
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1703 Session of
2021

INTRODUCED BY DAVIDSON, SHUSTERMAN, SANCHEZ AND HOWARD,
JUNE 24, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 24, 2021

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections,"
12 in the Secretary of the Commonwealth, further providing for
13 powers and duties of the Secretary of the Commonwealth and
14 providing for reports on implementation of elections;
15 in county boards of elections, further providing for powers and
16 duties of county boards and providing for county boards of
17 elections and ballot return sites;
18 in district election officers, further providing for
19 compensation of district election officers;
20 in ballots, further providing for form of official election
21 ballot and for number of ballots to be printed and specimen
22 ballots;
23 in voting machines, further providing for examination and
24 approval of voting machines by the Secretary of the
25 Commonwealth, for requirements of voting machines, for
26 preparation of voting machines by county election boards and
27 for delivery of voting machines and supplies by county
28 election boards to election officers;
29 in electronic voting systems, further providing for statistical
30 sample and providing for requirements of accessible voting
31 machines;

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

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

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 201 of the act of June 3, 1937 (P.L.1333,
27 No.320), known as the Pennsylvania Election Code, is amended by
28 adding subsections to read:

29 Section 201. Powers and Duties of the Secretary of the
30 Commonwealth.--The Secretary of the Commonwealth shall exercise
31 in the manner provided by this act all powers granted to him by
32 this act, and shall perform all the duties imposed upon him by
33 this act, which shall include the following:

34 * * *

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

37 (j) To provide uniform standards for the proper, accurate
38 and uniform implementation of voter registration laws and
39 records.

1 (k) To actively seek out and collect the data and statistics
2 necessary to knowledgeably scrutinize the effectiveness of
3 election laws.

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

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

7 (n) To publish by December 31 of each odd-numbered year the
8 official instructions and procedures manual prescribed by the
9 secretary with the recommendations of the Pennsylvania Election
10 Law Advisory Board.

11 (o) To maintain a publicly accessible Internet website using
12 a ".gov" domain name, on which the secretary shall post
13 information required by this act. The website shall additionally
14 adhere to generally accepted accessibility standards, including
15 compatibility with screen reading software.

16 (p) To retain any communications relating to election
17 administration.

18 (q) To review election complaints received by the secretary
19 and the county boards of elections each election cycle.

20 (r) In addition to the requirements of 25 Pa.C.S. Ch. 15
21 (relating to changes in record), to seek a record of all deaths
22 of residents in this Commonwealth, and each month to compare the
23 records with the list of electors in the Statewide Uniform
24 Registry of Electors, and for any elector found to be deceased,
25 to notify the elector's county of residence.

26 (s) In addition to the requirements of 25 Pa.C.S. Ch. 15, to
27 fully participate in the Electronic Registration Information
28 Center (ERIC) and to utilize all available information received
29 through that system and through the National Change of Address
30 Program to ensure the accuracy of the Statewide Uniform Registry

1 of Electors established under 25 Pa.C.S. § 1222 (relating to
2 SURE system) and the continued eligibility of all registered
3 electors in this Commonwealth.

4 (t) To receive from counties a monthly report of any newly
5 registered electors who were previously registered in another
6 state and to notify the chief elections administrator in that
7 state of the elector's registration in this Commonwealth.

8 (u) To create and maintain a tracking system for each
9 qualified mail-in elector or absentee elector to track the
10 status of that elector's application for a mail-in or absentee
11 ballot, the date on which that elector's ballot is prepared, the
12 date on which that elector's ballot is mailed, the date on which
13 that elector's ballot is received and the date on which that
14 elector's ballot is pre-canvassed or canvassed.

15 Section 2. The act is amended by adding a section to read:

16 Section 209. Reports on Implementation of Elections.--(a)
17 No later than 90 days after an election, the Bureau of
18 Commissions, elections and legislation of the Department of
19 State shall issue a report to the chair and minority chair of
20 the State Government Committee of the Senate and the chair and
21 minority chair of the State Government Committee of the House of
22 Representatives. A copy of the report shall also be made
23 available on the Department of State's publicly accessible
24 Internet website.

