

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1235 Session of 2019

INTRODUCED BY MARKOSEK, RAVENSTAHL, D. MILLER, LEE, KINSEY, READSHAW, COMITTA, MURT, SCHLOSSBERG, DONATUCCI, WARREN, T. DAVIS, KENYATTA, MULLINS, MERSKI, SHUSTERMAN, GAINNEY, DeLUCA, SAPPEY, HARRIS, HILL-EVANS, MADDEN, ZABEL, ULLMAN, PETRARCA, KORTZ, HOHENSTEIN, SANCHEZ, YOUNGBLOOD, FREEMAN, DRISCOLL, SCHWEYER, HOWARD, JOHNSON-HARRELL AND FRANKEL, APRIL 17, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 17, 2019

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
 2 "An act concerning elections, including general, municipal,
 3 special and primary elections, the nomination of candidates,
 4 primary and election expenses and election contests; creating
 5 and defining membership of county boards of elections;
 6 imposing duties upon the Secretary of the Commonwealth,
 7 courts, county boards of elections, county commissioners;
 8 imposing penalties for violation of the act, and codifying,
 9 revising and consolidating the laws relating thereto; and
 10 repealing certain acts and parts of acts relating to
 11 elections," in voting by qualified absentee electors,
 12 providing for absentee ballots for electors who are blind,
 13 visually impaired or disabled.

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

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

19 Section 1303.1. Absentee Ballots for Electors Who are Blind,
 20 Visually Impaired or Disabled.--(a) An elector who is blind,
 21 visually impaired or disabled may request a special absentee

1 ballot available in braille.

2 (b) A request for a special absentee ballot under subsection
3 (a) shall be made in writing to the county board of elections
4 where the elector is registered at least forty-five (45) days
5 prior to the election for which the elector is requesting the
6 special absentee ballot. The request shall be valid for all
7 elections held during the calendar year in which the request was
8 received and in which the applicant is eligible to vote. An
9 applicant shall file the appropriate absentee ballot application
10 as required under section 1302 for each election in which they
11 apply for a special absentee ballot.

12 (c) The Department of State shall prepare and provide the
13 appropriate form, which shall be available at county boards of
14 elections and upon request from the Department of State. An
15 applicant may also choose to submit a request in writing without
16 using the form provided if the communication contains all of the
17 following information:

18 (1) The name and registered address of the qualified
19 elector.

20 (2) A daytime telephone number.

21 (3) The elector's political party affiliation, if the
22 request for a special absentee ballot is also for a primary
23 election.

24 (4) An indication that the elector requests a braille
25 absentee ballot.

26 (d) All requests received by county boards of elections
27 shall be processed and forwarded to the Department of State
28 within twenty-four (24) hours of receipt. A county board shall
29 maintain a list of all individuals requesting special absentee
30 ballots and shall forward a copy of the list to the Department

1 of State at least eighteen (18) days before the date of an
2 election.

3 (e) The Department of State shall be responsible for the
4 preparation and distribution of special absentee ballots. When
5 possible, the Department of State shall prepare the special
6 absentee ballot so that the voted ballot can be read by the
7 tabulation equipment rather than being manually reproduced by
8 election officials onto a machine-readable ballot.

9 (f) The Department of State may promulgate rules and
10 regulations for the procedure for the manual reproduction of
11 voted ballots, when necessary, and the tabulation of special
12 absentee ballots.

13 (g) The Department of State may promulgate rules and
14 regulations providing the procedure for the preparation and
15 distribution of special absentee ballots.

16 (h) The Department of State shall prepare and publish a
17 guide describing the manner in which a special absentee ballot
18 can be voted. The guide shall be available in print, braille,
19 audio or other accessible formats.

20 (i) The Department of State shall expand the special
21 absentee ballot service to other electors with disabilities, as
22 feasible, as determined by the Secretary of the Commonwealth,
23 and incorporate other accessible formats as technology and
24 resources allow.

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