23 time that the county board of elections met to pre-canvass
24 absentee ballots and mail-in ballots under section 1308(q)(1.1).

25 (16) For each county, the date, starting time and ending
26 time that the county board of elections met to canvass absentee
27 ballots and mail-in ballots under section 1308(q)(2).

28 (17) For each county and the sum for this Commonwealth, the
29 number of absentee ballots which were challenged under section
30 1302.2(c).

1 (18) For each county and the sum for this Commonwealth, the
2 number of mail-in ballots which were challenged under section
3 1302.2-D(a)(2).

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

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

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

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

15 (ii) An absentee ballot or mail-in ballot which was voted by
16 an individual other than the individual who applied for the
17 absentee ballot or mail-in ballot.

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

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

27 (23) A review of issues or incidents encountered with an
28 electronic voting system that received the approval of the
29 Secretary of the Commonwealth under section 1105-A, including
30 technical issues encountered at polling places.

1 (c) The Department of State shall develop a process to
2 collect data required to be included in the report under
3 subsection (b) from each county board of elections which
4 conducts an election and each registration commission under 25
5 Pa.C.S. Pt. IV (relating to voter registration) in a county
6 which conducts an election, as applicable. A county board of
7 elections or registration commission under this subsection shall
8 comply with the process for submission of data under this
9 subsection no later than 45 days after an election.

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

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

18 * * *

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

25 * * *

26 (k) To receive from district election officers the returns
27 of all primaries and elections, to canvass and compute the same,
28 and to certify, no later than the [third Monday] fourth Friday
29 following the primary or election, the results thereof to the
30 Secretary of the Commonwealth, as may be provided by law, and to

1 such other authorities as may be provided by law. The
2 certification shall include the number of votes received in each
3 election district by each candidate for the General Assembly[.]
4 and a complete record of each registered elector in the county
5 on the date of the election, including which registered electors
6 are recorded as participating in that election and the article
7 of this act under which each elector voted.

8 * * *

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

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

25 * * *

26 (q) To maintain a publicly accessible Internet website using
27 a .gov domain name. The website shall additionally adhere to
28 generally accepted accessibility standards, including
29 compatibility with screen reading software.

30 (r) To decline to accept any private donation or

1 contribution for the purposes of operating elections, employing
2 staff or selecting and equipping a polling place or for use in
3 voter education, unless received from the secretary under a
4 distribution provided for in section 201(h).

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

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

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

25 (v) To report to the election law advisory board, by
26 December 31 of each general election year, a detailed
27 description of the voter education programs implemented and any
28 other information that may be useful in evaluating the
29 effectiveness of voter education.

30 (w) To purchase electronic poll books for use as the

1 district register in each election district within one year
2 after the effective date of this subsection. The electronic poll
3 books must provide an elector with the ability to scan his or
4 her driver's license or his or her voter registration card in
5 order to have his or her eligibility to vote verified, and must
6 have a means for an elector to electronically record his or her
7 signature.

8 (x) To provide each election district with at least one
9 accessible voting machine approved by the secretary under this
10 act.

11 (y) To publish at each polling place the voter bill of
12 rights, senior voter bill of rights and disabled voter bill of
13 rights established by this act.

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

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

20 (z.2) For counties with a population of fewer than 100,000
21 at the time of the most recent Federal decennial census, to
22 collaborate with other counties to share resources or property
23 required for the administration of voting by absentee and mail-
24 in electors. The collaboration is not required and participation
25 in any resource sharing shall be at the discretion of each
26 county board.

27 (z.3) In addition to the requirements of 25 Pa.C.S. Ch. 15,
28 to seek a record of all deaths among residents of the county and
29 each month to compare the records with the list of registered
30 electors in the county. A registered elector whose first and

1 last name, date of birth and last four digits of the elector's
2 Social Security number are found on a death record shall be
3 subject to immediate removal from the SURE system. The local
4 commission shall notify the elector by mail of its action.

5 (z.4) To enter into an agreement with the Unified Judicial
6 System of Pennsylvania to receive a record of any county
7 resident who claims ineligibility for service as a juror under
8 42 Pa.C.S. § 4502 (relating to qualifications of jurors) and to
9 investigate the registration status of any registered elector
10 who claimed ineligibility to serve as a juror on the basis of a
11 lack of citizenship.

12 (z.5) To cooperate with the department to any degree
13 necessary in the creation of the system required under section
14 201(z.1).

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

16 Section 313. County Boards of Elections and Satellite
17 Offices.--In addition to the permanent offices operated by any
18 county board of elections, the board may, as necessary,
19 establish additional satellite election offices if the satellite
20 election office established under this section complies with the
21 requirements under this section. The following shall apply:

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

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

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

30 (d) A board establishing satellite election offices must

1 ensure that the location of the offices are geographically
2 distributed across the county.

3 (e) A satellite election office must be established within a
4 permanent building. For purposes of this section, a permanent
5 building is any existing structure not temporarily erected for
6 use as a satellite election office.

7 (f) The location and hours of operation of a satellite
8 election office shall be announced at least 30 days prior to its
9 establishment.

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

14 Section 7. Section 412.2(a) and (f) of the act are amended
15 and the section is amended by adding a subsection to read:

16 Section 412.2. Compensation of District Election Officers.--
17 (a) In all counties regardless of class, judges of election,
18 inspectors of election, clerks and machine operators shall be
19 paid compensation as fixed by the county board of elections for
20 each election, which amount shall be at least [~~\$75~~] \$175 and not
21 more than [~~\$200~~] \$300.

22 * * *

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

1 * * *

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

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

5 ARTICLE VII-A

6 REGISTRATION OF ELECTORS

7 SUBARTICLE A

8 PRELIMINARY PROVISIONS

9 Section 700-A. Definitions.

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

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

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

18 "Commissioner." A member of a commission.

19 "County." A county of this Commonwealth. The term includes a
20 county within which is located a city of the first class or with
21 which a city of the first class is coextensive.

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

23 "District." An election district or precinct of a
24 municipality.

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

28 "Election." A general, special, municipal or primary
29 election.

30 "General election." The election which the Constitution of

1 Pennsylvania requires to be held in even-numbered years.

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

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

9 "Members of the United States merchant marine." Any of the
10 following:

11 (1) Individuals employed as officers or members of crews
12 of vessels documented under the law of the United States or
13 of vessels owned by the United States or of vessels of
14 foreign-flag registry under charter to or control of the
15 United States. This paragraph does not include individuals in
16 military service.

17 (2) Individuals enrolled with the United States for
18 employment or for training for employment or maintained by
19 the United States for emergency relief service as officers or
20 members of crews of vessels referred to in paragraph (1). The
21 term does not include individuals in military service or
22 individuals employed or enrolled for employment or for
23 training for employment or maintained for emergency relief on
24 the Great Lakes or the inland waterways.

25 "Military elector." Any of the following:

26 (1) An individual in military service and the
27 individual's spouse and dependents.

28 (2) An individual in the merchant marine and the
29 individual's spouse and dependents.

30 (3) An individual in a religious or welfare group

1 officially attached to and serving with the armed forces of
2 the United States and the individual's spouse and dependents.

3 (4) An individual who is a civilian employee of the
4 United States outside the territorial limits of the United
5 States, whether or not the individual is subject to the civil
6 service laws and whether or not the individual is paid from
7 funds appropriated by Congress, and the individual's spouse
8 and dependents.

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

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

12 "Party." Any of the following:

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

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

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

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

25 "Political body." A political body not recognized as a
26 political party which has filed proper nomination papers as
27 required by law.

28 "Primary election." An election for the nomination of
29 candidates.

30 "Public office." Any Federal, State or political

1 subdivision, office or position of employment requiring the
2 individual elected or appointed to render public service for a
3 fixed fee or compensation. The term does not include the office
4 of notary public or commissioner of deeds.

5 "Qualified elector." An applicant who possesses all of the
6 qualifications for voting prescribed by the Constitution of
7 Pennsylvania and the laws of this Commonwealth or who, being
8 otherwise qualified by continued residence in the election
9 district, obtains such qualifications before the next ensuing
10 election. The term does not include a military elector.

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

14 "Registration card." A registration record containing all
15 information required on the registration application, including
16 the elector's signature, and suitable space for the insertion by
17 the appropriate official of the following information:

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

19 (2) The registrant's street address.

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

22 (4) The date of each election at which the registrant
23 votes.

24 (5) The number and letter of the stub of the ballot
25 issued to the registrant or the registrant's number in the
26 order of admission to the voting machines.

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

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

1 "Registration records." The general register, district
2 register and any other record of registration maintained by a
3 commission. The term includes any record maintained by the
4 commission on the Statewide Uniform Registry of Electors.

5 "Secretary." The Secretary of the Commonwealth.

6 "Statewide Uniform Registry of Electors" or "SURE system."
7 The integrated voter registration system of all registered
8 electors in this Commonwealth established in 25 Pa.C.S. Ch. 12
9 Subch. B (relating to Statewide Uniform Registry of Electors
10 (SURE)).

11 SUBARTICLE B

12 QUALIFICATIONS

13 Section 701-A. Qualifications to register.

14 (a) Eligibility.--An individual who will be at least 18
15 years of age on the day of the next election, who has been a
16 citizen of the United States for at least one month prior to the
17 next election and who has resided in this Commonwealth and the
18 election district where the individual offers to vote for at
19 least 30 days prior to the next ensuing election.

20 (b) Effect.--No individual shall be permitted to vote at any
21 election unless the individual is registered under this
22 subsection, except as provided by law or by order of a court of
23 common pleas. No registered elector shall be required to
24 register again for any election while the elector continues to
25 reside at the same address.

26 (c) Removal of residence.--Except as otherwise provided
27 under this article and 25 Pa.C.S. Pt. IV (relating to voter
28 registration), a registered elector who removes residence from
29 one place to another outside the elector's last election
30 district shall not be entitled to vote in the election district

1 of the elector's last residence except pursuant to the
2 provisions of this section and 25 Pa.C.S. §§ 1501(b) (relating
3 to removal notices), 1502 (relating to transfer of registration)
4 and 1902 (relating to procedure for voting following failure to
5 return notification card).

6 Section 702-A. Residence of electors.

7 (a) General rule.--

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

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

14 (ii) Being engaged in the navigation of the waters
15 of this Commonwealth or of the United States or on the
16 high seas.

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

18 This subparagraph does not apply to a veteran who resides
19 in a home for disabled and indigent soldiers and sailors
20 maintained by the Commonwealth. Such a veteran may elect
21 to utilize that residence for registration and voting or
22 elect to vote as an absentee elector by the use of an
23 absentee ballot.

24 (2) Nothing in paragraph (1) shall preclude any elector
25 eligible under section 701-A from establishing the district
26 of residence as the election district of residence under
27 subsection (b).

28 (3) Except as otherwise provided in this subsection, no
29 individual who is confined in a penal institution shall be
30 deemed a resident of the election district where the

1 institution is located. The individual shall be deemed to
2 reside where the individual was last registered before being
3 confined in the penal institution, or, if there was no
4 registration prior to confinement, the individual shall be
5 deemed to reside at the last known address before
6 confinement.

7 (4) An individual who resides at a mental health
8 facility, if otherwise qualified under section 701-A, shall
9 be deemed at the individual's option a resident in one of the
10 following:

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

12 (ii) The district where the individual was last
13 registered to vote before entering the institution. For
14 purposes of this subparagraph, if the individual was not
15 registered before entering the institution, the
16 individual shall be deemed to reside at the last known
17 address before entering the institution.

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

19 (1) That the place shall be considered the residence of
20 an individual in which habitation is fixed and to which,
21 whenever the individual is absent, the individual has the
22 intention of returning.

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

27 (3) An individual shall not be considered to have gained
28 a residence in an election district if the individual comes
29 into that district for temporary purposes only, without the
30 intention of making that election district a permanent place

1 of abode.

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

6 (5) If an individual removes to another state with the
7 intention of remaining there an indefinite time and making
8 that state the place of residence, the individual shall be
9 considered to have lost residence in this Commonwealth,
10 notwithstanding an intention to return at some indefinite
11 future period.

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

16 (7) An individual employed in the service of the Federal
17 Government or of the Commonwealth and required thereby to be
18 absent from the municipality where the individual resided
19 when entering that employment and the spouse of the
20 individual may remain registered in the district where the
21 individual resided immediately prior to entering that
22 employment, and the individual and the spouse shall be
23 enrolled in the political party designated by the individual
24 or spouse without declaring a residence by street and number
25 as follows:

26 (i) An individual who registers under this paragraph
27 for Commonwealth employment must produce a certificate
28 from the head of the State agency, under the seal of
29 office, providing that the individual or the individual's
30 spouse is actually employed in the service of the

1 Commonwealth and providing the nature of the employment
2 and the time when the employee first entered the
3 employment. The commission shall retain certificates
4 under this subparagraph.

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

8 (iii) At least once every two years the commission
9 shall verify the employment of the individuals registered
10 under this paragraph at the proper Federal or State
11 office. If an individual is found to be no longer a
12 Federal or State employee, the individual's registration
13 shall be canceled under 25 Pa.C.S. Ch. 15 (relating to
14 changes in records).

15 SUBARTICLE C

16 PROCEDURE

17 Section 721-A. Methods of voter registration.

18 An individual qualified to register to vote under section
19 701-A(a) may apply to register as follows:

20 (1) Under section 722-A.

21 (2) Under section 722.1-A.

22 (3) Under section 723-A.

23 (4) Under section 724-A.

24 (5) Under section 725-A.

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

26 (a) General rule.--Applications may be submitted to register
27 to vote or change party enrollment or name or address on a
28 current registration record in person before the commission or a
29 commissioner, a registrar or a clerk at the office of the
30 commission or at a place designated by the commission. The

1 applicant shall be advised that any intentional false statement
2 on the application constitutes perjury and will be punishable as
3 such. The applicant shall provide the information required on
4 the registration application and sign the registration
5 declaration. The commission shall prepare and provide voter
6 registration applications for the purpose of registering
7 qualified electors in accordance with this section.

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

13 (b) Notice.--The commission shall, within a reasonable time,
14 publicly announce the address of each place of registration, the
15 address of each office of the commission established for the
16 registration of qualified electors other than its main office
17 and the days and hours when the place or office is open for the
18 registration of qualified electors. The announcement shall be
19 made by posting notice at the place or office and at the
20 commission's main office and by other means as the commission
21 deems advisable.

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

30 (d) Schools.--The board of public education or the board of

1 school directors shall furnish suitable space in any public
2 school building under its jurisdiction or control and shall
3 cause the space to be open and in proper order for use as a
4 place of registration on each day when the space is desired by
5 the commission for use as a place of registration in accordance
6 with the provisions of this article and 25 Pa.C.S. Pt. IV. Use
7 under this subsection may not interfere with school instruction.

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

16 Section 722.1-A. Online voter registration.

17 (a) Application.--An application may be submitted to
18 register to vote or change party enrollment or name or address
19 on a current registration record through an online application
20 developed by the secretary and provided on the department's
21 publicly accessible Internet website. The applicant shall
22 provide the information required on the registration application
23 and electronically sign the registration declaration.

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

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

28 (a) General rule.--

29 (1) The Department of Transportation shall provide for
30 simultaneous application for voter registration in

1 conjunction with the process under 75 Pa.C.S. § 1510
2 (relating to issuance and content of driver's license). An
3 application under this subsection shall serve as an
4 application to register to vote unless the applicant fails to
5 sign the voter registration application. The secretary has
6 the primary responsibility for implementing and enforcing the
7 driver's license voter registration system created under this
8 section. The secretary, in consultation with the Secretary of
9 Transportation, may promulgate regulations for implementing
10 this section.

11 (2) An application for voter registration submitted to
12 the Department of Transportation under this subsection shall
13 be considered as updating any previous voter registration
14 information by a registrant.

15 (3) Any change of address submitted to the Department of
16 Transportation for the purposes of driver licensing shall
17 serve as notification of change of address for voter
18 registration for the registrant involved unless the
19 registrant indicates that the change of address is not for
20 voter registration purposes.

21 (b) Process.--

22 (1) The Department of Transportation shall provide for
23 an application for voter registration as part of a driver's
24 license application.

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

28 (3) The voter registration application portion of the
29 application shall contain all the requirements of an official
30 voter registration application specified in section 727-A.

1 The voter registration portion of the application:

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

5 (ii) may require only the minimum amount of
6 information necessary to prevent duplicate voter
7 registration, to enable the commission to assess the
8 eligibility of the applicant and to administer voter
9 registration and other parts of the election process.

10 (c) Transmission.--

11 (1) The Department of Transportation shall forward
12 completed applications or contents of the completed voter
13 registration applications in machine-readable format to the
14 department by the close of registration for the ensuing
15 election.

16 (2) The department shall transmit the material to the
17 appropriate commission within 10 days after the date of its
18 receipt by the Department of Transportation. If a voter
19 registration application is received by the Department of
20 Transportation within five days before the last day to
21 register before an election, the application shall be
22 transmitted to the appropriate commission not later than five
23 days after the date of its receipt by the Department of
24 Transportation.

25 (3) Upon receipt of the completed voter registration
26 information from the department, the commission shall make a
27 record of the date of the receipt of the application and
28 process the application. No applicant shall be deemed
29 eligible to vote until the commission has received and
30 approved the application.

1 (3.1) After the Department of Transportation is
2 connected to the SURE system and notwithstanding paragraphs
3 (1), (2) and (3), the Department of Transportation shall
4 transmit electronically the contents of a completed voter
5 registration application within five days of receipt of the
6 application. Upon receipt of the information from the
7 Department of Transportation, a commission shall make a
8 record of the date of the receipt of the application and
9 process the application in accordance with section 728-A. If
10 the commission of the county of residence has not been
11 connected to the SURE system, the Department of
12 Transportation shall forward the completed application or
13 contents of the completed application to the department in
14 accordance with paragraph (1). No applicant shall be deemed
15 eligible to vote until the commission has received and
16 approved an application in accordance with section 728-A.