25 (b) The report under subsection (a) shall include only the
26 following information relating to the administration of the
27 election by the Department of State, a county board of elections
28 or a registration commission established under 25 Pa.C.S. §
29 1203(a) (relating to commissions):

30 (1) For each county and the sum for this Commonwealth, the

1 number of applications for an absentee ballot which were
2 received by the county board of elections.

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

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

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

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

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

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

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

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

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

29 (11) For each county and the sum for this Commonwealth, the
30 number of provisional ballots under paragraph (8) which were

1 canvassed.

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

5 (13) (Reserved).

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

8 (15) For each county, the date, starting time and ending
9 time that the county board of elections met to pre-canvass
10 absentee ballots and mail-in ballots under section 1308(g)(1.1).

11 (16) For each county, the date, starting time and ending
12 time that the county board of elections met to canvass absentee
13 ballots and mail-in ballots under section 1308(g)(2).

14 (17) For each county and the sum for this Commonwealth, the
15 number of absentee ballots which were challenged under section
16 1302.2(c).

17 (18) For each county and the sum for this Commonwealth, the
18 number of mail-in ballots which were challenged under section
19 1302.2-D(a)(2).

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

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

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

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

1 (ii) An absentee ballot or mail-in ballot which was voted by
2 an individual other than the individual who applied for the
3 absentee ballot or mail-in ballot.

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

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

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

17 (c) The Department of State shall develop a process to
18 collect data required to be included in the report under
19 subsection (b) from each county board of elections which
20 conducts an election and each registration commission under 25
21 Pa.C.S. Pt. IV (relating to voter registration) in a county
22 which conducts an election, as applicable. A county board of
23 elections or registration commission under this subsection shall
24 comply with the process for submission of data under this
25 subsection no later than 45 days after an election.

26 Section 3. Section 302(k) and (m) of the act are amended and
27 the section is amended by adding subsections to read:

28 Section 302. Powers and Duties of County Boards.--The county
29 boards of elections, within their respective counties, shall
30 exercise, in the manner provided by this act, all powers granted

1 to them by this act, and shall perform all the duties imposed
2 upon them by this act, which shall include the following:

3 * * *

4 (k) To receive from district election officers the returns
5 of all primaries and elections, to canvass and compute the same,
6 and to certify, no later than the [third Monday] fourth Friday
7 following the primary or election, the results thereof to the
8 Secretary of the Commonwealth, as may be provided by law, and to
9 such other authorities as may be provided by law. The
10 certification shall include the number of votes received in each
11 election district by each candidate for the General Assembly.

12 * * *

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

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

29 * * *

30 (g) To maintain a publicly accessible Internet website using

1 a "gov" domain name. The website shall additionally adhere to
2 generally accepted accessibility standards, including
3 compatibility with screen reading software.

4 (r) To provide each election district with at least one
5 accessible voting machine approved by the secretary under this
6 act.

7 (s) To publish at each polling place the voter bill of
8 rights, senior voter bill of rights and disabled voter bill of
9 rights established by this act.

10 (t) To provide copies of the voter bill of rights, senior
11 voter bill of rights and disabled voter bill of rights during
12 the process of supervised voting established by this act.

13 (u) To review any polling place where voters waited longer
14 than thirty minutes to cast a ballot and to identify and enact
15 plans to alleviate waiting time for future elections.

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

23 (w) To cooperate with the Department of State to any degree
24 necessary in the creation of the system required under section
25 201(u).

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

27 Section 313. Ballot Return Sites and Secure Receptacles.--In
28 addition to the permanent offices operated by a county board of
29 elections, the county board may establish multiple ballot return
30 locations, including access to secure ballot return receptacles,

1 where electors may return their completed ballot. The following
2 shall apply:

3 (a) Sites may include, but shall not be limited to, city and
4 municipal facilities, public libraries, county facilities or
5 other locations designated by the county board of elections to
6 receive ballots. The Secretary of the Commonwealth, in
7 collaboration with the counties, shall issue minimum criteria
8 for considering locations to ensure availability and access to
9 electors.