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

18 (i) Before the Department of Transportation is
19 connected to the SURE system, the Department of
20 Transportation shall notify the department of changes of
21 address received under subsection (a)(3). The department
22 shall notify the commission of the county of the
23 registrant's former residence. After the Department of
24 Transportation is connected to the SURE system, the
25 Department of Transportation shall notify the commission
26 of the county of the registrant's former residence. If
27 the registrant has moved to an address outside this
28 Commonwealth, the commission shall verify the address
29 change in accordance with 25 Pa.C.S. § 1901 (relating to
30 removal of electors). Except as provided in subparagraph

1 (ii), if the registrant confirms in accordance with 25
2 Pa.C.S. § 1901(d) that he or she has moved to another
3 county, the commission shall cancel the registration and
4 forward the registrant's registration information to the
5 commission of the registrant's new county of residence.
6 Except as provided in subparagraph (ii), if the
7 registrant has moved to an address within the
8 commission's jurisdiction, the commission shall promptly
9 update the registration record of the registrant in
10 accordance with section 728-A. All changes of address
11 received by the Department of Transportation under this
12 section at least 30 days before an election must be
13 processed by the commission for the ensuing election. For
14 the purpose of this paragraph, the term "registration
15 information" means the registration card and any other
16 record of registration maintained by a commission.

17 (ii) In the case of changes of address received by
18 the Department of Transportation which do not contain a
19 signature of the registrant, the commission receiving the
20 change of address notification shall mail a notice to the
21 registrant at the new residence address requesting
22 verification of the address change. If the change of
23 address is to a new residence outside the commission's
24 jurisdiction, the commission shall mail the following
25 notice:

26 Date.....

27 Office of the Registration Commission

28 County, Pennsylvania

29 (Address and Telephone No. of County)

30 We have been notified by the Department of Transportation

1 that you recently changed your address
2 from (old residence address)
3 to (new residence address) and that this
4 change of address is to serve as a change of address for
5 voter registration purposes. Unless you notify this
6 office within 10 days from the date of this notice that
7 this information is not correct, your voter registration
8 will be transferred to County. You may notify
9 this office by writing your residence address, the date
10 and your signature on the bottom of this form and mailing
11 this notice to this office. You need not notify this
12 office if this information is correct.

13

14 Chief Clerk

15 If the address change is within the commission's
16 jurisdiction, the commission shall mail a voter's
17 identification card to the registrant at the new
18 residence address.

19 (iii) If the registrant does not return the notice
20 under subparagraph (ii) within the 10-day period, the
21 commission shall process the change of address according
22 to subparagraph (i). If the registrant notifies the
23 commission that the information is incorrect and the
24 commission is satisfied with the registrant's explanation
25 of the discrepancy, the address of the registrant's
26 registration shall remain unchanged. If the verification
27 notification or voter identification card is returned by
28 the post office as undeliverable as addressed or with a
29 forwarding address, the commission shall send a
30 confirmation notice to the registrant's address of former

1 residence in accordance with 25 Pa.C.S. § 1901(d)(2).

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

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

7 (e) Effect.--Failure to properly complete a voter
8 registration application shall not affect the validity of an
9 application for a driver's license, a renewal application or an
10 identification card application.

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

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

19 (1) They shall not seek to influence an applicant's
20 political preference or party registration or display
21 political preference or party allegiance.

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

25 (3) Applicants wishing to register to vote under this
26 section shall be given the same degree of assistance with the
27 voter registration application as with all other Department
28 of Transportation forms.

29 Agency employees who violate this subsection shall be removed
30 from employment, provided that the agency at its discretion may

1 impose a penalty of suspension without pay for at least 30 days,
2 but not more than 120 days, if it finds that the violation does
3 not warrant termination.

4 (h) Retention.--The Department of Transportation shall
5 retain complete records of voter registration information
6 received, processed and submitted to the SURE system by the
7 Department of Transportation. The records shall only be for the
8 purpose of supporting audit and accounting controls established
9 to ensure accurate and complete electronic transmission of
10 records between the SURE system and the Department of
11 Transportation.

12 (i) Agreement with department.--The Department of
13 Transportation shall enter into an agreement with the department
14 to match information in the SURE system with information in the
15 database of the Department of Transportation to the extent to
16 verify the accuracy of the driver's license number,
17 identification number or last four digits of the Social Security
18 number provided on an application for voter registration.

19 (j) Agreement with Commissioner of Social Security.--The
20 Department of Transportation shall enter into an agreement with
21 the Commissioner of Social Security to verify the last four
22 digits of the Social Security number provided in an application
23 for voter registration.

24 Section 724-A. Application by mail.

25 (a) General rule.--An application to register to vote or to
26 change party enrollment or name or address on a current
27 registration may be submitted by voter registration mail
28 application in the manner provided in this section. An
29 application may be submitted by mail or by representative to the
30 commission on an official mail registration application, the

1 form of which shall be determined and prescribed by the
2 secretary or the Federal Election Commission pursuant to the
3 National Voter Registration Act of 1993 (Public Law 103-31, 52
4 U.S.C. § 1973gg et seq.). The applicant must complete the
5 information required on the registration application and sign
6 the registration declaration.

7 (b) Time.--Registration under this section may be made at
8 any time. If a registration application is received by a
9 commission beyond the deadline for registration provided in
10 section 1231, the application shall be retained by the
11 commission until the beginning of the next period during which
12 registration can be made.

13 (c) Military electors.--

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

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

29 (3) The commission is authorized to consider a request
30 for an absentee ballot as a request for an official

1 registration application and to forward to the requester all
2 of the following:

3 (i) An absentee ballot and balloting material.

4 (ii) An official registration application.

5 (4) The military elector must complete and file these
6 documents in accordance with the applicable provisions of
7 this act.

8 (5) The right to be registered pursuant to this
9 subsection shall not be subject to challenge for any reason
10 other than failure to have furnished the commission a
11 properly completed registration application.

12 Section 725-A. Government agencies.

13 (a) General rule.--The secretary shall administer a system
14 whereby all offices in this Commonwealth that provide public
15 assistance, each county clerk of orphans' court, including each
16 marriage license bureau, all offices in this Commonwealth that
17 provide State-funded programs primarily engaged in providing
18 services to persons with disabilities and all armed forces
19 recruitment centers do all of the following:

20 (1) Distribute voter registration applications with each
21 application, reapplication and application for
22 recertification, renewal or change of address.

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

25 (3) Accept completed registration applications.

26 (4) Transmit completed applications to the appropriate
27 commission.

28 (b) Forms.--An agency designated in subsection (a) shall
29 provide a form for office visits or, if the agency provides
30 services to persons with disabilities, for home visits which

1 contains all of the following:

2 (1) The question "If you are not registered to vote
3 where you live now, would you like to apply to register to
4 vote today?"

5 (2) If the agency provides public assistance, the
6 statement "Applying to register or declining to register to
7 vote will not affect the amount of assistance that you will
8 be provided by this agency."

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

15 (4) The statement "In order to be qualified to register
16 to vote, you must be at least 18 years of age on the day of
17 the next election, you must have been a citizen of the United
18 States for at least one month prior to the next election and
19 have resided in Pennsylvania and the election district where
20 you plan to vote for at least 30 days prior to the next
21 election and you must not have been confined in a penal
22 institution for a conviction of a felony within the last five
23 years."

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

28 (6) The statement "If you believe that someone has
29 interfered with your right to register or to decline to
30 register to vote, your right to privacy in deciding whether

1 to register or in applying to register to vote or your right
2 to choose your own political party or other political
3 preference, you may file a complaint with the Secretary of
4 the Commonwealth, Pennsylvania Department of State,
5 Harrisburg, PA 17120." The secretary shall establish and
6 publish a toll-free telephone number for the purpose of
7 receiving complaints.

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

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

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

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

19 (3) They shall not make any statement to an applicant or
20 take any action the purpose of or effect of which is to lead
21 the applicant to believe that a decision to register or not
22 to register has any bearing on the availability of services
23 or benefits.

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

29 (e) Encouraging registration.--An agency designated in
30 subsection (a) shall provide reasonable space for nonpartisan

1 signs or posters encouraging voter registration. The signs and
2 posters shall be provided by the secretary.

3 (f) Transmission.--An agency designated in subsection (a)
4 shall forward all completed applications to the appropriate
5 commission within 10 days after the date of receipt. If a voter
6 registration application is received within five days before the
7 last day to register before an election, the application shall
8 be transmitted to the appropriate commission not later than five
9 days after the date of its receipt by the agency.

10 (g) Confidentiality.--The identity of the voter registration
11 agency through which any particular voter is registered in
12 accordance with this section shall not be disclosed to the
13 public.

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

18 (i) Assistance.--Each agency shall provide to each applicant
19 who chooses to register to vote the same degree of assistance
20 with regard to the completion of the registration application
21 form as is provided by the office with regard to the completion
22 of its own forms unless the applicant refuses such assistance.

23 (j) Regulation.--The secretary shall promulgate regulations
24 regarding the maintenance and destruction of forms used pursuant
25 to this section.

26 Section 726-A. (Reserved).

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

28 (a) Form.--

29 (1) The secretary shall prescribe the form of an
30 official voter registration application. The official voter

1 registration application shall provide space for the
2 following information about the applicant:

3 (i) Full name.

4 (ii) Address of residence. If the residence is a
5 portion only of the house, the location or number of the
6 room, apartment or floor which is occupied.

7 (iii) Mailing address if different than address of
8 residence.

9 (iv) Name and residence address on previous
10 registration and the year of that registration.

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

13 (vi) Date of birth.

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

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

18 (ix) Last four digits of Social Security number. An
19 application without the last four digits of an
20 applicant's Social Security number shall be considered
21 incomplete. An applicant who does not have a Social
22 Security number may have his or her identity confirmed
23 through an alternate record.

24 (x) A Department of Transportation driver's license
25 number or a Department of Transportation identification
26 card number. An application may not be rejected because
27 of noncompliance with this subparagraph.

28 (2) Any person who assists in the completion of the
29 registration application shall sign the application and
30 indicate the person's address. In the case of those

1 registering under sections 723-A and 725-A, the person
2 providing assistance shall insert the person's initials or
3 employee or agent identification number on a separate or
4 detachable portion of the application or computer data file.

5 (3) A voter registration application shall be printed on
6 stock of good quality and shall be of suitable uniform size.
7 Nothing under this article and 25 Pa.C.S. Pt. IV (relating to
8 voter registration) shall prohibit the design and use of an
9 electronic voter registration application which includes the
10 applicant's digitized or electronic signature. The
11 registration application shall contain the following
12 information; however, the information may be provided on a
13 separate form for voter registration made under section 723-A
14 or 725-A:

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

17 (ii) Instructions on how to fill out and submit the
18 application and notification of when the application must
19 be submitted to a voter registration office in order to
20 be registered for the ensuing election.

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

29 (iv) Notice that political party enrollment is
30 mandatory to vote in a primary election of a political

1 party.

2 (v) Notice that the commission will mail by
3 nonforwardable mail to the applicant a voter's
4 identification card upon acceptance of the application
5 and that the applicant should contact the commission if
6 the identification card is not received within 14 days
7 from the date the application is sent to the registration
8 office.

9 (vi) Notice that registration is not complete until
10 the application is processed and accepted by the
11 commission.

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

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

19 (ix) Notice that, if an individual declines to
20 register to vote, the fact that the individual has
21 declined to register will remain confidential and will be
22 used only for voter registration purposes. The notice
23 required in this subparagraph shall be in print identical
24 to the declaration under subsection (b).

25 (x) Notice that, if an individual does register to
26 vote, the office at which the individual submits a voter
27 registration application will remain confidential and
28 will be used for voter registration purposes only. The
29 notices required in this subparagraph shall be in print
30 identical to the declaration in subsection (b).

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

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

5 (i) print a bilingual application; and

6 (ii) conduct a public educational program among that
7 language group alerting both organizations and
8 individuals of that group of the availability of the
9 bilingual application and encouraging individuals to
10 register.

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

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

29 (b) Registration declaration.--

30 (1) The official voter registration application shall

1 contain a registration declaration. On the declaration, the
2 applicant shall state all of the following:

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

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

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

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

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

12 (i) The information provided in the registration
13 declaration is true.

14 (ii) The applicant understands that:

15 (A) the registration declaration will be
16 accepted for all purposes as the equivalent of an
17 affidavit; and

18 (B) if the registration contains a material
19 false statement, the applicant shall be subject to
20 penalties for perjury.

21 (3) The registration declaration shall contain the
22 printed name and signature of the applicant and the date of
23 signing. An applicant unable to sign the voter registration
24 application shall make a mark before a person of the
25 applicant's choice other than the applicant's employer or an
26 agent of the applicant's union. The person shall insert the
27 person's name, address and telephone number. If the person is
28 an employee or agent of the Department of Transportation or
29 another agency as provided under section 725-A and is
30 assisting the applicant in an official capacity, the employee

1 or agent shall insert the initials and identification number
2 of the employee or agent. In the case of applicants
3 registering under section 723-A or 725-A, the person
4 providing assistance shall insert initials or employee or
5 agent identification number on a separate or detachable
6 portion of the application or computer data file.

7 (4) The official registration application shall contain
8 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
9 notice shall advise the applicant that if a person signs an
10 official registration application knowing a statement
11 declared in the application to be false, the person commits
12 perjury. The notice shall specify the penalty for perjury.

13 (c) Distribution.--

14 (1) The secretary shall supply official registration
15 applications to commissions.

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

26 (3) Each participating agency identified under paragraph
27 (2) shall:

28 (i) Provide that official voter registration mail
29 applications are available on the premises and displayed
30 prominently in a conspicuous location during normal

1 business hours.

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

4 (iii) Provide reasonable space for nonpartisan signs
5 or posters indicating the availability of official voter
6 registration mail applications on the premises.

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

10 (5) The secretary shall print and distribute mail
11 registration applications which are not postage paid and
12 which shall not be specific to any county registration
13 office. Along with the distribution of such applications, the
14 secretary shall also include instructions to inform the
15 applicant where the application is to be sent.

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

18 (i) Persons and organizations who request
19 applications.

20 (ii) Federal, State and political subdivision
21 offices.

22 (iii) Political parties and political bodies.

23 (iv) Candidates.

24 (d) Staff.--Agency employees assisting in the distribution
25 of voter registration applications under subsection (c) shall
26 conduct themselves in a manner consistent with the following
27 principles:

28 (1) They shall not seek to influence an applicant's
29 political preference or party registration or display
30 political preference or party allegiance.

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

4 (3) They shall not make any statement to an applicant or
5 take any action the purpose of or effect of which is to lead
6 the applicant to believe that a decision to register or not
7 to register has any bearing on the availability of services
8 or benefits.

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

14 Section 728-A. Approval of registration applications.

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

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

19 (2) Examine the application to determine all of the
20 following:

21 (i) Whether the application is complete.

22 (ii) Whether the applicant is a qualified elector,
23 including verification of the last four digits of the
24 applicant's Social Security number and the applicant's
25 Department of Transportation driver's license number or
26 Department of Transportation identification card number,
27 if available.

28 (iii) Whether the applicant has an existing
29 registration record. After the commission is connected to
30 the SURE system, the commissioner, clerk or registrar

1 shall search the SURE system on a Statewide basis to
2 determine if the applicant has an existing registration
3 record. The commissioner, clerk or registrar shall take
4 special care to scrutinize any registration for a similar
5 name at the same registered address.

6 (iv) Whether the applicant is entitled or qualified
7 to receive the requested transfer or change, if
8 applicable.

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

10 (1) Record and forward a voter registration application
11 to the proper commission if the commission finds during its
12 examination under subsection (a) that the applicant does not
13 reside within the commission's county but resides elsewhere
14 in this Commonwealth.

15 (2) Reject a voter registration application, indicate
16 the rejection and the reasons for the rejection on the
17 application and notify the applicant by first class
18 nonforwardable mail, return postage guaranteed of the
19 rejection and the reason if the commission finds during its
20 examination under subsection (a) any of the following:

21 (i) The application was not properly completed and,
22 after reasonable efforts by the commission to ascertain
23 the necessary information, the application remains
24 incomplete or inconsistent.

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

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

28 (iv) The applicant is not legally qualified for a
29 change of name.

30 A rejection shall be made no later than 25 days before the

1 election succeeding the filing of the application.

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

5 (i) The application requests registration.

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

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

13 (i) The application requests registration.

14 (ii) The application contains the required
15 information indicating that the applicant is a qualified
16 elector of the county.

17 (iii) The applicant is currently a registered
18 elector of the county.

19 (5) Process a voter registration application in
20 accordance with subsection (c) and request transfer of
21 registration records in accordance with subsection (d) if the
22 commission finds during its examination under subsection (a)
23 all of the following:

24 (i) The application requests registration.

25 (ii) The application contains the required
26 information indicating that the applicant is a qualified
27 elector of the county.

28 (iii) The applicant is currently a registered
29 elector of another county.

30 (6) Process a voter registration application in

1 accordance with subsection (c) and request transfer of
2 registration records in accordance with subsection (d) if the
3 commission finds during its examination under subsection (a)
4 all of the following:

5 (i) The application requests a transfer of
6 registration.

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

10 (iii) The applicant is currently a registered
11 elector of another county.

12 (7) Process a voter registration application in
13 accordance with subsection (c) and update its registration if
14 the commission finds during its examination under subsection
15 (a) all of the following:

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

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

20 (iii) The applicant is currently a registered
21 elector of the county.

22 (8) Process a voter registration application in
23 accordance with subsection (c) and update its registration
24 records if the commission finds during its examination under
25 subsection (a) all of the following:

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

27 (ii) The applicant is legally qualified to a change
28 of name.