10 (b) A list of the ballot return sites and county election
11 offices, including the dates and hours of operation, shall be
12 available to the public as early as possible by providing notice
13 of the county's ballot return plan in the county elections
14 office, in a highly visible location on the county's website and
15 at other such locations as the county board deems appropriate
16 for maximum notification to voters. The notice posted on the
17 county's website shall be in a format that is accessible for
18 people with disabilities. In the event of any changes to site
19 location operations, the county board of elections shall post
20 the updated information on the official election website within
21 twenty-four hours. The notice shall include, at a minimum:

22 (1) Ballot return deadline.

23 (2) List of county election offices and ballot return sites,
24 including building names and street addresses.

25 (3) Days and hours of operation, including election day
26 hours.

27 (4) Contact information for the county board of elections.

28 (5) Accessibility information, including a list of ballot
29 return sites and secure receptacles that meet accessibility
30 requirements.

1 (c) All ballot return sites shall be accessible at least
2 during regular business hours beginning not less than thirty
3 days prior to an election and on the day of an election. County
4 boards may offer business hours outside of regular business
5 hours, including weeknights or weekends to enable maximum
6 accessibility for voters in compliance with this act.

7 (d) All ballot return sites shall have the same features and
8 be of substantially similar design, color scheme and signage to
9 facilitate easy identification by the public.

10 (e) A ballot return site may have a secure receptacle that
11 permits voters to return their completed ballot. A postage stamp
12 is not required on the return envelope when depositing a
13 completed ballot at a ballot return site or a secure receptacle.

14 (f) Secure receptacles shall be designed to function as
15 follows:

16 (1) Hardware shall be operable without any tight grasping,
17 pinching, or twisting of the wrist.

18 (2) Hardware shall require no more than five pounds of
19 pressure for the voter to operate.

20 (3) Operable within reach-range of fifteen to forty-eight
21 inches from the floor or ground for a person utilizing a
22 wheelchair.

23 (4) Provide specific points identifying the slot where
24 completed ballots are to be inserted.

25 (5) Ensure that only ballot material can be deposited and
26 not be removed by anyone but designated county board of election
27 officials. This includes confirming that the opening slot of the
28 secure receptacle is too small to allow tampering or removal of
29 ballots, but is not so small to interfere with depositing
30 completed ballots.

1 (6) Ensure that the opening slot minimizes the ability for
2 liquid to be poured into the secure receptacle or rainwater to
3 seep inside.

4 (g) The secure receptacle shall be securely fastened to a
5 stationary surface, to an immovable object or placed behind a
6 counter.

7 (h) The county board of election shall determine the size of
8 the secure receptacle based on the use and needs of the
9 location.

10 (i) Each ballot return site shall be marked with official
11 signage designating the site. Signage shall adhere to the
12 following:

13 (1) Be in all languages required under the Voting Rights Act
14 of 1965 (Public Law 89-110, 52 U.S.C. § 10301 et seq.).

15 (2) Display language stating that counterfeiting, forging,
16 tampering with or destroying ballots is a misdemeanor of the
17 second degree under sections 1816 and 1817.

18 (3) Provide a statement that third-party return of ballots
19 is prohibited unless provided for under this act or Federal or
20 State law.

21 (4) Provide a statement requesting that the designated
22 county elections official be notified immediately in the event a
23 secure receptacle is full, not functioning or is damaged in any
24 fashion. The statement shall include a telephone number and
25 email address for notification purposes.

26 (j) For security purposes, county boards of election shall
27 comply with the following when establishing secure receptacles
28 and ballot return sites:

29 (1) Only county board of elections personnel shall have
30 access to the completed ballots within a secure receptacle.

1 (2) Secure receptacles shall be secured in a manner to
2 prevent their unauthorized removal of ballots.

3 (3) All secure receptacles shall be secured by a lock and
4 sealed with a tamper-evident seal.

5 (4) Secure receptacles shall be securely fastened in a
6 manner as to prevent moving or tampering.

7 (5) During the hours when the ballot return site is closed
8 or otherwise unstaffed, the secure receptacle shall be places in
9 a secure area that is inaccessible to the public or otherwise
10 safeguarded.

11 (6) Adequate lighting shall be provided at all ballot return
12 sites when the sites is open and in use.