29 (iii) The application contains the required
30 information indicating that the applicant is a qualified

1 elector of the county.

2 (iv) The applicant is currently a registered elector
3 of the county.

4 (c) Processing of voter registration.--

5 (1) When a commission has accepted a voter registration
6 application under subsection (b)(3), the commission shall
7 assign each applicant a unique identification number in the
8 SURE system. The commission shall mail a durable, wallet-
9 sized voter's identification card to the individual by first
10 class nonforwardable mail, return postage guaranteed, which
11 shall serve as notice of the acceptance of the application.
12 The card shall contain all of the following:

13 (i) Name and address of the individual.

14 (ii) Name of municipality of residence.

15 (iii) Identification of the individual's ward and
16 district.

17 (iv) The effective date of registration.

18 (v) Designation of party enrollment and date of
19 enrollment.

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

21 (vii) The unique identification number of the
22 individual.

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

28 (ix) A scannable identification code or strip.

29 (2) When a commission has accepted a voter registration
30 application under subsection (b)(4), (5), (6), (7) or (8),

1 the commission shall mail a durable, wallet-sized voter's
2 identification card to the individual by first class
3 nonforwardable mail, return postage guaranteed, which shall
4 serve as notice of the acceptance of the application. The
5 card shall contain all of the following:

6 (i) Name and address of the individual.

7 (ii) Name of municipality of residence.

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

10 (iv) The effective date of registration.

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

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

14 (vii) The SURE registration number of the
15 individual.

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

21 (ix) A scannable identification code or strip.

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

26 (4) (Reserved).

27 (5) (Reserved).

28 (d) Transfer of registration records.--

29 (1) If, during application, an individual discloses that
30 the individual is a registered elector of another county, the

1 commission of the individual's new county of residence shall
2 direct a cancellation notice to the commission of the
3 individual's former county of residence in accordance with
4 regulations promulgated under this article or 25 Pa.C.S. Pt.
5 IV.

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

20 (e) Challenges.--All challenges to applications for
21 registration shall be made as provided in section 729-A.

22 Section 728.1-A. SURE registration number.

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

28 Section 729-A. Challenges.

29 (a) Standing.--An individual claiming the right to be
30 registered may be challenged by a commissioner, registrar or

1 clerk or by a qualified elector of the municipality.

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

5 (1) Name of challenged individual.

6 (2) Address of challenged individual.

7 (3) Name of complainant.

8 (4) Address of complainant.

9 (5) Date of affidavit.

10 (6) Reason for challenge.

11 (c) Response.--An individual who is challenged must respond
12 to the challenge affidavit as provided in subsection (b) in a
13 written statement sworn or affirmed by the individual. The
14 challenged individual must produce such other evidence as may be
15 required to satisfy the registrar or commissioner as to the
16 individual's qualifications as a qualified elector.

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

27 Section 730-A. (Reserved).

28 Section 731-A. Privacy in voter registration.

29 The secretary shall provide a means for an elector who has
30 made a claim for protection under 23 Pa.C.S. Ch. 61 (relating to

1 protection from abuse) to have the elector's birth date recorded
2 in the Statewide Uniform Registry of Electors so that the birth
3 year shall be listed as not fewer than 18 years and not greater
4 than 50 years prior to the year in which the claim was made.

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

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

8 * * *

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

27 * * *

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

1 Section 10. Sections 1007(a) and 1102 of the act are amended
2 to read:

3 Section 1007. Number of Ballots to Be Printed; Specimen
4 Ballots.--(a) The county board of each county shall provide for
5 each election district a supply of official election ballots
6 for:

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

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

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

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

1 elected;

2 (5) the general election held in even-numbered years in
3 which candidates for the office of President of the United
4 States are elected in an amount of at least 15% greater than the
5 highest number of ballots cast in the election districts in any
6 of the previous three general elections at which candidates for
7 the office of President of the United States were elected; and

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

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

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

18 * * *

19 Section 11. Sections 1106 and 1107 of the act are amended by
20 adding subsections to read:

21 Section 1106. Examination and Approval of Voting Machines by
22 the Secretary of the Commonwealth.--

23 * * *

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

29 (h) For the purposes of examining the system, the secretary
30 shall employ or contract for the services of at least one

1 individual who is an expert in one or more fields of data
2 processing, mechanical engineering and public administration and
3 shall require from the individual a written report of his or her
4 examination.

5 (i) Within 30 days after completing the examination and upon
6 approval of any electronic or electromechanical voting system,
7 the secretary shall make and maintain a report on the system,
8 together with a written or printed description and drawings and
9 photographs clearly identifying the system and the operation
10 thereof. As soon as practicable after the filing, the department
11 shall send a notice of certification and upon request, a copy of
12 the report to county boards of elections in this Commonwealth.

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

21 (k) The secretary shall examine and approve at least two
22 accessible voting machines which meet the requirements of
23 section 1107-A.

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

29 (m) The examination and approval under subsection (l) shall
30 ensure that the device conforms with standards to provide

timeliness and accuracy in the casting and counting of ballots
or in the recording of electors.

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

* * *

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

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

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

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

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

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

(z.1) It shall retain ballots cast in the order in which the ballots are cast, so that a direct comparison may be made between the machine interpretation of an individual ballot and a human interpretation of the same ballot.

(z.2) The requirements of subsections (u), (v), (w), (x), (y), (z) and (z.1) shall apply only to machines newly examined

1 or approved by the secretary after 2024.

2 Section 12. Section 1111 of the act is amended by adding
3 subsections to read:

4 Section 1111. Preparation of Voting Machines by County
5 Election Boards.--

6 * * *

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

1 canvassing board.

2 (h) For electronic or electromechanical voting systems
3 configured to tabulate mail-in or absentee ballots at a central
4 or regional site, the public testing shall be conducted by
5 processing a preaudited group of ballots so produced as to
6 record a predetermined number of valid votes for each candidate
7 and on each measure and to include one or more ballots for each
8 office which have activated voting positions in excess of the
9 number allowed by law in order to test the ability of the
10 automatic tabulating equipment to reject the votes. If an error
11 is detected, the cause of the error shall be corrected and an
12 errorless count shall be made before the automatic tabulating
13 equipment is approved. The test shall be repeated and errorless
14 results must be achieved immediately before the start of the
15 official count of the ballots and again after the completion of
16 the official count. The programs and ballots used for testing
17 shall be sealed and retained under the custody of the county
18 election board.

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

1 ballots which have activated voting positions in excess of the
2 number allowed by law in order to test the ability of the
3 tabulating device to reject such votes.

4 (j) If a tested tabulating device is found to have an error
5 in tabulation, it shall be deemed unsatisfactory. For each
6 device deemed unsatisfactory, the county election board shall
7 take steps to determine the cause of the error, shall attempt to
8 identify and test other devices that could reasonably be
9 expected to have the same error and shall test a number of
10 additional devices sufficient to determine that each device is
11 satisfactory. Upon deeming a device unsatisfactory, the county
12 election board may require all devices to be tested or may
13 declare that all devices are unsatisfactory.

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

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

27 (m) The county election board shall execute a written
28 statement setting forth the tabulation devices tested, the
29 results of the testing, the protective counter numbers, if
30 applicable, of each tabulation device, the number of the seal

1 securing each tabulation device at the conclusion of testing,
2 any problems reported to the board as a result of the testing
3 and whether each device tested is satisfactory or
4 unsatisfactory.

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

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

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

1 Section 13. Sections 1112(c)1 and 1117-A of the act are
2 amended to read:

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

5 * * *

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

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

15 * * *

16 Section 1117-A. [Statistical Sample.--The county board of
17 elections, as part of the computation and canvass of returns,
18 shall conduct a statistical recount of a random sample of
19 ballots after each election using manual, mechanical or
20 electronic devices of a type different than those used for the
21 specific election. The sample shall include at least two (2) per
22 centum of the votes cast or two thousand (2,000) votes whichever
23 is the lesser.] Post-election audit.--The county board of
24 elections, as part of the computation and canvass of returns,
25 and prior to certification, shall cooperate in a result-
26 confirming audit conducted by the department of the Auditor
27 General. The audit shall be a ballot comparison, risk-limiting
28 audit, conducted with a risk limit of one (1) per centum, except
29 that, where the voting machines purchased by a county prior to
30 the effective date of this section are incompatible with a

1 ballot comparison audit, the audit shall be a ballot polling,
2 risk-limiting audit, conducted with a risk limit of one (1) per
3 centum.

4 Section 14. The act is amended by adding sections to read:

5 Section 1123-A. Requirements of accessible voting
6 machines.--An accessible voting machine may not, upon any
7 examination or reexamination, be approved by the Secretary of
8 the Commonwealth, or by an examiner appointed by the Secretary,
9 unless the accessible voting machine satisfies the following
10 requirements:

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

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

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

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

22 (5) If a nonaudio access approach is provided, the system
23 may not require color perception. The system must use black text
24 or graphics, or both, on white background or white text or
25 graphics, or both, on black background, unless the office of the
26 secretary approves other high-contrast color combinations that
27 do not require color perception.

28 (6) Any voting system that requires any visual perception
29 must offer the election official who programs the system, prior
30 to its being sent to the polling place, the capability to set

1 the font size, as it appears to the voter, from a minimum of 14
2 points to a maximum of 24 points.

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

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

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

17 (10) If sound cues and audible information such as "beeps"
18 are used, there must be simultaneous corresponding visual cues
19 and information.

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

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

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

1 (14) Any audio ballot must provide the voter with the
2 following functionalities:

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

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

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

12 (iv) The voter must be able to have confidence that the
13 physical or vocal inputs given to the system have selected the
14 candidates that he or she intended to select.

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

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

20 (vii) The system must communicate to the voter the fact that
21 the voter has failed to vote in a race or has failed to vote the
22 number of allowable candidates in any race and require the voter
23 to confirm his or her intent to undervote before casting the
24 ballot.

25 (viii) The system must prevent the voter from overvoting any
26 race.

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

29 (x) The voter must be able to review his or her write-in
30 input to the interface, edit that input and confirm that the

1 edits meet the voter's intent.

2 (xi) There must be a clear, identifiable action that the
3 voter takes to "cast" the ballot. The system must make clear to
4 the voter how to take this action so that the voter has minimal
5 risk of taking the action accidentally but, when the voter
6 intends to cast the ballot, the action can be easily performed.

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

10 (xiii) Once the ballot is cast, the system must preclude the
11 voter from modifying the ballot cast or voting or casting
12 another ballot.

13 Section 1113-B. Voting system defects, disclosure,
14 investigations and penalties.

15 (a) (Reserved).

16 (b) Disclosure.--No later than January 1 of every odd-
17 numbered year, each vendor shall file a written disclosure with
18 the department identifying any known defect in the voting system
19 or the fact that there is no known defect, the effect of any
20 defect on the operation and use of the approved voting system
21 and any known corrective measures to cure a defect, including,
22 but not limited to, advisories and bulletins issued to system
23 users.

24 (c) Cure of defect.--Implementation of corrective measures
25 approved by the department which enable a system to conform to
26 the standards and ensure the timeliness and accuracy of the
27 casting and counting of ballots constitutes a cure of a defect.

28 (d) New defect.--If a vendor becomes aware of the existence
29 of a defect, the vendor must file a new disclosure with the
30 department as provided in subsection (a) within 30 days of the

1 date the vendor determined or reasonably should have determined
2 that the defect existed.

3 (e) Suspension.--If a vendor discloses to the department
4 that a defect exists, the department may suspend all sales or
5 leases of the voting system in this Commonwealth and may suspend
6 the use of the system in any election in this Commonwealth. The
7 department shall provide written notice of a suspension under
8 this subsection to the affected vendor and county boards of
9 elections. If the department determines that the defect no
10 longer exists, the department shall lift the suspension and
11 provide written notice to each affected vendor and supervisor of
12 elections.

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

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

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

29 (i) Notice of investigation.--Upon initiation of an
30 investigation, the department shall provide written notice to

1 the vendor and each county board of elections.

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

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

10 (1) denies that the alleged defect exists or existed as
11 alleged by the department or that the vendor failed to timely
12 disclose a defect and sets forth the reasons for the denial;
13 or

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

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

19 (m) Failure to cure.--If the defect has not been cured, the
20 vendor shall inform the department whether the defect can be
21 cured and shall provide the department with a plan for curing
22 the defect.

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

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

29 (p) Civil penalty.--If the department determines that a
30 vendor failed to timely disclose a defect or that a defect

1 exists and a vendor has not filed a written response or has
2 failed to cure within the time frame established by the
3 department, or if the defect cannot be cured, the department
4 shall impose a civil penalty of \$25,000 for the defect plus an
5 amount equal to the actual costs incurred by the department in
6 conducting the investigation.

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

9 (1) The department may suspend all sales and leases of
10 the voting system and may suspend its use in any county in
11 this Commonwealth. The department shall provide written
12 notice of the suspension to each affected vendor and county
13 board of elections.

14 (2) If the department determines that a defect no longer
15 exists in a voting system that has been suspended from use
16 under this section, the department shall lift the suspension
17 and authorize the sale, lease and use of the voting system in
18 any election in the State. The department shall provide
19 written notice that the suspension has been lifted to each
20 affected vendor and county board of elections.

21 (3) If the defect cannot be cured, the department may
22 disapprove the voting system for use in elections in this
23 Commonwealth. The department shall provide written notice to
24 all supervisors of elections that the system is no longer
25 approved. After approval of a system that has been withdrawn
26 under this paragraph, the system may not be sold, leased or
27 used in this Commonwealth until it has been resubmitted for
28 examination and approval and adopted for use under this act.

29 (4) A vendor for whom a civil penalty was imposed under
30 this section may not submit a voting system for approval by

1 the department or enter into a contract for sale or lease of
2 a voting system in this Commonwealth until each civil penalty
3 has been paid and the department provides written
4 confirmation of the payment to the county board of elections.

5 (r) Report.--The department shall prepare a written report
6 of any investigation conducted pursuant to this section and
7 submit the report to the President pro tempore of the Senate,
8 the Speaker of the House of Representatives, the Majority Leader
9 and Minority Leader of the Senate, the Majority Leader and
10 Minority Leader of the House of Representatives, the chair and
11 minority chair of the State Government Committee of the Senate
12 and the chair and minority chair of the State Government
13 Committee of the House of Representatives.

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

17 (t) Definition.--For the purposes of this section, the term
18 "defect" means a failure, fault or flaw in an electronic or
19 electro-mechanic voting system approved under this act, which
20 results in nonconformance with the standards in a manner that
21 affects the timeliness or accuracy of the casting or counting of
22 ballots or a failure or inability of the voting system
23 manufacturer or vendor to make available and provide approved
24 replacements of hardware or software to the counties that have
25 purchased the approved voting system, the unavailability of
26 which results in the system's nonconformance with the standards
27 in a manner that affects the timeliness or accuracy of the
28 casting or counting of ballots.

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

- 1 (1) Vote and have his or her vote accurately counted.
- 2 (2) Cast a vote if he or she is in line at the time of the
3 closing of polls.
- 4 (3) Ask for and receive assistance in voting.
- 5 (4) Receive up to two replacement ballots if he or she makes
6 a mistake prior to the ballot being cast.
- 7 (5) Receive an explanation if his or her registration or
8 identity is in question.
- 9 (6) Cast a provisional ballot, if his or her registration or
10 identity is in question.
- 11 (7) Receive written instructions to use when voting and,
12 upon request, oral instructions from elections officers to use
13 when voting.
- 14 (8) Vote free from coercion or intimidation by elections
15 officers or any other person.
- 16 (9) Vote on a voting system that is in working condition and
17 that will allow votes to be accurately cast and accurately
18 counted.

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

- 23 (1) Receive any assistance necessary to successfully cast a
24 ballot.
- 25 (2) Move to the front of the line upon arrival at a polling
26 place.
- 27 (3) Receive assistance through supervised voting under
28 section 1306.2.

29 Section 1201.5. Disabled Voter's Bill of Rights.--In
30 addition to the rights of a voter under section 1201.3, a voter

1 in this Commonwealth who is disabled shall have the right to:

2 (1) Receive any assistance necessary to successfully cast a
3 ballot.

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

6 (3) Bring into a polling place or elections office a service
7 animal qualified under the Americans with Disabilities Act of
8 1990 (Public Law 101-336, 104 Stat. 327).

9 (4) Vote using an accessible voting machine approved under
10 this act.

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

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

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

18 (ii) The qualified elector shall mark the ballot in the
19 presence of two election officers, with one representing each of
20 the political parties with the greatest number of registered
21 electors in this Commonwealth.

22 (iii) The qualified elector shall mark the ballot in a
23 secret manner and, obscuring the vote, return the ballot to the
24 election officers. The election officers shall immediately
25 return to the polling place and deposit the ballot in the voting
26 machine.

27 (iv) The electronic poll book utilized by the polling place
28 shall be brought to the qualified elector, if possible, or
29 otherwise made to record the qualified elector's participation
30 in the election.

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

4 Section 15. Sections 1205 and 1210(a.3)(4) of the act are
5 amended to read:

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

11 Section 1210. Manner of Applying to Vote; Persons Entitled
12 to Vote; Voter's Certificates; Entries to Be Made in District
13 Register; Numbered Lists of Voters; Challenges.--* * *

14 (a.3) * * *

15 (4) As each voter is found to be qualified and votes, the
16 election officer in charge of the district register shall [write
17 or stamp] record the date of the election or primary, his number
18 in the order of admission to the voting machines, and at
19 primaries a letter or abbreviation designating the party in
20 whose primary he votes, and shall sign [his name or initials in
21 the proper space on the registration card of such voter
22 contained in the district register.] electronically.

23 * * *

24 Section 16. Section 1231(a), (b)(1), (3) and (4) of the act,
25 amended March 27, 2020 (P.L.41, No.12), are amended to read:

26 Section 1231. Deadline for Receipt of Valid Voter
27 Registration Application.--(a) Except as provided under
28 subsection (b), each commission, commissioner and registrar or
29 clerk appointed by the commission shall receive, during ordinary
30 business hours and during additional hours as the commission

1 prescribes, at the office of the commission and at additional
2 places as the commission designates, applications from
3 individuals who apply to be registered to vote as provided under
4 25 Pa.C.S. Pt. IV (relating to voter registration) who appear
5 and claim that they are entitled to be registered as electors of
6 a municipality. A commission may not accept the registration
7 application of an individual until after the commission has
8 confirmed the individual's eligibility to register to vote under
9 Article VII-A.

10 (b) In the administration of voter registration, each
11 commission shall ensure that an applicant who is a qualified
12 elector is registered to vote in an election when the applicant
13 has met any of the following conditions:

14 (1) In the case of voter registration with a motor vehicle
15 driver's license application under [25 Pa.C.S. § 1323 (relating
16 to application with driver's license application)] section 723-
17 A, if the valid voter registration application is received by
18 the appropriate commission not later than [fifteen] thirty days
19 before the election.

20 * * *

21 (3) In the case of voter registration at a voter
22 registration agency under 25 Pa.C.S. § 1325 (relating to
23 government agencies), if the valid voter registration
24 application is received by the appropriate commission not later
25 than [fifteen] thirty days before the election.

26 (4) In any other case, if the valid voter registration
27 application of the applicant is received by the appropriate
28 commission not later than [fifteen] thirty days before the
29 election.

30 * * *

Section 17. Sections 1302(b), (i)(2) and (k), 1302.1(a) and 1305(b) of the act are amended to read:

Section 1302. Applications for Official Absentee Ballots.--*

* *

(b) The following shall apply:

(1) An application for a qualified elector under subsection (a) shall contain the following information, without which the application shall be rejected:

(i) Home residence at the time of entrance into actual military service or Federal employment, [length of time a citizen; length of residence in Pennsylvania; date] if applicable.

(ii) Date of birth[, length of time a resident of voting district, voting district if known, party]

(iii) Party choice in case of primary[, name and, for a military].

(iv) Name.

(v) For a military elector, his stateside military address, FPO or APO number and serial number.

(vi) At least two of the following:

(A) Last four digits of the elector's Social Security number.

(B) If the elector has a Pennsylvania driver's license, the license number.

(C) The elector's voter registration number.

(1.1) A qualified elector's application shall contain the following, but the application shall not be rejected if the information is unknown or not provided:

(i) Voting district.

(ii) Length of time a resident of voting district.

1 (iii) Length of time a citizen.

2 (iv) Length of residence in this Commonwealth.

3 (2) Any elector other than a military elector shall in
4 addition specify the nature of his employment, the address to
5 which ballot is to be sent, relationship where necessary, and
6 such other information as may be determined and prescribed by
7 the Secretary of the Commonwealth.

8 (3) When such application is received by the Secretary of
9 the Commonwealth it shall be forwarded to the proper county
10 board of election.

11 * * *

12 (i) * * *

13 (2) Nothing in this act shall prohibit a private
14 organization or individual from printing blank voter
15 applications for absentee ballots or shall prohibit the use of
16 such applications by another individual, provided the form,
17 content and paper quality have been approved by the Secretary of
18 the Commonwealth. Voter applications for absentee ballots
19 distributed under this section must clearly indicate that they
20 have not been sent or distributed by a county or by the
21 department and must be blank upon distribution to any elector.

22 * * *

23 (k) The Secretary of the Commonwealth [may] shall develop an
24 electronic system through which all qualified electors may apply
25 for an absentee ballot and request permanent absentee voter
26 status under subsection (e.1), provided the system is able to
27 capture a digitized or electronic signature of the applicant. A
28 county board of elections shall treat any application or request
29 received through the electronic system as if the application or
30 request had been submitted on a paper form or any other format

1 used by the county.

2 Section 1302.1. Date of Application for Absentee Ballot.--

3 (a) Except as provided in subsection (a.3), applications for
4 absentee ballots shall be received in the office of the county
5 board of elections not earlier than fifty (50) days before the
6 primary or election, except that if a county board of elections
7 determines that it would be appropriate to its operational
8 needs, any applications for absentee ballots received more than
9 fifty (50) days before the primary or election may be processed
10 before that time. Applications for absentee ballots shall be
11 processed if received not later than five o'clock P.M. of the
12 [first Tuesday] second Monday prior to the day of any primary or
13 election.

14 * * *

15 Section 1305. Delivering or Mailing Ballots.--

16 * * *

17 (b) (1) The county board of elections upon receipt and
18 approval of an application filed by any elector qualified in
19 accordance with the provisions of section 1301, subsections (i)
20 to (l), inclusive, shall commence to deliver or mail official
21 absentee ballots [as soon as a ballot is certified and the
22 ballots are available.] on the day after the deadline for
23 registering to vote in any election. While any proceeding is
24 pending in a Federal or State court which would affect the
25 contents of any ballot, the county board of elections may await
26 a resolution of that proceeding but in any event, shall commence
27 to deliver or mail official absentee ballots not later than the
28 second Tuesday prior to the primary or election. For those
29 applicants whose proof of identification was not provided with
30 the application or could not be verified by the board, the board

1 shall send the notice required under section 1302.2(d) with the
2 absentee ballot. As additional applications are received and
3 approved after the time that the county board of elections
4 begins delivering or mailing official absentee and mail-in
5 ballots, the board shall deliver or mail official absentee
6 ballots to such additional electors within forty-eight hours.

7 [(2) Notwithstanding any other provisions of this act and
8 notwithstanding the inclusion of a mailing address on an
9 absentee or mail-in ballot application, a voter who presents the
10 voter's own application for an absentee or mail-in ballot within
11 the office of the county board of elections during regular
12 business hours may request to receive the voter's absentee or
13 mail-in ballot while the voter is at the office. This request
14 may be made orally or in writing. Upon presentation of the
15 application and the making of the request and upon approval
16 under sections 1302.2 and 1302.2-D, the county board of
17 elections shall promptly present the voter with the voter's
18 absentee or mail-in ballot. If a voter presents the voter's
19 application within the county board of elections' office in
20 accordance with this section, a county board of elections may
21 not deny the voter's request to have the ballot presented to the
22 voter while the voter is at the office unless there is a bona
23 fide objection to the absentee or mail-in ballot application.]

24 (2) A county board of elections shall investigate the
25 circumstances of any absentee ballot returned as undeliverable
26 by the United States Postal Service. The investigation shall
27 include contacting the absentee elector, further attempts to
28 have his ballot delivered and the correction or reconsideration
29 of his registration status and registered address, if these are
30 found to be incorrect.

1 (3) If a qualified absentee elector directs the qualified
2 elector's ballot to be mailed to an address other than the
3 qualified elector's registered address, a county board of
4 elections shall additionally mail a notice of the request to the
5 qualified elector's registered address.

6 * * *

7 Section 18. Section 1306(a) of the act, amended March 27,
8 2020 (P.L.41, No.12), is amended and the section is amended by
9 adding a subsection to read:

10 Section 1306. Voting by Absentee Electors.--(a) Except as
11 provided in paragraphs (2) and (3), at any time after receiving
12 an official absentee ballot, but on or before eight o'clock P.M.
13 the day of the primary or election, the elector shall, in
14 secret, proceed to mark the ballot only in black lead pencil,
15 indelible pencil or blue, black or blue-black ink, in fountain
16 pen or ball point pen, and then fold the ballot, enclose and
17 securely seal the same in the envelope on which is printed,
18 stamped or endorsed "Official Election Ballot." This envelope
19 shall then be placed in the second one, on which is printed the
20 form of declaration of the elector, and the address of the
21 elector's county board of election and the local election
22 district of the elector. The elector shall then fill out, date
23 and sign the declaration printed on such envelope. [Such
24 envelope shall then be securely sealed and the elector shall
25 send same by mail, postage prepaid, except where franked, or
26 deliver it in person to said county board of election.]

27 * * *

28 (a.1) The elector shall, prior to eight o'clock P.M. on
29 election day, return his or her completed absentee ballot by one
30 of the following methods only:

1 (1) Delivery through the United States Postal Service to the
2 offices of his or her county board of elections.

3 (2) Delivery in person to the permanent offices of his or
4 her county board of elections during its regular hours of
5 operation.

6 (3) Delivery to a ballot return location established under
7 the following conditions:

8 (i) A ballot return location may only be operated during the
9 hours of seven o'clock A.M. to eight o'clock P.M. during the
10 seven days prior to an election.

11 (ii) Ballot return locations may be established by a county
12 board of elections as necessary. The following shall apply:

13 (A) A county shall maintain at least one ballot return
14 location, and may maintain an additional ballot return location,
15 for each 100,000 residents of that county as of the most recent
16 census.

17 (B) Ballot return locations must be monitored by at least
18 one inspector of elections from each of the two parties with the
19 highest number of registered electors in this Commonwealth. Each
20 inspector of elections shall receive the same compensation
21 provided for an election under this act for each day on which he
22 monitors a ballot return location.

23 (C) The inspectors of election monitoring a ballot return
24 location shall verify the identification of each individual
25 returning a ballot consistent with the provisions of this act.
26 The inspectors of election shall also review each ballot prior
27 to the ballot's return to ensure completeness of the declaration
28 of the elector, signature and date.

29 (D) Ballot return locations must be monitored by video
30 recording during each hour of operation. The recording must be

1 made available for public inspection and retained for a period
2 of two years.

3 (E) Ballots returned to a location established under this
4 section must be promptly collected and secured each evening
5 after eight o'clock P.M., or immediately upon being closed for
6 the day, whichever is earlier.

7 (F) Each ballot return location intended to be established
8 in an election must be publicly announced at least thirty (30)
9 days prior to establishment.

10 (G) Each ballot return location must be considered a polling
11 place for the requirements of this act, including accessibility,
12 access of observers and restriction of political activity.

13 (H) Ballot return locations must be established at a fixed
14 location for the duration of the seven days prior to an
15 election.

16 (I) Ballot return locations must be evenly distributed
17 throughout a county to ensure equal access of voters.

18 (J) After the establishment of in-person early voting under
19 Article XIII-F, ballot return locations may only be established
20 at the same premises as early voting locations in a county.

21 (4) Nothing in this section shall be construed to prohibit
22 an elector from returning the completed ballot of another member
23 of his household, registered at the same residential address and
24 unit number. At any time that an elector appears with the intent
25 of returning more than one completed ballot, the inspectors of
26 election shall review the ballots for compliance with this
27 subsection. An elector returning more than one completed ballot
28 shall be informed of the penalty provided under section 1855 for
29 any unlawful collection of ballots.

30 * * *

1 Section 19. The act is amended by adding a section to read:

2 Section 1306.2. Supervised voting by qualified absentee
3 electors in certain facilities.--

4 (a) The county board of elections shall provide supervised
5 voting for absent electors residing in an assisted living
6 facility or nursing home facility within that county at the
7 request of an administrator of the facility. The request for
8 supervised voting in the facility shall be made by submitting a
9 written request to the board of elections no later than twenty-
10 one (21) days prior to the election for which that request is
11 submitted. The request shall specify the name and address of the
12 facility and the name of electors who wish to vote absentee in
13 that election. If the request contains the names of fewer than
14 five voters, the board of elections is not required to provide
15 supervised voting.

16 (b) The county board of elections may, in the absence of a
17 request from the administrator of a facility, provide for
18 supervised voting in the facility for persons who have requested
19 an absentee ballot. The county board of elections shall notify
20 the administrator of a facility that supervised voting will
21 occur.

22 (c) The county board of elections shall, in cooperation with
23 the administrator of a facility, select a date and time when the
24 supervised voting will occur.

25 (d) The county board of elections shall designate supervised
26 voting teams to provide services prescribed by this section.
27 Each supervised voting team shall include at least two persons.
28 Each supervised voting team must include representatives of at
29 least the two parties with the largest number of registered
30 electors in this Commonwealth, except that, in a primary

1 election to nominate party nominees in which only one party has
2 candidates appearing on the ballot, each supervised voting team
3 members may be of only that party. A candidate may not provide
4 supervised voting services.

5 (e) The supervised voting team shall deliver the ballots to
6 the respective absentee electors and each member of the team
7 shall jointly supervise the voting of the ballots. If an elector
8 requests assistance in voting, the oath prescribed under this
9 act shall be completed and the elector may receive the
10 assistance of two members of the supervised voting team or some
11 other person of the elector's choice to assist the elector in
12 casting the elector's ballot.

13 (f) Before providing assistance, the supervised voting team
14 shall disclose to the elector that the ballot may be retained to
15 vote at a later time and that the elector has the right to seek
16 assistance in voting from some other person of the elector's
17 choice without the presence of the supervised voting team.

18 (g) If an elector declines to vote a ballot or is unable to
19 vote a ballot, the supervised voting team shall mark the ballot
20 "refused to vote" or "unable to vote."

21 (h) After the ballots have been voted or marked in
22 accordance with the provisions of this section, the supervised
23 voting team shall deliver the ballots to the county board of
24 elections.

25 (i) The department shall provide training and information to
26 assisted living facilities and nursing home facilities in order
27 to assist residents in voting, including applicable laws
28 regarding assistance in voting and penalties for violation of
29 election laws.

30 Section 20. Sections 1308(g) and 1302-D(b) and (g) of the

1 act, amended March 27, 2020 (P.L.41, No.12), are amended to
2 read:

3 Section 1308. Canvassing of Official Absentee Ballots and
4 Mail-in Ballots.--* * *

5 (g) (1) (i) An absentee ballot cast by any absentee
6 elector as defined in section 1301(a), (b), (c), (d), (e), (f),
7 (g) and (h) shall be canvassed in accordance with this
8 subsection if the ballot is cast, submitted and received in
9 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to
10 uniform military and overseas voters).

11 (ii) An absentee ballot cast by any absentee elector as
12 defined in section 1301(i), (j), (k), (l), (m) and (n), an
13 absentee ballot under section 1302(a.3) or a mail-in ballot cast
14 by a mail-in elector shall be canvassed in accordance with this
15 subsection if the absentee ballot or mail-in ballot is received
16 in the office of the county board of elections no later than
17 eight o'clock P.M. on the day of the primary or election.

18 (1.1) The county board of elections shall meet [no earlier
19 than seven o'clock A.M. on] at least twice, including at nine
20 o'clock A.M. on the first Friday and nine o'clock A.M. on the
21 first Saturday prior to election day to pre-canvass all ballots
22 received prior to the meeting. Meetings to pre-canvass ballots
23 may occur only between nine o'clock A.M. and nine o'clock P.M.
24 on the five days prior to election day and while polls are open
25 on election day. A county board of elections shall provide at
26 least forty-eight hours' notice of a pre-canvass meeting by
27 publicly posting a notice of a pre-canvass meeting on its
28 publicly accessible Internet website. One authorized
29 representative of each candidate in an election, one authorized
30 representative of the county chairperson of each political party

1 and one representative [from] of each political party shall be
2 permitted to remain in the room in which the absentee ballots
3 and mail-in ballots are pre-canvassed. Authorized
4 representatives shall be provided with meaningful access to view
5 and observe the entire process of pre-canvassing or canvassing
6 activities. Such access shall allow all authorized
7 representatives to easily read the text on any ballot or
8 envelope at any point in the process of pre-canvassing or
9 canvassing activities. A county board of elections must
10 designate an official to respond to issues reported by
11 authorized representatives. The department shall establish a
12 procedure for authorized representatives to report any concerns
13 arising from any pre-canvass meeting and the department must
14 investigate and report on any concerns raised in each election.
15 A county board of elections shall record the pre-canvassing and
16 canvassing meetings with audio and visual recording. The entire
17 recording under this section shall be made available only after
18 the close of the polls. No person observing, attending or
19 participating in a pre-canvass meeting may disclose the results
20 of any portion of any pre-canvass meeting prior to the close of
21 the polls.

22 (2) The county board of elections shall meet no earlier than
23 the close of polls on the day of the election and no later than
24 eight o'clock A.M. on the [third] day following the election to
25 begin canvassing absentee ballots and mail-in ballots not
26 included in the pre-canvass meeting. The meeting under this
27 paragraph shall continue until all absentee ballots and mail-in
28 ballots received prior to the close of the polls have been
29 canvassed. The county board of elections shall not record or
30 publish any votes reflected on the ballots prior to the close of

1 the polls. The canvass process shall continue through the eighth
2 day following the election for valid military-overseas ballots
3 timely received under 25 Pa.C.S. § 3511 (relating to receipt of
4 voted ballot). A county board of elections shall provide at
5 least forty-eight hours' notice of a canvass meeting by publicly
6 posting a notice on its publicly accessible Internet website.
7 One authorized representative of each candidate in an election
8 and one representative from each political party shall be
9 permitted to remain in the room in which the absentee ballots
10 and mail-in ballots are canvassed.

11 (3) When the county board meets to pre-canvass or canvass
12 absentee ballots and mail-in ballots under paragraphs (1), (1.1)
13 and (2), the board shall [examine] do all of the following:

14 (i) Examine the declaration on the envelope of each ballot
15 not set aside under subsection (d) and shall compare the
16 information and signature thereon with that contained in the
17 "Registered Absentee and Mail-in Voters File," the absentee
18 voters' list and/or the "Military Veterans and Emergency
19 Civilians Absentee Voters File," whichever is applicable.

20 (ii) A county board of elections shall use an automated
21 sorting or extracting machine to assist in its processing of
22 absentee ballots and mail-in ballots, the machine must possess
23 capabilities as a signature verification device, and the
24 capabilities must additionally be used by the county board of
25 elections to assist in comparing the signature on each ballot
26 with the signature in a voter's file.