13 (7) All secure receptacles and ballot return sites shall be
14 monitored by a video security surveillance system or an internal
15 camera that can capture digital images or video. A video
16 security surveillance system may include existing systems on
17 county, city, municipal or private buildings. Video surveillance
18 shall be retained by the county election office through 60 days
19 following the deadline to certify an election.

20 (8) The secure receptacle at a ballot return site located
21 outdoors shall be constructed of durable material able to
22 withstand vandalism, removal and inclement weather to prevent
23 physical damage and unauthorized entry.

24 (k) Ballots returned to a ballot return site shall be
25 collected promptly by an authorized county board personnel at
26 times determined by the county board, but at a minimum of every
27 24 hours every weekday.

28 (l) County board personnel designated to collect completed
29 ballots shall sign a declaration affirming that the official
30 personnel will timely and securely collect and return the

1 ballots in the secure ballot transfer container, will not permit
2 any person to tamper with a ballot return site, secure
3 receptacle or its contents, and that they will faithfully and
4 securely perform their duties.

5 (m) Ballots collected from any ballot return site or secure
6 receptacle shall be immediately transported to the county board
7 of elections where, upon arrival, the county board shall note
8 the time of arrival and number of ballots.

9 (n) The department shall promulgate rules and regulations to
10 implement this section.

11 (o) For the purposes of this section, "secure receptacle"
12 shall have the same meaning as a "ballot drop box".

13 Section 5. Sections 412.2(a) and (f) and 1003(f) of the act
14 are amended and the sections are amended by adding subsections
15 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 of State shall reimburse counties for
3 half the cost of payments made under subsections (a) and (f).

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

5 * * *

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

24 * * *

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

28 Section 6. Section 1007(a) of the act is amended to read:

29 Section 1007. Number of Ballots to Be Printed; Specimen

30 Ballots.--(a) The county board of each county shall provide for

1 each election district a supply of official election ballots
2 for:

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

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

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

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

28 (5) the general election held in even-numbered years in
29 which candidates for the office of President of the United
30 States are elected in an amount of at least 15% greater than the

1 highest number of ballots cast in the election districts in any
2 of the previous three general elections at which candidates for
3 the office of President of the United States were elected; and

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

8 (1.1) Any primary election, 50% of the registered electors
9 in an election district, less the number of electors in the
10 district who have requested an absentee ballot or mail-in
11 ballot.

12 (1.2) Any general election, 100% of the registered electors
13 in an election district, minus the number of electors in the
14 district who have requested an absentee ballots or mail-in
15 ballot.

16 * * *

17 Section 7. Sections 1106, 1107 and 1111 of the act are
18 amended by adding subsections to read:

19 Section 1106. Examination and Approval of Voting Machines by
20 the Secretary of the Commonwealth.--

21 * * *

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

27 (h) For the purposes of examining the system, the Secretary
28 of the Commonwealth shall employ or contract for the services of
29 at least one individual who is an expert in one or more fields
30 of data processing, mechanical engineering and public

1 administration and shall require from the individual a written
2 report of the individual's examination.

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

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

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

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

28 (m) The examination and approval under subsection (l) shall
29 ensure that the device conforms with standards to provide
30 timeliness and accuracy in the casting and counting of ballots

1 or in the recording of electors.

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

7 * * *

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

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

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

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

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

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

27 (z.1) The requirements of subsections (u), (v), (w), (x),
28 (y) and (z) shall apply only to machines newly examined or
29 approved by the Secretary of the Commonwealth after 2024.

30 Section 1111. Preparation of Voting Machines by County

1 Election Boards.--

2 * * *

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

28 (h) For electronic or electromechanical voting systems
29 configured to tabulate mail-in ballots or absentee ballots at a
30 central or regional site, the public testing shall be conducted

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

15 (i) For electronic or electromechanical voting systems
16 configured to include electronic or electromechanical tabulation
17 devices which are distributed to the precincts, all or a sample
18 of the devices to be used in the election shall be publicly
19 tested. If a sample is to be tested, the sample shall consist of
20 a random selection of at least ten per cent of the devices. The
21 test shall be conducted by processing a group of ballots,
22 causing the device to output results for the ballots processed
23 and comparing the output of results to the results expected for
24 the ballots processed. The group of ballots shall be produced so
25 as to record a predetermined number of valid votes for each
26 candidate and on each measure and to include for each office one
27 or more ballots which have activated voting positions in excess
28 of the number allowed by law in order to test the ability of the
29 tabulating device to reject such votes.