27 (iii) If the county board has verified the proof of
28 identification as required under this act and is satisfied that
29 the declaration is sufficient [and], that the information
30 contained in the "Registered Absentee and Mail-in Voters File,"

1 the absentee voters' list and/or the "Military Veterans and
2 Emergency Civilians Absentee Voters File" verifies his right to
3 vote[,] and that the signature on the ballot matches the
4 signature on file, the county board shall provide a list of the
5 names of electors whose absentee ballots or mail-in ballots are
6 to be pre-canvassed or canvassed.

7 (iv) For absentee ballots or mail-in ballots which the
8 county board is not satisfied that proof of identification has
9 been provided due to an inability to match the signature present
10 on the ballot to the signature on file, or for a ballot on which
11 the declaration of the elector is incomplete, or are unsigned or
12 undated, the county board shall:

13 (A) Attempt to notify the elector by mail, email, telephone
14 or text message that the elector's ballot is incomplete and will
15 not be counted unless action is taken by the elector prior to
16 the closing of polls on Election Day.

17 (B) Direct the elector to appear before the Board of
18 Elections to complete the missing information or to provide an
19 electronic, facsimile or paper copy to the county board of
20 elections, including:

21 (I) proof of identification and an executed affirmation
22 attesting, under penalty of perjury, that the elector is the
23 same individual who personally remitted the absentee ballot or
24 mail-in ballot; or

25 (II) an executed affirmation attesting, under penalty of
26 perjury, that the elector is the same individual who personally
27 remitted the absentee ballot or mail-in ballot and that the
28 elector is indigent and unable to obtain proof of identification
29 without the payment of a fee.

30 (v) For absentee ballots or mail-in ballots with incurable

errors, including lacking a secrecy envelope, or the marking of
identifying information on the secrecy envelope, the county
board shall:

(A) attempt to notify the elector by mail, email, telephone
or text message that the elector's ballot cannot be counted due
to an incurable error; and

(B) direct the elector to vote on election day using a
provisional ballot; or

(C) if the elector is unable to appear at his or her polling
place on election day due to a reason listed under section 1301,
direct the elector to apply for an emergency absentee ballot.

(4) All absentee ballots which have not been challenged
under section 1302.2(c) and all mail-in ballots which have not
been challenged under section 1302.2-D(a)(2) and that have been
verified under paragraph (3) shall be counted and included with
the returns of the applicable election district as follows:

(i) The county board shall open the envelope of every
unchallenged absentee elector and mail-in elector in such manner
as not to destroy the declaration executed thereon.

(ii) If any of the envelopes on which are printed, stamped
or endorsed the words "Official Election Ballot" contain any
text, mark or symbol which reveals the identity of the elector,
the elector's political affiliation or the elector's candidate
preference, the envelopes and the ballots contained therein
shall be set aside and declared void.

(iii) The county board shall then break the seals of such
envelopes, remove the ballots and count, compute and tally the
votes.

(iv) Following the close of the polls, the county board
shall record and publish the votes reflected on the ballots.

1 (5) Ballots received whose applications have been challenged
2 and ballots which have been challenged shall be placed unopened
3 in a secure, safe and sealed container in the custody of the
4 county board until it shall fix a time and place for a formal
5 hearing of all such challenges, and notice shall be given where
6 possible to all absentee electors and mail-in electors thus
7 challenged and to every individual who made a challenge. The
8 time for the hearing shall not be later than seven (7) days
9 after the deadline for all challenges to be filed. On the day
10 fixed for said hearing, the county board shall proceed without
11 delay to hear said challenges, and, in hearing the testimony,
12 the county board shall not be bound by the Pennsylvania Rules of
13 Evidence. The testimony presented shall be stenographically
14 recorded and made part of the record of the hearing.

15 (6) The decision of the county board in upholding or
16 dismissing any challenge may be reviewed by the court of common
17 pleas of the county upon a petition filed by any person
18 aggrieved by the decision of the county board. The appeal shall
19 be taken, within two (2) days after the decision was made,
20 whether the decision was reduced to writing or not, to the court
21 of common pleas setting forth the objections to the county
22 board's decision and praying for an order reversing the
23 decision.

24 (7) Pending the final determination of all appeals, the
25 county board shall suspend any action in canvassing and
26 computing all challenged ballots received under this subsection
27 irrespective of whether or not appeal was taken from the county
28 board's decision. Upon completion of the computation of the
29 returns of the county, the votes cast upon the challenged
30 official absentee ballots that have been finally determined to

1 be valid shall be added to the other votes cast within the
2 county.

3 * * *

4 Section 1302-D. Applications for official mail-in ballots.

5 * * *

6 (b) Content.--The following shall apply:

7 (1) The qualified elector's application shall contain
8 the following information, without which the application
9 shall be rejected:

10 (i) Date of birth.

11 [(ii) Length of time a resident of voting district.

12 (iii) Voting district, if known.]

13 (iv) Party choice in case of primary.

14 (v) Name.

15 (vi) At least two of the following:

16 (A) Last four digits of the elector's Social
17 Security number.

18 (B) If the elector has a Pennsylvania driver's
19 license, the license number.

20 (C) The elector's voter registration number.

21 (1.1) The qualified elector's application shall contain
22 the following, but the application shall not be rejected if
23 this information is unknown or not provided:

24 (i) Voting district.

25 (ii) Length of time a resident of voting district.

26 (2) A qualified elector shall, in addition, [specify the
27 address to which the ballot is to be sent, the relationship
28 where necessary and other information as may be determined by
29 the Secretary of the Commonwealth.] specify his or her
30 registered address, to which the ballot must be delivered by

1 mail.

2 (3) When an application is received by the Secretary of
3 the Commonwealth it shall be forwarded to the proper county
4 board of election.

5 * * *

6 (g) Permanent mail-in voting list.--

7 [(1) Any qualified registered elector may request to be
8 placed on a permanent mail-in ballot list file at any time
9 during the calendar year. A mail-in ballot application shall
10 be mailed to every person otherwise eligible to receive a
11 mail-in ballot application by the first Monday in February
12 each year or within 48 hours of receipt of the request,
13 whichever is later, so long as the person does not lose the
14 person's voting rights by failure to vote as otherwise
15 required by this act. A mail-in ballot application mailed to
16 an elector under this section, which is completed and timely
17 returned by the elector, shall serve as an application for
18 any and all primary, general or special elections to be held
19 in the remainder of that calendar year and for all special
20 elections to be held before the third Monday in February of
21 the succeeding year.]

22 (1) Neither the department nor the county shall maintain
23 a permanent mail-in voting list. A qualified elector must
24 separately request a mail-in ballot for each election in
25 which the qualified elector chooses to vote by mail,
26 including for each election held within the same calendar
27 year.

28 (2) The Secretary of the Commonwealth may develop an
29 electronic system through which all qualified electors may
30 apply for a mail-in ballot and request permanent mail-in

1 voter status under this section, provided the system is able
2 to capture a digitized or electronic signature of the
3 applicant. A county board of elections shall treat an
4 application or request received through the electronic system
5 as if the application or request had been submitted on a
6 paper form or any other format used by the county.

7 [(3) The transfer of a qualified registered elector on a
8 permanent mail-in voting list from one county to another
9 county shall only be permitted upon the request of the
10 qualified registered elector.]

11 Section 21. Section 1302.1-D(a) of the act is amended to
12 read:

13 Section 1302.1-D. Date of application for mail-in ballot.

14 (a) General rule.--Applications for mail-in ballots shall be
15 received in the office of the county board of elections not
16 earlier than 50 days before the primary or election, except that
17 if a county board of elections determines that it would be
18 appropriate to the county board of elections' operational needs,
19 any applications for mail-in ballots received more than 50 days
20 before the primary or election may be processed before that
21 time. Applications for mail-in ballots shall be processed if
22 received not later than five o'clock P.M. of the [first Tuesday]
23 second Monday prior to the day of any primary or election.

24 * * *

25 Section 22. Section 1305-D of the act, amended March 27,
26 2020 (P.L.41, No.12), is amended to read:

27 Section 1305-D. Delivering or mailing ballots.

28 The following apply:

29 (1) The county board of elections, upon receipt and
30 approval of an application filed by a qualified elector under

1 section 1301-D, shall commence to deliver or mail official
2 mail-in ballots [as soon as a ballot is certified and the
3 ballots are available.] on the day after the deadline for
4 registering to vote in an election. While any proceeding is
5 pending in a Federal or State court which would affect the
6 contents of any ballot, the county board of elections may
7 await a resolution of that proceeding but in any event, shall
8 commence to deliver or mail official mail-in ballots not
9 later than the second Tuesday prior to the primary or
10 election. For applicants whose proof of identification was
11 not provided with the application or could not be verified by
12 the board, the board shall send the notice required under
13 section 1302.2-D(c) with the mail-in ballot. As additional
14 applications are received and approved, the board shall
15 deliver or mail official mail-in ballots to the additional
16 electors within 48 hours.

17 (2) The county board of elections shall investigate the
18 circumstances of any mail-in ballot returned as undeliverable
19 by the United States Postal Service. The investigation shall
20 include contacting the mail-in elector, further attempts to
21 have his ballot delivered, and the correction or
22 reconsideration of his registration status and registered
23 address, if these are found to be incorrect.

24 Section 23. Sections 1306-D(a) of the act, amended March 27,
25 2020 (P.L.41, No.12), is amended and the section is amended by
26 adding a subsection to read:

27 Section 1306-D. Voting by mail-in electors.

28 (a) General rule.--At any time after receiving an official
29 mail-in ballot, but on or before eight o'clock P.M. the day of
30 the primary or election, the mail-in elector shall, in secret,

1 proceed to mark the ballot only in black lead pencil, indelible
2 pencil or blue, black or blue-black ink, in fountain pen or ball
3 point pen, and then fold the ballot, enclose and securely seal
4 the same in the envelope on which is printed, stamped or
5 endorsed "Official Election Ballot." This envelope shall then be
6 placed in the second one, on which is printed the form of
7 declaration of the elector, and the address of the elector's
8 county board of election and the local election district of the
9 elector. The elector shall then fill out, date and sign the
10 declaration printed on such envelope. [Such envelope shall then
11 be securely sealed and the elector shall send same by mail,
12 postage prepaid, except where franked, or deliver it in person
13 to said county board of election.]

14 * * *

15 (a.2) Return of completed mail-in ballots.--The elector
16 shall, prior to eight o'clock P.M. on election day, return his
17 or her completed mail-in ballot by one of the following methods
18 only:

19 (1) Delivery through the United States Postal Service to
20 the offices of his county board of elections.

21 (2) Delivery in person to the permanent offices of his
22 or her county board of elections during its regular hours of
23 operation.

24 (3) Delivery to a ballot return location established
25 under the following conditions:

26 (i) A ballot return location may only be operated
27 during the hours of seven o'clock A.M. to eight o'clock
28 P.M. during the seven days prior to an election.

29 (ii) Ballot return locations may be established by a
30 county board of elections as necessary, provided that:

1 (A) A county shall maintain at least one ballot
2 return location and may maintain an additional ballot
3 return location for each 100,000 residents of that
4 county as of the most recent census.

5 (B) Ballot return locations must be monitored by
6 at least one inspector of elections from each of the
7 two parties with the highest number of registered
8 electors in this Commonwealth. Each inspector of
9 elections shall receive the same compensation
10 provided for an election under this act for each day
11 on which he monitors a ballot return location.

12 (C) The inspectors of election monitoring any
13 ballot return location shall verify the
14 identification of each individual returning a ballot
15 consistent with the provisions of this act. The
16 inspectors of election shall also ensure review of
17 each ballot prior to the ballot's return to ensure
18 completeness of the declaration of the elector,
19 signature and date.

20 (D) Ballot return locations must be monitored by
21 video recording during each hours of operation. The
22 recording shall be made available for public
23 inspection and retained for a period of two years.

24 (E) Ballots returned to a location established
25 under this section must be promptly collected and
26 secured each evening after eight o'clock P.M., or
27 immediately upon being closed for the day, whichever
28 is earlier.

29 (F) Each ballot return location must be
30 considered a polling place for all requirements of

1 this act, including accessibility, access of
2 observers and restriction of political activity.

3 (G) Ballot return locations must be established
4 at a fixed location for the duration of the seven
5 days prior to an election.

6 (H) Ballot return locations must be evenly
7 distributed throughout a county to ensure equal
8 access of voters.

9 (I) After the establishment of in-person early
10 voting under Article XIII-F, ballot return locations
11 may only be established at the same premises as early
12 voting locations in a county.

13 (4) Nothing in this subsection shall be construed to
14 prohibit an elector from returning the completed ballot of
15 another member of his or her household, registered at the
16 same residential address and unit number. At any time that an
17 elector appears with the intent of returning more than one
18 completed ballot, the inspectors of election shall review the
19 ballots for compliance with this subsection. An elector
20 returning more than one completed ballot shall be informed of
21 the penalty provided under section 1855 for any unlawful
22 collection of ballots.

23 * * *

24 Section 24. Section 1302-E(c)(4) of the act is amended by
25 adding a subparagraph and the subsection is amended by adding
26 paragraphs to read:

27 Section 1302-E. Pennsylvania Election Law Advisory Board.

28 * * *

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

30 * * *

1 (4) Evaluate and make recommendations on:

2 * * *

3 (iii) The rules prescribed in the official
4 instructions and procedures manual under this section
5 shall include regulations and restrictions governing any
6 vendors contracted by counties or the department for the
7 printing or mailing of ballots.

8 * * *

9 (6) After consultation with each county board of
10 elections, to prescribe rules to achieve and maintain the
11 maximum degree of correctness, impartiality, uniformity and
12 efficiency on the procedures for early voting and voting and
13 of producing, distributing, collecting, counting, tabulating
14 and storing ballots. The election law advisory board shall
15 also adopt rules regarding transmittal of unvoted ballots,
16 ballot requests, voted ballots and other election materials
17 to and from a qualified absentee military or overseas
18 elector, as defined by the Uniformed and Overseas Citizens
19 Absentee Voting Act (Public Law 99-410, 100 Stat. 924). The
20 following shall apply:

21 (i) The rules shall be prescribed in an official
22 instructions and procedures manual to be issued not later
23 than December 31 of each odd-numbered year immediately
24 preceding the general election. Before its issuance, the
25 manual shall be submitted to the President pro tempore of
26 the Senate, the Speaker of the House of Representatives,
27 the Majority Leader and Minority Leader of the Senate,
28 the Majority Leader and Minority Leader of the House of
29 Representatives, the chair and minority chair of the
30 State Government Committee of the Senate, the chair and

1 minority chair of the State Government Committee of the
2 House of Representatives and the Governor not later than
3 October 1 of the year before each general election.

4 (ii) Each rule included in the official instructions
5 and procedures manual must provide citations to relevant
6 provisions of this act.

7 (7) To establish standards for annual training
8 requirements for all county election officials, poll workers
9 and judges of elections.

10 (8) To adopt rules prescribing minimum standards for
11 nonpartisan voter education. The standards shall, at a
12 minimum, address:

13 (i) voter registration;

14 (ii) balloting procedures, by mail and polling
15 place;

16 (iii) voter rights and responsibilities;

17 (iv) distribution of sample ballots; and

18 (v) public service announcements.

19 (9) To receive reports from county boards of elections
20 required under section 302, to reexamine the rules adopted
21 under paragraph (8), and to use the findings in the reports
22 as a basis for modifying the rules to incorporate successful
23 voter education programs and techniques, as necessary.

24 * * *

25 Section 25. The act is amended by adding an article to read:

26 ARTICLE XIII-F

27 EARLY VOTING BY QUALIFIED ELECTORS

28 Section 1301-F. In-person early voting.

29 Beginning with the 2025 primary election, and for each
30 election thereafter, each county board of elections must provide

1 electors with the opportunity to vote at an early voting center,
2 prior to election day.

3 Section 1302-F. Operation.

4 The following shall apply:

5 (1) Each early voting center shall be considered a
6 polling place for the purposes of this act.

7 (2) Early voting centers may be established beginning on
8 the second Friday prior to an election and ending on the
9 first Wednesday prior to an election. A county shall operate
10 one early voting center for each 100,000 residents of the
11 county at the time of the most recent census, with a minimum
12 of one center and a maximum of 10.

13 (3) Early voting centers may be open from 7 A.M to 8
14 P.M. each day.

15 (4) The board shall provide at least 30 days notice
16 prior to the establishment of any early voting center,
17 including location and intended hours of operation.

18 (4.1) Early voting centers may be established only at a
19 building which provides the security required under paragraph
20 (9), and which is a city hall, permanent public library
21 facility, courthouse or a municipal, county or Commonwealth
22 owned permanent building.

23 (5) A county may establish not more than 10 early voting
24 centers, distributed throughout the county so as to ensure
25 equal access to all voters.

26 (6) An early voting center shall utilize electronic poll
27 books with the capability of scanning an elector's
28 identification and printing the appropriate ballot for that
29 elector.

30 (7) Each early voting center must be accessible under

1 the requirements of the Americans with Disabilities Act of
2 1990 (Public Law 101-336, 104 Stat. 327).

3 (8) Voting at early voting centers shall be conducted
4 using the same type of voting machines utilized by that
5 county on election day.

6 (9) An early voting center shall be continually secured,
7 monitored by staff and monitored by video recording from the
8 beginning of the period provided for early voting until the
9 end, including overnight. Video recording shall be retained
10 and made available publicly.

11 (10) During any early voting period, each county board
12 of elections shall make available the total number of
13 electors having cast a ballot at each early voting location
14 during the previous day. Each county board shall prepare an
15 electronic data file listing the individual electors who cast
16 a ballot during the early voting period. This information
17 shall be updated and made available no later than noon of
18 each day and shall be provided to the public upon request.

19 Section 1303-F. Reimbursement.

20 Counties shall be reimbursed by the department for half of
21 the costs incurred in the operation of early voting centers.

22 Section 26. Section 1402 of the act is amended by adding a
23 subsection to read:

24 Section 1402. Returns to Be Open to Public Inspection;
25 Exceptions.--* * *

26 (a.1) Each ballot cast in an election shall be open to
27 public inspection at the office of the county board as soon as
28 practicable after an election, and for as long as the ballots
29 are required to be retained under this act. Public inspection
30 shall be monitored to ensure the safety and integrity of each

1 ballot. The following shall apply:

2 (1) A county official and sheriff shall be present during a
3 public inspection of ballots.

4 (2) A ballot may not be altered, damaged, moved or destroyed
5 in the course of a public inspection.

6 (3) For the 2023 primary election, and for each election
7 thereafter, digital copies of each ballot shall be created,
8 retained and provided upon request, subject to the same
9 conditions as physical ballots.

10 * * *

11 Section 27. Section 1404(c) and (f) of the act are amended
12 to read:

13 Section 1404. Computation of Returns by County Board;
14 Certification; Issuance of Certificates of Election.--

15 * * *

16 [(c) The county board shall first publicly account for all
17 extra official ballots printed under the provisions of section
18 1007 of this act. The general returns made by the election
19 officers from the various election districts shall then be read
20 one after another in the usual order, slowly and audibly, by one
21 of the clerks who shall, in each case of a return from a
22 district in which ballots were used, read therefrom the number
23 of ballots (in the case of primaries the number of ballots of
24 each party) issued, spoiled and cancelled, and cast,
25 respectively, whereupon the clerk having charge of the records
26 of the county board showing the number of ballots furnished for
27 each election district, including the number of extra official
28 ballots as provided by section 1007 of this act as so furnished,
29 and the number of unused ballots and spoiled and cancelled
30 ballots returned, shall publicly announce the number of the same

1 respectively, and unless it appears by said number or
2 calculations therefrom that said records, and the said general
3 return correspond, no further returns shall be read from the
4 latter until all discrepancies are explained to the satisfaction
5 of the county board. In the case of districts in which voting
6 machines are used, there shall be read from the general return
7 the identifying number or other designation of each voting
8 machine used, the numbers registered on the protective counter
9 or device on each machine prior to the opening of the polls and
10 immediately after close of the same, whereupon the clerk having
11 charge of the records of the county board showing the number
12 registered on the protective counter or device of each voting
13 machine prior to delivery at the polling place, shall publicly
14 announce the numbers so registered, and unless it appears that
15 the said records, and the said general return correspond, no
16 further returns shall be read from the latter until any and all
17 discrepancies are explained to the satisfaction of the county
18 board.]

19 (c) It shall be the duty of each county board of elections,
20 before certification or the issuance of certificates of
21 election, to record the participation of each elector and the
22 article of this act by which the elector voted, in the voter
23 registration record established in 25 Pa.C.S. Ch. 12 Subch. B
24 (relating to Statewide Uniform Registry of Electors (SURE)). If
25 it appears that the total number of ballots cast in an election
26 district, or that the total number of votes returned for a
27 candidate for the same office or nomination at an election
28 exceeds the number of electors recorded as participating in that
29 election in that district, the excess shall be deemed a
30 discrepancy and palpable error, shall be investigated by the

1 return board and no votes shall be recorded from the district
2 until an investigation is conducted. The excess shall authorize
3 the following:

4 (1) The summoning of the election officers, overseers,
5 machine inspectors and clerks to appear with any election papers
6 in their possession.

7 (2) The production of the ballot box before the return
8 board, the examination and scrutiny of its contents and of the
9 registration and election documents relating to the district, in
10 the presence of representatives of each party and candidate
11 interested who are attending the canvass of such votes.

12 (2.1) The recount of the ballots contained in the ballot
13 box, either generally or respecting the particular office,
14 nomination, or question as to which the excess exists, in the
15 discretion of the return board.

16 (3) The correction of the returns in accordance with the
17 result of the recount.

18 (4) In the discretion of the return board, the exclusion of
19 the poll of the district, either as to all offices, candidates,
20 questions and parties, or as to a particular office, candidate,
21 question or party as to which the excess exists, if the ballot
22 box is found to contain more ballots:

23 (i) than there are electors registered or enrolled in the
24 election district;

25 (ii) of one party than there are electors registered or
26 enrolled in the district as members of that party;

27 (iii) than the number of voters who voted at the election;
28 or

29 (iv) of one party than the number of voters of the party who
30 voted at the election.

1 (5) A report of the facts of the case to the district
2 attorney where the action appears to be warranted.

3 * * *

4 (f) As the returns from each election district are read,
5 computed and found to be correct or corrected as aforesaid, they
6 shall be recorded on the blanks prepared for the purpose until
7 all the returns from the various election districts which are
8 entitled to be counted shall have been duly recorded, when they
9 shall be added together, announced and attested by the clerks
10 who made and computed the entries respectively and signed by the
11 members of the county board. Returns under this subsection shall
12 be considered unofficial for five (5) days. The county board
13 shall submit the unofficial returns to the Secretary of the
14 Commonwealth [by five o'clock P. M. on the Tuesday following the
15 election.] incrementally and as often as practicable until all
16 returns have been submitted. The submission shall be as directed
17 by the secretary for public office which appears on the ballot
18 in every election district in this Commonwealth or for a ballot
19 question which appears on the ballot in every election district
20 in this Commonwealth. The unofficial returns shall be posted to
21 the department's publicly accessible Internet website and to
22 each county board of elections' publicly accessible Internet
23 website. The secretary shall establish, for the use of each
24 website displaying unofficial returns, a consistent template and
25 interface which shall provide, in electronic spreadsheet form:

26 (1) The total number of ballots voted in this Commonwealth,
27 in each county and in each voting district.

28 (2) The total number of ballots voted by electors under each
29 article of this act.

30 (3) The votes recorded for each candidate or question, in

1 each voting district and each county, and the sum for the
2 Commonwealth, including the number of votes received by each
3 candidate or question under each article of this act.

4 (4) The percentage of voting districts having reported
5 results.

6 (5) The percentage of registered electors who are recorded
7 as having voted in this Commonwealth, each county and each
8 voting district.

9 (6) The total number of registered electors in this
10 Commonwealth, each county and each voting district.

11 (7) The total number of mail-in and absentee ballots sent by
12 each county and the sum for this Commonwealth.

13 (8) The total number of overseas and military ballots
14 mailed.

15 (9) A website displaying unofficial returns shall provide an
16 interactive map allowing the information under paragraphs (1),
17 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
18 election district, county and this Commonwealth. At any time
19 that unofficial results data previously posted to the department
20 or a county's publicly accessible Internet website is amended,
21 corrected, deleted or updated in a manner other than the
22 inclusion of additional results, the department and an affected
23 county shall post a disclosure to the unofficial returns website
24 explicitly noting the time such update occurred, the reason and
25 the impact on unofficial returns.

26 At the expiration of five (5) days after the completion of
27 the computation of votes, in case no petition for a recount or
28 recanvass has been filed in accordance with the provisions of
29 this act, or upon the completion of the recount or recanvass if
30 a petition therefor has been filed within five (5) days after

1 the completion of the computation of votes, the county board
2 shall certify the returns so computed in said county in the
3 manner required by this act, unless upon appeals taken from any
4 decision, the court of common pleas shall have directed any
5 returns to be revised, or unless in case of a recount, errors in
6 the said returns shall have been found, in which case said
7 returns shall be revised, corrected and certified accordingly.
8 The county board shall thereupon, in the case of elections,
9 issue certificates of election to the successful candidates for
10 all county, city, borough, township, ward, school district, poor
11 district and election offices, and local party offices to be
12 filled by the votes of the electors of said county, or of any
13 part thereof.

14 * * *

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

16 Section 1778. Powers and duties of the Attorney General
17 Relating to Elections.--The Attorney General shall, at least 45
18 days prior to an election, appoint an independent prosecutor to
19 review election complaints received by the department and the
20 county boards of elections. The independent prosecutor shall
21 have experience prosecuting election law violations and shall
22 coordinate efforts with each level of law enforcement. The
23 independent prosecutor shall publish a report following each
24 election including:

25 (1) The total number of complaints filed and to which entity
26 the complaint was filed.

27 (2) A summary of how each complaint was investigated by the
28 independent prosecutor.

29 (3) Recommendations to the General Assembly, the department,
30 and county boards of elections for reducing future complaints.

1 Section 29. Sections 1801, 1802, 1802.1, 1803, 1804, 1805,
2 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815,
3 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824, 1825, 1826,
4 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836,
5 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847, 1848, 1849 and
6 1850 of the act are amended to read:

7 Section 1801. Disobeying Lawful Instructions.--Any person
8 who wilfully disobeys any lawful instruction or order of any
9 county board of elections, or who refuses to obey their subpoena
10 duly issued and served under the provisions of this act, shall
11 be guilty of a misdemeanor, and, upon conviction thereof, shall
12 be sentenced to pay a fine not exceeding [five hundred (\$500)]
13 one thousand (\$1,000) dollars, or to undergo an imprisonment not
14 exceeding [one (1) year] two (2) years, or both, in the
15 discretion of the court.

16 Section 1802. Perjury.--Any wilful false statement made
17 under oath or affirmation or in writing, stating that it is so
18 made, although such oath or affirmation may not have actually
19 been made, by any person regarding any material matter or thing
20 relating to any subject being investigated, heard, determined or
21 acted upon by any county board of elections, or member thereof,
22 or by any court or judge thereof, judge of election, inspector
23 of election, or overseer, in accordance with the terms of this
24 act, shall be perjury, a misdemeanor of the first degree, and
25 any person, upon conviction thereof, shall be sentenced to pay a
26 fine not exceeding [ten thousand (\$10,000)] twenty thousand
27 (\$20,000) dollars, or to undergo an imprisonment of not more
28 than [five (5)] ten (10) years, or both, in the discretion of
29 the court.

30 Section 1802.1. False Affidavits of Candidates.--Any

1 candidate for State, county, city, borough, incorporated town,
2 township or school district office or for the office of United
3 States Senator or Representative in Congress or any other
4 elective public office who knowingly makes a false statement
5 regarding his eligibility or qualifications for such office in
6 his candidate's affidavit shall, in litigation which results in
7 the removal of the candidate from the ballot, be liable for
8 court costs, including filing fees, attorney fees, investigation
9 fees and similar costs, in an amount up to [ten thousand
10 (\$10,000)] twenty thousand (\$20,000) dollars.

11 Section 1803. Refusal to Permit Inspection of Papers;
12 Destruction or Removal; Secretary of the Commonwealth.--Any
13 Secretary of the Commonwealth, deputy, or employe of his office,
14 who shall refuse to permit the public inspection or copying as
15 authorized, except when in use in his office, by this act, of
16 any return, nomination petition, certificate or paper, other
17 petition, account, contract, report or any other document or
18 record in his custody which, under the provisions of this act,
19 is required to be open to public inspection; or who shall
20 destroy or alter, or permit to be destroyed or altered, any such
21 document or record during the period for which the same is
22 required to be kept in his office; or who shall remove any such
23 document or record from his office during said period, or permit
24 the same to be removed, except pursuant to the direction of any
25 competent court or any committee required to determine any
26 contested primary or election, shall be guilty of a misdemeanor,
27 and, upon conviction thereof, shall be sentenced to pay a fine
28 not exceeding [one thousand (\$1,000)] two thousand (\$2,000)
29 dollars, or to undergo an imprisonment of not less than [one (1)
30 month] two (2) months nor more than [two (2)] four (4) years, or

1 both, in the discretion of the court.

2 Section 1804. Refusal to Permit Inspection of Papers;
3 Destruction or Removal; County Boards of Elections.--Any member,
4 chief clerk or other employe of any county board of elections,
5 who shall refuse to permit the public inspection or copying, as
6 authorized by this act, of any general or duplicate return
7 sheet, tally paper, affidavit, nomination petition, certificate
8 or paper, other petition, witness list, account, contract,
9 report or any other document or record in the custody of such
10 county board which, under the provisions of this act, is
11 required to be open to public inspection; or who shall destroy
12 or alter, or permit to be destroyed or altered, any such
13 document or record during the period for which the same is
14 required to be kept in the office of such county board; or who
15 shall remove any such document or record from the office of such
16 county board during said period, or permit the same to be
17 removed, except pursuant to the direction of any competent court
18 or any committee required to determine any contested primary or
19 election, shall be guilty of a misdemeanor, and, upon conviction
20 thereof, shall be sentenced to pay a fine not exceeding [one
21 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
22 an imprisonment of not less than [one (1) month] two (2) months
23 nor more than [two (2)] four (4) years, or both, in the
24 discretion of the court.

25 Section 1805. Insertion and Alteration of Entries in
26 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
27 or employe of any county board of elections or judge, inspector
28 or clerk of election, machine inspector, overseer, or other
29 person, who knowingly inserts or knowingly permits to be
30 inserted any fictitious name, false figure or other fraudulent

1 entry on or in any registration card, district register, voter's
2 certificate, list of voters, affidavit, tally paper, general or
3 duplicate return sheet, statement, certificate, oath, voucher,
4 account, ballot or other record or document authorized or
5 required to be made, used, signed, returned or preserved for any
6 public purpose in connection with any primary or election; or
7 who materially alters or intentionally destroys any entry which
8 has been lawfully made therein, except by order of the county
9 board of elections or court of competent jurisdiction, or who
10 takes or removes any such book, affidavit, return, account,
11 ballot or other document or record from the custody of any
12 person having lawful charge thereof, in order to prevent the
13 same from being used or inspected or copied as required or
14 permitted by this act, or who neglects or refuses, within the
15 time and in the manner required by this act, to deliver the same
16 into the custody of the officers who are required by this act to
17 use or keep the same, shall be guilty of a misdemeanor, and,
18 upon conviction thereof, shall be sentenced to pay a fine not
19 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
20 or to undergo an imprisonment of not less than [one (1) month]
21 two (2) months or more than [two (2)] four (4) years, or both,
22 in the discretion of the court.

23 Section 1806. Refusal to Permit Overseers, Watchers,
24 Attorneys or Candidates to Act.--Any member of a county board of
25 elections, judge of election or inspector of election who shall
26 refuse to permit any overseer or watcher, attorney or candidate
27 to be present, as authorized by this act, at any session of a
28 county board, computation and canvassing of returns of any
29 primary or election, recount of ballots or recanvass of voting
30 machines, as authorized by this act, or at any polling place

1 during the time the polls are open at any primary or election,
2 and after the close of the polls during the time the ballots are
3 counted or voting machine canvassed and until the returns of
4 such primary or election have been made up and signed, shall be
5 guilty of a misdemeanor, and, upon conviction thereof, shall be
6 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
7 two thousand (\$2,000) dollars, or to undergo an imprisonment not
8 exceeding [one (1) year] two (2) years, or both, in the
9 discretion of the court.

10 Section 1807. Driving away Watchers, Attorneys, Candidates
11 or Overseers.--Any person who by violence or intimidation shall
12 threaten or drive away any watcher, attorney, candidate or
13 overseer, or representative of the county board of elections, or
14 of the Secretary of the Commonwealth, required or permitted to
15 be present at any polling place, or who shall in any manner
16 prevent any overseer, or representative of the county board of
17 elections or of the Secretary of the Commonwealth from
18 performing his duty under this act, shall be guilty of a
19 misdemeanor, and, upon conviction thereof, shall be sentenced to
20 pay a fine not exceeding [one thousand (\$1,000)] two thousand
21 (\$2,000) dollars, or to undergo an imprisonment of not less than
22 [one (1) month] two (2) months nor more than [two (2)] four (4)
23 years, or both, in the discretion of the court.

24 Section 1808. Refusal to Permit Election Officers, Clerks
25 and Machine Inspectors to Act; Driving away Said Persons.--Any
26 person, including any election officer, who shall refuse to
27 permit any election officer, clerk or machine inspector, duly
28 elected or appointed and authorized to act, to perform the
29 duties imposed on him or to act as permitted by this act; or who
30 shall by violence or intimidation threaten or drive away, any

1 such election officer, clerk or machine inspector or who shall,
2 in any manner, prevent any such election officer, clerk or
3 machine inspector from performing his rights and duties under
4 this act, shall be guilty of a misdemeanor, and, upon conviction
5 thereof, shall be sentenced to pay a fine not exceeding [one
6 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
7 an imprisonment of not less than [one (1) month] two (2) months
8 or more than [two (2)] four (4) years, or both, in the
9 discretion of the court.

10 Section 1809. Refusal to Administer Oath; Acting Without
11 Being Sworn.--If any judge of election or minority inspector of
12 election refuses or fails to administer the oath to the officers
13 of election, in the manner required by this act, or if any judge
14 of election, inspector of election, clerk of election, or
15 machine inspector, shall act without being first duly sworn, or
16 if any such person shall sign the written form of oath without
17 being duly sworn, or if any judge of election or minority
18 inspector of election or any other person authorized to
19 administer oaths shall certify that any such person was sworn
20 when he was not, he shall be guilty of a misdemeanor, and, upon
21 conviction thereof, shall be sentenced to pay a fine not
22 exceeding [one hundred (\$100)] two hundred (\$200) dollars, or to
23 undergo an imprisonment not exceeding [six (6) months] one (1)
24 year, or both, in the discretion of the court.

25 Section 1810. Violation of Oath of Office by Election
26 Officers.--Any judge of election, inspector of election, clerk
27 of election, or machine inspector who shall wilfully violate any
28 of the provisions of his oath of office, shall be guilty of a
29 misdemeanor, and, upon conviction thereof, shall be sentenced to
30 pay a fine not exceeding [one thousand (\$1,000)] two thousand

1 (\$2,000) dollars, or to undergo an imprisonment not exceeding
2 [one (1) year] two (2) years, or both, in the discretion of the
3 court.