30 (j) If a tested tabulating device is found to have an error

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

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

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

23 (m) The county election board shall execute a written
24 statement setting forth the tabulation devices tested, the
25 results of the testing, the protective counter numbers, if
26 applicable, of each tabulation device, the number of the seal
27 securing each tabulation device at the conclusion of testing,
28 any problems reported to the county election board as a result
29 of the testing and whether each device tested is satisfactory or
30 unsatisfactory.

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

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

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

27 Section 8. Sections 1112(c)1 and 1117-A of the act are
28 amended to read:

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

1 * * *

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

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

12 * * *

13 Section 1117-A. [Statistical Sample.--The county board of
14 elections, as part of the computation and canvass of returns,
15 shall conduct a statistical recount of a random sample of
16 ballots after each election using manual, mechanical or
17 electronic devices of a type different than those used for the
18 specific election. The sample shall include at least two (2) per
19 centum of the votes cast or two thousand (2,000) votes whichever
20 is the lesser.] Risk-limiting Audit.--(a) The Department of
21 State, in conjunction with the county boards of elections, shall
22 conduct risk-limiting audits after each primary, general,
23 municipal and special elections completed by the third Friday
24 following the election in accordance with the requirements of
25 this section.

26 (b) The audit shall be conducted as follows:

27 (1) The Secretary of the Commonwealth shall randomly
28 determine what contests shall be subject to a risk-limiting
29 audit;

30 (2) The Secretary of the Commonwealth shall provide notice

1 of the time and place of the random selection of the audit units
2 to be manually tallied and of the times and places of the
3 audits;

4 (3) The Secretary of the Commonwealth shall make available
5 to the public a report of the vote-tabulating device results for
6 the contest, including the results for each audit unit in the
7 contest, prior to the random selection of audit units to be
8 manually tallied and prior to the commencement of the audit;

9 (4) The Secretary of the Commonwealth, in conjunction with
10 the county board of elections, shall conduct the audit upon the
11 tabulation of the unofficial returns; and

12 (5) The Secretary of the Commonwealth, in conjunction with
13 the county board of elections, shall conduct the audit in public
14 view by manually interpreting the ballots according to rules
15 established by the secretary.

16 (c) If a risk-limiting audit of a contest leads to a full
17 manual tally of the ballots cast using the voting system, the
18 vote counts according to that manual tally shall replace the
19 vote.

20 (d) The results of audits conducted under this section shall
21 be published on the website of the Department of State within
22 forty-eight hours of being accepted by the Secretary of the
23 Commonwealth. If the audit involved a manual tally of one or
24 more entire precincts, then the names and numbers of all
25 precincts audited and a comparison of the vote tabulator results
26 with the hand counts for each precinct shall be published with
27 the audit results on the Department of State's publicly
28 accessible Internet website.

29 (e) Any audit required under this section shall not commence
30 for any election subject to a recount until the conclusion of

1 the recount.

2 (f) The Secretary of the Commonwealth shall promulgate
3 rules, regulations and procedures as necessary to implement this
4 section.

5 (g) For purposes of this section, the following terms shall
6 have the following meanings:

7 "Audit unit" means a precinct, a set of ballots or a single
8 ballot. A precinct, a set of ballots or a single ballot may be
9 used as an audit unit for purposes of the section only if all of
10 the following conditions are satisfied:

11 (1) the relevant vote-tabulating device is able to produce a
12 report of the votes cast in the precinct, set of ballots or
13 single ballot; and

14 (2) each ballot is assigned to not more than one audit unit.

15 "Contest" means an election for an office.

16 "Risk-limiting audit" means a manual tally employing a
17 statistical method that ensures a large, predetermined minimum
18 chance of requiring a full manual tally when a full manual tally
19 would show an electoral outcome that differs from the outcome
20 reported by the vote-tabulating system for the audited contest.
21 A risk-limiting audit shall begin with a hand tally of the votes
22 in one or more audit units and shall continue to hand tally
23 votes in additional audit units until there is strong
24 statistical evidence that the electoral outcome is correct. In
25 the event that counting additional audit units does not provide
26 strong statistical evidence that the electoral outcome is
27 correct, the audit shall continue until there has been a full
28 manual tally to determine the correct electoral outcome of the
29 audited contest.