4 Section 1811. Peace Officers; Failure to Render Assistance;
5 Hindering or Delaying County Board Members and Others.--Any
6 sheriff, deputy sheriff, constable, deputy constable, police or
7 other peace officer, who shall fail upon demand of any member of
8 a county board of elections, judge or inspector of election, or
9 overseer to render such aid and assistance to him as he shall
10 request in the maintenance of peace and in the making of
11 arrests, as herein provided, or who shall wilfully hinder or
12 delay or attempt to hinder or delay any member of a county
13 board, judge or inspector of election, or overseer in the
14 performance of any duty under this act, shall be guilty of a
15 misdemeanor, and, upon conviction thereof, shall be sentenced to
16 pay a fine not exceeding [five hundred (\$500)] one thousand
17 (\$1,000) dollars, or to undergo an imprisonment of not less than
18 [three (3)] six (6) months nor more than [two (2)] four (4)
19 years, or both, in the discretion of the court.

20 Section 1812. Nomination Petitions and Papers; Offenses by
21 Signers.--If any person shall knowingly and wilfully sign any
22 nomination petition or nomination paper, without having the
23 qualifications prescribed by this act, or if any person shall
24 set opposite a signature on a nomination petition or paper, a
25 date other than the actual date such signature was affixed
26 thereto, or if any person shall set opposite the signature on a
27 nomination petition or nomination paper, a false statement of
28 the signer's place of residence or occupation, or if any person
29 shall sign more nomination petitions or nomination papers than
30 permitted by the provisions of this act, he shall be guilty of a

1 misdemeanor, and, upon conviction thereof, shall be sentenced to
2 pay a fine not exceeding [one hundred (\$100)] two hundred (\$200)
3 dollars, or to undergo an imprisonment of not less than [three
4 (3)] six (6) months nor more than [two (2)] four (4) years, or
5 both, at the discretion of the court.

6 Section 1813. False Signatures and Statements in Nomination
7 Petitions and Papers.--If any person shall knowingly make a
8 false statement in any affidavit required by the provisions of
9 this act, to be appended to or to accompany a nomination
10 petition or a nomination paper, or if any person shall
11 fraudulently sign any name not his own to any nomination
12 petition or nomination paper, or if any person shall
13 fraudulently alter any nomination petition or nomination paper
14 without the consent of the signers, he shall be guilty of a
15 misdemeanor, and, upon conviction thereof, shall be sentenced to
16 pay a fine not exceeding [five hundred (\$500)] one thousand
17 (\$1,000) dollars, or to undergo imprisonment of not more than
18 [one (1) year] two (2) years, or both, in the discretion of the
19 court.

20 Section 1814. Nomination Petitions; Certificates and Papers;
21 Destruction; Fraudulent Filing; Suppression.--Any person who
22 shall falsely make any nomination certificate or who shall
23 wilfully deface or destroy any nomination petition, nomination
24 certificate or nomination paper, or any part thereof, or any
25 letter of withdrawal, or who shall file any nomination petition,
26 nomination certificate or nomination paper or letter of
27 withdrawal knowing the same, or any part thereof, to be falsely
28 made, or who shall suppress any nomination petition, nomination
29 certificate or nomination paper, or any part thereof, which has
30 been duly filed, shall be guilty of a misdemeanor, and, upon

conviction thereof, shall be sentenced to pay a fine not exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo an imprisonment of not more than [one (1) year] two (2) years, or both, in the discretion of the court.

Section 1815. Offenses by Printers of Ballots.--Any printer employed by any county board of elections to print any official ballots, or any person engaged in printing the same who shall appropriate to himself or give or deliver or knowingly permit to be taken any of said ballots by any other person than such county board of election or their duly authorized agent, or who shall wilfully print or cause to be printed any official ballot in any form other than that prescribed by such county board or with any other names or printing, or with the names spelled otherwise than as directed by them or the names or printing thereon arranged in any other way than that authorized and directed by this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo an imprisonment of not less than [six (6) months] one (1) year nor more than [five (5)] ten (10) years, or both, in the discretion of the court.

Section 1816. Unlawful Possession of Ballots; Counterfeiting Ballots.--Any person other than an officer charged by law with the care of ballots, or a person entrusted by any such officer with the care of the same for a purpose required by law, who shall have in his possession outside the polling place any official ballot, or any person who shall make or have in his possession any counterfeit of an official ballot, shall be guilty of a misdemeanor of the second degree, and, upon conviction thereof, shall be sentenced to pay a fine not

1 exceeding [~~five thousand (\$5,000)~~] ten thousand (\$10,000)
2 dollars, or to undergo an imprisonment of not more than [~~two~~
3 ~~(2)~~] four (4) years, or both, in the discretion of the court.

4 Section 1817. Forging and Destroying Ballots.--Any person
5 who shall forge or falsely make the official endorsement on any
6 ballot or wilfully destroy or deface any ballot or wilfully
7 delay the delivery of any ballots shall be guilty of a
8 misdemeanor of the second degree, and, upon conviction thereof,
9 shall be sentenced to pay a fine not exceeding [~~five thousand~~
10 ~~(\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo an
11 imprisonment of not more than [~~two (2)~~] four (4) years, or both,
12 in the discretion of the court,

13 Section 1818. Tampering with Voting Machines.--Any election
14 officer or other person who shall unlawfully open or who shall
15 tamper with or injure or attempt to injure any voting machine to
16 be used or being used at any primary or election, or who shall
17 prevent or attempt to prevent the correct operation of such
18 machine, or any unauthorized person who shall make or have in
19 his possession a key to a voting machine to be used or being
20 used in any primary or election, shall be guilty of a
21 misdemeanor of the second degree, and, upon conviction thereof,
22 shall be sentenced to pay a fine not exceeding [~~five thousand~~
23 ~~(\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo an
24 imprisonment of not more than [~~two (2)~~] four (4) years, or both,
25 in the discretion of the court.

26 Section 1819. Destroying, Defacing or Removing Notices, Et
27 Cetera.--Any person who shall, prior to any primary or election,
28 wilfully deface, remove or destroy any notice or list of
29 candidates posted in accordance with the provisions of this act,
30 or who, during any primary or election, shall wilfully deface,

1 tear down, remove or destroy any card of instructions, notice of
2 penalties, specimen ballot or diagram printed or posted for the
3 instruction of electors, or who shall, during any primary or
4 election, wilfully remove or destroy any of the supplies or
5 conveniences furnished by the county board of elections to any
6 polling place in order to enable electors to vote, or the
7 election officers to perform their duties, or who shall wilfully
8 hinder the voting of others, shall be guilty of a misdemeanor,
9 and, upon conviction thereof, shall be sentenced to pay a fine
10 not exceeding [one hundred (\$100)] two hundred (\$200) dollars,
11 or to undergo an imprisonment of not more than [three (3)] six
12 (6) months, or both, in the discretion of the court.

13 Section 1820. Police Officers at Polling Places.--Any police
14 officer in commission, whether in uniform or in citizen's
15 clothes, who shall be within one hundred (100) feet of a polling
16 place during the conduct of any primary or election, except in
17 the exercise of his privilege of voting or for the purpose of
18 serving warrants, or in accordance with the provisions of the
19 exception set forth in section 1207 of this act where the police
20 station or headquarters is located in the same building or on
21 the premises where the polling place is located or unless called
22 upon to preserve the peace, as provided by this act, shall be
23 guilty of a misdemeanor, and, upon conviction thereof, shall be
24 sentenced to pay a fine not exceeding [five hundred (\$500)] one
25 thousand (\$1,000) dollars, or to undergo an imprisonment of not
26 more than [one (1) year] two (2) years, or both, in the
27 discretion of the court.

28 Section 1821. Peace Officer; Failure to Quell Disturbances
29 at Polls; Hindering or Delaying Election Officers and Others.--
30 Any mayor, chief burgess, sheriff, deputy sheriff, constable,

1 deputy constable, police officer or other peace officer who
2 shall neglect or refuse to clear an avenue to the door of any
3 polling place which is obstructed in such a way as to prevent
4 electors from approaching, or who shall neglect or refuse to
5 maintain order and quell any disturbance if such arises at any
6 polling place upon the day of any primary or election, when
7 called upon so to do by any election officer or any three
8 qualified electors of the election district, or who shall
9 wilfully hinder or delay, or attempt to hinder or delay, any
10 judge, inspector or clerk of election, machine inspector or
11 overseer in the performance of any duty under this act, shall be
12 guilty of a misdemeanor in office, and, upon conviction thereof,
13 shall be sentenced to pay a fine not exceeding [one thousand
14 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
15 imprisonment of not more than [one (1) year] two (2) years, or
16 both, in the discretion of the court.

17 Section 1823. Election Officers Permitting Unregistered
18 Electors to Vote; Challenges; Refusing to Permit Qualified
19 Electors to Vote.--Any judge or inspector of election who
20 permits any person to vote at any primary or election who is not
21 registered in accordance with law, except a person in actual
22 military service or a person as to whom a court of competent
23 jurisdiction has ordered that he shall be permitted to vote, or
24 who permits any registered elector to vote knowing that such
25 registered elector is not qualified to vote, whether or not such
26 person has been challenged, or who permits any person who has
27 been lawfully challenged to vote at any primary or election
28 without requiring the proof of the right of such person to vote
29 which is required by law, or who refuses to permit any duly
30 registered and qualified elector to vote at any primary or

1 election, with the knowledge that such elector is entitled to
2 vote, shall be guilty of a felony of the third degree, and, upon
3 conviction thereof, shall be sentenced to pay a fine not
4 exceeding [~~fifteen thousand (\$15,000)] thirty thousand (\$30,000)~~
5 dollars, and to undergo an imprisonment of not more than [~~seven~~
6 ~~(7)] fourteen (14) years, or both.~~

7 Section 1824. Election Officers Refusing to Permit Elector
8 to Vote in Proper Party at Primaries.--Any judge, inspector or
9 clerk of election who refuses to permit an elector at any
10 primary at which ballots are used to receive the ballot of the
11 party with which he is enrolled, or who gives to any such
12 elector the ballot of any party in which he is not enrolled, or
13 any judge, or inspector of election, or machine inspector who,
14 at any primary at which voting machines are used, adjusts any
15 voting machine about to be used by an elector so as not to
16 permit him to vote for the candidates of the party in which he
17 is enrolled, or so as to permit him to vote for the candidates
18 of any party in which he is not enrolled, shall be guilty of a
19 misdemeanor of the first degree, and, upon conviction thereof,
20 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
21 ~~(\$10,000)] twenty thousand (\$20,000)~~ dollars, or to undergo an
22 imprisonment of not more than [~~five (5)] ten (10)~~ years, or
23 both, in the discretion of the court.

24 Section 1825. Frauds by Election Officers.--Any judge,
25 inspector or clerk of election or machine inspector who shall be
26 guilty of any wilful fraud in the conduct of his duties at a
27 primary or election, and any person who shall make a false
28 return of the votes cast at any primary or election, or who
29 shall deposit fraudulent ballots in the ballot box or certify as
30 correct a return of ballots in the ballot box which he knows to

1 be fraudulent, or who shall register fraudulent votes upon any
2 voting machine or certify as correct a return of votes cast upon
3 any voting machine which he knows to be fraudulently registered
4 thereon, or who shall make any false entries in the district
5 register, or who shall fail to insert in the voting check list
6 the voter's certificate of any elector actually voting at any
7 primary or election, or who shall fail to record voting
8 information as required herein, or who shall fail to insert in
9 the numbered lists of voters the name of any person actually
10 voting, or who shall wilfully destroy or alter any ballot,
11 voter's certificate, or registration card contained in any
12 district register, or who shall wilfully tamper with any voting
13 machine, or who shall prepare or insert in the voting check list
14 any false voter's certificates not prepared by or for an elector
15 actually voting at such primary or election, for the purpose of
16 concealing the destruction or removal of any voter's
17 certificate, or for the purpose of concealing the deposit of
18 fraudulent ballots in the ballot box, or the registering of
19 fraudulent votes upon any voting machine or of aiding in the
20 perpetration of any such fraud, or who shall fail to return to
21 the county board of election following any primary or election
22 any keys of a voting machine, ballot box, general or duplicate
23 return sheet, tally paper, oaths of election officers,
24 affidavits of electors and others, record of assisted voters,
25 numbered list of voters, district register, voting check list,
26 unused, spoiled and cancelled ballots, ballots deposited,
27 written or affixed in or upon a voting machine, or any
28 certificate, or any other paper or record required to be
29 returned under the provisions of this act; or who shall conspire
30 with others to commit any of the offenses herein mentioned, or

1 in any manner to prevent a free and fair primary or election,
2 shall be guilty of a felony of the third degree, and, upon
3 conviction thereof, shall be sentenced to pay a fine not
4 exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand (\$30,000)
5 dollars, or to undergo an imprisonment of not more than [~~seven~~
6 ~~(7)~~] fourteen (14) years, or both, in the discretion of the
7 court.

8 Section 1826. Prying into Ballots.--Any judge, inspector or
9 clerk of election, or other person, who, before any ballot is
10 deposited in the ballot box as provided by this act, shall
11 unfold, open or pry into any such ballot, with the intent to
12 discover the manner in which the same has been marked, shall be
13 guilty of a misdemeanor, and upon conviction thereof, shall be
14 sentenced to pay a fine not exceeding [~~five hundred (\$500)~~] one
15 thousand (\$1,000) dollars, or to undergo an imprisonment of not
16 more than [~~one (1) year~~] two (2) years, or both, in the
17 discretion of the court.

18 Section 1827. Interference with Primaries and Elections;
19 Frauds; Conspiracy.--If any person shall prevent or attempt to
20 prevent any election officers from holding any primary or
21 election, under the provisions of this act, or shall use or
22 threaten any violence to any such officer; or shall interrupt or
23 improperly interfere with him in the execution of his duty; or
24 shall block up or attempt to block up the avenue to the door of
25 any polling place; or shall use or practice any intimidation,
26 threats, force or violence with design to influence unduly or
27 overawe any elector, or to prevent him from voting or restrain
28 his freedom of choice; or shall prepare or present to any
29 election officer a fraudulent voter's certificate not signed in
30 the polling place by the elector whose certificate it purports

1 to be; or shall deposit fraudulent ballots in the ballot box; or
2 shall register fraudulent votes upon any voting machine; or
3 shall tamper with any district register, voting check list,
4 numbered lists of voters, ballot box or voting machine; or shall
5 conspire with others to commit any of the offenses herein
6 mentioned, or in any manner to prevent a free and fair primary
7 or election, he shall be guilty of a felony of the third degree,
8 and, upon conviction thereof, shall be sentenced to pay a fine
9 not exceeding [fifteen thousand (\$15,000)] twenty thousand
10 (\$20,000) dollars, or to undergo an imprisonment of not more
11 than [seven (7)] fourteen (14) years, or both, in the discretion
12 of the court.

13 Section 1828. Persons Interfering in Other Districts.--Any
14 person who shall on the day of any primary or election visit any
15 polling place at which he is not entitled to vote and at which
16 he is not entitled to be present under any provision of this
17 act, and shall use any intimidation or violence for the purpose
18 of preventing any election officer from performing the duties
19 required of him by this act, or for the purpose of preventing
20 any qualified elector from exercising his right to vote or from
21 exercising his right to challenge any person offering to vote,
22 or for the purpose of influencing the vote of any elector, he
23 shall be guilty of a felony of the third degree, and, upon
24 conviction thereof, shall be sentenced to pay a fine not
25 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
26 dollars, or to undergo an imprisonment of not more than [seven
27 (7)] fourteen (14) years, or both, in the discretion of the
28 court.

29 Section 1829. Assault and Battery at Polls.--Any person who
30 shall unlawfully strike, wound or commit an assault and battery

1 upon the person of any elector at or near the polling place
2 during the time of any primary or election shall be guilty of a
3 misdemeanor of the first degree, and, upon conviction thereof,
4 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
5 ~~(\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an~~
6 ~~imprisonment of not more than [five (5)] ten (10) years, or~~
7 ~~both, in the discretion of the court.~~

8 Section 1830. Unlawful Assistance in Voting.--Any elector at
9 any primary or election who shall allow his ballot or the face
10 of the voting machine voted by him to be seen by any person with
11 the apparent intention of letting it be known how he is about to
12 vote; or in districts in which ballots are used, shall cast or
13 attempt to cast any other than the official ballot which has
14 been given to him by the proper election officer; or who,
15 without having made the declaration under oath or affirmation
16 required by section 1218 of this act, or when the disability
17 which he declared before any registration commission no longer
18 exists, shall permit another to accompany him into the voting
19 compartment or voting machine booth, or to mark his ballot or
20 prepare the voting machine for voting by him; or who shall mark
21 his ballot or prepare the voting machine for voting while
22 another is unlawfully present in the voting machine compartment
23 or voting machine booth with him; or who shall state falsely to
24 any election officer that because of illiteracy he is unable to
25 read the names on the ballot or ballot labels or that by reason
26 of physical disability he cannot see or mark the ballot or enter
27 the voting compartment without assistance or that he cannot see
28 or operate the voting machine or enter the voting machine booth
29 without assistance; or who shall state, as his reason for
30 requiring assistance, a disability from which he does not

1 suffer; or any person who shall go into the voting compartment
2 or voting machine booth with another while voting or be present
3 therein while another is voting, or mark the ballot of another
4 or prepare the voting machine for voting with another, except in
5 strict accordance with the provisions of this act; or any person
6 who shall interfere with any elector when inside the enclosed
7 space or when marking his ballot, or preparing the voting
8 machine for voting, or who shall endeavor to induce any elector
9 before depositing his ballot to show how he marks or has marked
10 his ballot; or any person giving assistance who shall attempt to
11 influence the vote of the elector whom he is assisting or who
12 shall mark a ballot or prepare a voting machine for voting in
13 any other way than that requested by the voter whom he is
14 assisting, or who shall disclose to anyone the contents of any
15 ballot which has been marked or any voting machine which has
16 been prepared for voting with his assistance, except when
17 required to do so in any legal proceeding, shall be guilty of a
18 misdemeanor, and, upon conviction thereof, shall be sentenced to
19 pay a fine not exceeding [one thousand (\$1,000)] two thousand
20 (\$2,000) dollars, or to undergo an imprisonment of not more than
21 [one (1) year] two (2) years, or both, in the discretion of the
22 court.

23 Section 1831. Election Officers Permitting Unlawful
24 Assistance.--Any election officer who shall permit a voter to be
25 accompanied by another into the voting compartment or voting
26 machine booth when the registration card of such person contains
27 no declaration that such person requires assistance, or when
28 such person has not made, under oath or affirmation, the
29 statement required by section 1218 of this act, or when such
30 election officer knows that the disability which the elector

1 declared before any registration commission no longer exists, or
2 who shall permit any person to accompany an elector into the
3 voting compartment or voting machine booth, except as provided
4 by this act, shall be guilty of a misdemeanor, and, upon
5 conviction thereof, shall be sentenced to pay a fine not
6 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
7 or to undergo an imprisonment of not more than [one (1) year]
8 two (2) years, or both, in the discretion of the court.

9 Section 1832. Failure to Keep and Return Record of Assisted
10 Voters.--Any judge of election who shall fail to record, as
11 required by section 1218 (c) of this act, the name of each
12 elector who received assistance or who is accompanied by another
13 into the voting compartment or voting machine booth; or who
14 shall insert in the record of assisted voters the name of any
15 elector who does not receive assistance or is not accompanied by
16 another into the voting compartment or voting machine booth; or
17 who shall fail to record the exact disability of any assisted
18 elector which makes the assistance necessary, or shall record in
19 respect of any assisted elector a disability, other than that
20 stated by the elector; or who shall fail to record the name of
21 each person rendering assistance to an elector as prescribed by
22 this act; or who shall knowingly record as the name of such
23 person giving assistance a name which is not the name of such
24 person; or who shall fail or neglect to return the record of
25 assisted voters to the county board of elections as required by
26 this act, shall be guilty of a misdemeanor, and, upon conviction
27 thereof, shall be sentenced to pay a fine not exceeding [one
28 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
29 an imprisonment of not less than [two (2)] four (4) months nor
30 more than [two (2)] four (4) years, or both, in the discretion

1 of the court.

2 Section 1833. Unlawful Voting.--Any person who votes or
3 attempts to vote at any primary or election, knowing that he
4 does not possess all the qualifications of an elector at such
5 primary or election, as set forth in this act, shall be guilty
6 of a misdemeanor of the first degree, and, upon conviction
7 thereof, shall be sentenced to pay a fine not exceeding [ten
8 thousand (\$10,000)] twenty thousand (\$20,000) dollars, or to
9 undergo an imprisonment of not more than [five (5)] ten (10)
10 years, or both, in the discretion of the court.

11 Section 1834. Elector Voting Ballot of Wrong Party at
12 Primary.--Any elector who shall wilfully vote at any primary the
13 ballot of a party in which he is not enrolled, in violation of
14 the provisions of this act, shall be guilty of a misdemeanor of
15 the second degree, and, upon conviction thereof, shall be
16 sentenced to pay a fine not exceeding [five thousand (\$5,000)]
17 ten thousand (\$10,000) dollars, or to undergo an imprisonment of
18 not more than [two (2)] four (4) years, or both, in the
19 discretion of the court.

20 Section 1835. Repeat Voting at Elections.--If any person
21 shall vote in more than one election district, or otherwise
22 fraudulently vote more than once at the same primary or
23 election, or shall vote a ballot other than the ballot issued to
24 him by the election officers, or shall advise or procure another
25 so to do, he shall be guilty of a felony of the third degree,
26 and, upon conviction thereof, shall be sentenced to pay a fine
27 not exceeding [fifteen thousand (\$15,000)] thirty thousand
28 (\$30,000) dollars, or to undergo an imprisonment of not more
29 than [seven (7)] fourteen (14) years, or both, in the discretion
30 of the court.

1 Section 1836. Removing Ballots.--Any person removing any
2 ballot from any book of official ballots, except in the manner
3 provided by this act, shall be guilty of a misdemeanor of the
4 second degree, and, upon conviction thereof, shall be sentenced
5 to pay a fine not exceeding [five thousand (\$5,000)] ten
6 thousand (\$10,000) dollars, or to undergo an imprisonment of not
7 more than [two (2)] four (4) years, or both, in the discretion
8 of the court.

9 Section 1837. Commissioners to Take Soldiers' Votes.--Any
10 commissioner appointed by or under the provisions of Article
11 XIII of this act who shall knowingly violate his duty or
12 knowingly omit or fail to do his duty thereunder or violate any
13 part of his oath, shall be guilty of perjury, and, upon
14 conviction thereof, shall be sentenced to pay a fine not
15 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
16 or to undergo an imprisonment of not more than [one (1) year]
17 two (2) years, or both, in the discretion of the court.

18 Section 1838. Fraudulent Voting by Soldiers.--Any person who
19 shall vote or attempt to vote at any election by electors in
20 military service under the provisions of Article XIII of this
21 act, not being qualified to vote at such election, shall be
22 guilty of a misdemeanor, and, upon conviction thereof, shall be
23 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
24 two thousand (\$2,000) dollars, or to undergo an imprisonment of
25 not more than [one (1) year] two (2) years, or both, in the
26 discretion of the court.

27 Section 1839. Bribery at Elections.--Any person who shall,
28 directly or indirectly, give or promise or offer to give any
29 gift or reward in money, goods or other valuable thing to any
30 person, with intent to induce him to vote or refrain from voting

1 for any particular candidate or candidates or for or against any
2 constitutional amendment or other question at any primary or
3 election; or who shall, directly or indirectly, procure for or
4 offer or promise to procure for such person any such gift or
5 reward with the intent aforesaid; or, who with the intent to
6 influence or intimidate such person to give his vote or to
7 refrain from giving his vote for any particular candidate or
8 candidates or for or against any constitutional amendment or
9 other question at any primary or election, shall give to or
10 obtain for or assist in obtaining for or offer or promise to
11 give to or obtain for or assist in obtaining for such person any
12 office, place, appointment or employment, public or private, or
13 threaten such person with dismissal or discharge from any
14 office, place, appointment or employment, public or private,
15 then held by him, shall be guilty of a felony of the third
16 degree, and, upon conviction thereof, shall be sentenced to pay
17 a fine not exceeding [fifteen thousand (\$15,000)] thirty
18 thousand (\$30,000) dollars, or to undergo an imprisonment of not
19 more than [seven (7)] fourteen (14) years, or both, in the
20 discretion of the court.

21 Section 1840. Receipts and Disbursements of Primary and
22 Election Expenses by Persons Other Than Candidates and
23 Treasurers.--Any member of a political committee who shall
24 receive or disburse any money or incur any liability for primary
25 or election expenses, except through the treasurer of such
26 political committee, and any person not a candidate or member of
27 a political committee who shall receive or disburse any money or
28 incur any liability for primary or election expenses, shall be
29 guilty of a misdemeanor, and, upon conviction thereof, shall be
30 sentenced to pay a fine not exceeding [one thousand (\$1,000)]

1 two thousand (\$2,000) dollars, or to undergo an imprisonment of
2 not less than [one (1) month] two (2) months nor more than [two
3 (2)] four (4) years, or both, in the discretion of the court.

4 Section 1841. Receipts of Primary and Election Expenses by
5 Unauthorized Persons.--Any person or any political committee who
6 receives money on behalf of any candidate without being
7 authorized to do so under the provisions of section 1623, shall
8 be guilty of a misdemeanor, and, upon conviction thereof, shall
9 be sentenced to pay a fine not exceeding [five thousand dollars
10 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
11 imprisonment of not less than [one (1) month] two (2) months nor
12 more than [two (2)] four (4) years, or both, in the discretion
13 of the court.

14 Section 1843. Contributions by Corporations or
15 Unincorporated Associations.--Any corporation or unincorporated
16 association, which shall pay, give or lend or agree to pay, give
17 or lend any money belonging to such corporation or
18 unincorporated association or in its custody or control, in
19 violation of the provisions of section 1633, shall be guilty of
20 a misdemeanor, and, upon conviction thereof, shall be sentenced
21 to pay a fine of not less than [one thousand dollars (\$1,000)]
22 two thousand dollars (\$2,000) nor more than [ten thousand
23 dollars (\$10,000)] twenty thousand dollars (\$20,000). Any
24 director, officer, agent or employe of any corporation or
25 unincorporated association who shall on behalf of such
26 corporation or unincorporated association pay, give or lend or
27 authorize to be paid, given or lent any money belonging to such
28 corporation or unincorporated association or in its custody or
29 control in violation of the provisions of section 1633, shall be
30 guilty of a misdemeanor, and, upon conviction thereof, shall be

1 sentenced to pay a fine not exceeding [ten thousand dollars
2 (\$10,000)] twenty thousand dollars (\$20,000), or to undergo an
3 imprisonment of not less than [one (1) month] two (2) months nor
4 more than [two (2)] four (4) years, or both, in the discretion
5 of the court.

6 Section 1845. Failure to File Expense Account.--Any
7 candidate or treasurer of a political committee or person acting
8 as such treasurer who shall fail to file an account of primary
9 or election expenses, as required by this act, shall be guilty
10 of a misdemeanor, and, upon conviction thereof, shall be
11 sentenced to pay a fine not exceeding [five thousand dollars
12 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
13 imprisonment of not less than [one (1) month] two (2) months nor
14 more than [two (2)] four (4) years, or both, in the discretion
15 of the court.

16 Section 1847. Prohibiting Duress and Intimidation of Voters
17 and Interference with the Free Exercise of the Elective
18 Franchise.--Any person or corporation who, directly or
19 indirectly--(a) uses or threatens to use any force, violence or
20 restraint, or inflicts or threatens to inflict any injury,
21 damage, harm or loss, or in any other manner practices
22 intimidation or coercion upon or against any person, in order to
23 induce or compel such person to vote or refrain from voting at
24 any election, or to vote or refrain from voting for or against
25 any particular person, or for or against any question submitted
26 to voters at such election, or to place or cause to be placed or
27 refrain from placing or causing to be placed his name upon a
28 register of voters, or on account of such person having voted or
29 refrained from voting at such election, or having voted or
30 refrained from voting for or against any particular person or

1 persons or for or against any question submitted to voters at
2 such election, or having registered or refrained from
3 registering as a voter; or (b) by abduction, duress or coercion,
4 or any forcible or fraudulent device or contrivance, whatever,
5 impedes, prevents, or otherwise interferes with the free
6 exercise of the elective franchise by any voter, or compels,
7 induces, or prevails upon any voter to give or refrain from
8 giving his vote for or against any particular person at any
9 election; or (c) being an employer, pays his employes the salary
10 or wages due in "pay envelopes" upon which or in which there is
11 written or printed any political motto, device, statement or
12 argument containing threats, express or implied, intended or
13 calculated to influence the political opinions or actions of
14 such employes, or within ninety days of any election or primary
15 puts or otherwise exhibits in the establishment or place where
16 his employes are engaged in labor, any handbill or placard
17 containing any threat, notice, or information that if any
18 particular ticket or candidate is elected or defeated work in
19 his place or establishment will cease, in whole or in part, his
20 establishment be closed up, or the wages of his employes
21 reduced, or other threats, express or implied, intended or
22 calculated to influence the political opinions or actions of his
23 employes, shall be guilty of a misdemeanor of the second degree.
24 Any person or corporation, convicted of a violation of any of
25 the provisions of this section, shall be sentenced to pay a fine
26 not exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
27 dollars, or such person or the officers, directors or agents of
28 such corporation responsible for the violation of this section,
29 shall be sentenced to undergo an imprisonment of not more than
30 [two (2)] four (4) years, or both, in the discretion of the

1 court.

2 Section 1848. Failure to Perform Duty.--Any Secretary of the
3 Commonwealth, member of a county board of elections, chief
4 clerk, employe, overseer, judge of election, inspector of
5 election, clerk of election, machine inspector or custodian or
6 deputy custodian of voting machines on whom a duty is laid by
7 this act who shall wilfully neglect or refuse to perform his
8 duty, shall be guilty of a misdemeanor, and, upon conviction
9 thereof, shall be sentenced to pay a fine not exceeding [one
10 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
11 an imprisonment of not more than [two (2)] four (4) years, or
12 both, in the discretion of the court.

13 Section 1849. Hindering or Delaying Performance of Duty.--
14 Any person who intentionally interferes with, hinders or delays
15 or attempts to interfere with, hinder or delay any other person
16 in the performance of any act or duty authorized or imposed by
17 this act, shall be guilty of a misdemeanor, and, upon conviction
18 thereof, shall be sentenced to pay a fine not exceeding [five
19 hundred (\$500)] one thousand (\$1,000) 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 1850. Violation of Any Provision of Act.--Any person
23 who shall violate any of the provisions of this act, for which a
24 penalty is not herein specifically provided, shall be guilty of
25 a misdemeanor, and, upon conviction thereof, shall be sentenced
26 to pay a fine not exceeding [one thousand (\$1,000)] two thousand
27 (\$2,000) dollars, or to undergo an imprisonment of not more than
28 [one (1) year] two (2) years, or both, in the discretion of the
29 court.

30 Section 30. Section 1853 of the act, amended March 27, 2020

1 (P.L.41, No.12), is amended to read:

2 Section 1853. Violations of Provisions Relating to Absentee
3 and Mail-in Ballots.--If any person shall sign an application
4 for absentee ballot, mail-in ballot or declaration of elector on
5 the forms prescribed knowing any matter declared therein to be
6 false, or shall vote any ballot other than one properly issued
7 to the person, or vote or attempt to vote more than once in any
8 election for which an absentee ballot or mail-in ballot shall
9 have been issued to the person, or shall disclose results of a
10 pre-canvassing meeting under section 1308(g)(1.1), or shall
11 violate any other provisions of Article XIII or Article XIII-D
12 of this act, the person shall be guilty of a misdemeanor of the
13 third degree, and, upon conviction, shall be sentenced to pay a
14 fine not exceeding [two thousand five hundred dollars (\$2,500)]
15 five thousand dollars (\$5,000), or be imprisoned for a term not
16 exceeding [two (2)] four (4) years, or both, at the discretion
17 of the court.

18 If any chief clerk or member of a board of elections, member
19 of a return board or member of a board of registration
20 commissioners, shall neglect or refuse to perform any of the
21 duties prescribed by Article XIII or Article XIII-D of this act,
22 or shall reveal or divulge any of the details of any ballot cast
23 in accordance with the provisions of Article XIII or Article
24 XIII-D of this act, or shall disclose results of a pre-
25 canvassing meeting under section 1308(g)(1.1), or shall count an
26 absentee ballot or mail-in ballot knowing the same to be
27 contrary to Article XIII or Article XIII-D, or shall reject an
28 absentee ballot or mail-in ballot without reason to believe that
29 the same is contrary to Article XIII or Article XIII-D, or shall
30 permit an elector to cast the elector's ballot other than a

1 provisional ballot at a polling place knowing that there has
2 been issued to the elector an absentee ballot or mail-in ballot,
3 the [elector] individual shall be guilty of a felony of the
4 third degree, and, upon conviction, shall be punished by a fine
5 not exceeding [fifteen thousand dollars (\$15,000)] thirty
6 thousand dollars (\$30,000), or be imprisoned for a term not
7 exceeding [seven (7)] fourteen (14) years, or both, at the
8 discretion of the court.

9 Section 31. The act is amended by adding a section to read:

10 Section 1855. Unlawful Collection of Ballots.--A person who
11 willfully collects or returns absentee or mail-in ballots in
12 violation of this act commits a felony of the third degree and,
13 upon conviction, shall be punished by a fine not exceeding
14 thirty thousand dollars (\$30,000), or be imprisoned for a term
15 not exceeding fourteen (14) years, or both, at the discretion of
16 the court.

17 Section 32. The act is amended by adding an article to read:

18 ARTICLE XX

19 REIMBURSEMENTS AND WITHHOLDING

20 Section 2001. General Rule.

21 The following shall apply:

22 (1) The State Treasurer shall reimburse counties for 50%
23 of the cost of replacing voting machines, ballot processing
24 machines or electronic poll books, not more than once every
25 10 years, except that:

26 (i) The State Treasurer shall reimburse counties for
27 50% of the cost of replacing equipment at any time if the
28 equipment previously used by the county was decertified
29 by the department.

30 (ii) The State Treasurer shall reimburse counties

1 for 100% of the cost of purchasing ballot processing
2 machines or electronic poll books within one year after
3 the effective date of this section.

4 (2) The State Treasurer shall reimburse counties for
5 100% of the cost of issuing registration cards required under
6 section 302(s), within one year of the effective date of this
7 section.

8 Section 2002. Withholding.

9 The State Treasurer shall withhold all reimbursements and
10 election funding provided for under this act from any county
11 which is in violation of this act or for which an audit or
12 recount has identified violations or irregularities in voting,
13 until the issue has been successfully resolved, as certified by
14 the Auditor General.

15 Section 33. The provisions of this act are nonseverable. If
16 any provision of this act or its application to any person or
17 circumstance is held invalid, the remaining provisions or
18 applications of this act are void.

19 Section 34. This act shall apply to elections held on or
20 after the effective date of this section.

21 Section 35. Repeals are as follows:

22 (1) The General Assembly declares that the repeal under
23 paragraph (2) is necessary to effectuate the addition of
24 Article VII-A of the act.

25 (2) 25 Pa.C.S. Ch. 13 is repealed.

26 Section 36. This act shall take effect immediately.