30 Section 9. The act is amended by adding sections to read:

1 Section 1123-A. Requirements of Accessible Voting
2 Machines.--An accessible voting machine may not, upon any
3 examination or reexamination, be approved by the Secretary of
4 the Commonwealth, or by an examiner appointed by the secretary,
5 unless the accessible voting devices satisfies the following
6 requirements:

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

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

13 (3) Any operable controls on the input voting device which
14 are needed for voters who are visually impaired must be
15 discernible in a tactile manner without actuating the keys.

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

18 (5) If a nonaudio access approach is provided, the system
19 may not require color perception. The system must use black text
20 or graphics, or both, on white background or white text or
21 graphics, or both, on black background, unless the office of the
22 Secretary of the Commonwealth approves other high-contrast color
23 combinations that do not require color perception.

24 (6) A voting system that requires any visual perception must
25 offer the election official who programs the voting system,
26 prior to its being sent to the polling place, the capability to
27 set the font size, as it appears to the voter, from a minimum of
28 fourteen points to a maximum of twenty-four points.

29 (7) The voting system must provide audio information,
30 including any audio output using synthetic or recorded human

1 speech or any auditory feedback tones that are important for the
2 use of the audio approach, through at least one mode, by handset
3 or headset, in enhanced auditory fashion through increased
4 amplification, and must provide incremental volume control with
5 output amplification up to a level of at least 97 db spl.

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

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

13 (10) If sound cues and audible information such as beeps are
14 used, there must be simultaneous corresponding visual cues and
15 information.

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

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

21 (13) Voting booths must have voting controls at a minimum
22 height of thirty-six inches above the finished floor with a
23 minimum knee clearance of twenty-seven inches high, thirty
24 inches wide and nineteen inches deep, or the accessible voter
25 interface devices must be designed so as to allow use on top of
26 a table to meet these requirements. Tabletop installations must
27 include adequate privacy.

28 (14) Any audio ballot must provide the voter with the
29 following functionalities:

30 (i) After the initial instructions that the system requires

1 election officials to provide to each voter, the voter should be
2 able to independently operate the voter interface through the
3 final step of casting a ballot without assistance.

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

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

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

12 (v) The voter must be able to review the candidate
13 selections made.

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

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

22 (viii) The system must prevent the voter from overvoting any
23 race.

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

26 (x) The voter must be able to review his or her write-in
27 input to the interface, edit that input and confirm that the
28 edits meet the voter's intent.

29 (xi) There must be a clear, identifiable action that the
30 voter takes to cast the ballot. The system must make clear to

1 the voter how to cast the ballot so that the voter has minimal
2 risk of taking the action accidentally but, when the voter
3 intends to cast the ballot, the action can be easily performed.

4 (xii) Once the ballot is cast, the system must confirm to
5 the voter that the ballot has been cast and that the voter's
6 process of voting is complete.

7 (xiii) Once the ballot is cast, the system must preclude the
8 voter from modifying the ballot cast or voting or casting
9 another ballot.

10 Section 1113-B. Voting system defects, disclosure,
11 investigations and penalties.

12 (a) (Reserved).

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

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

26 (d) New defect.--If a vendor becomes aware of the existence
27 of a defect, the vendor must file a new disclosure with the
28 Department of State as provided in subsection (a) within 30 days
29 of the date the vendor determined or reasonably should have
30 determined that the defect existed.

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

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

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

25 (h) Initiation of investigation.--The Department of State
26 may independently initiate an investigation or upon the written
27 request of the county board of elections that purchased a voting
28 system that contains the alleged defect.

29 (i) Notice of investigation.--Upon initiation of an
30 investigation, the Department of State shall provide written

1 notice to the vendor and each county board of elections.

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

7 (k) Response.--A vendor who receives notice of a defect
8 shall, within ten days of receipt of the notice under subsection
9 (j), file a written response to the Department of State 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 of State whether the defect
21 can be cured and shall provide the department with a plan for
22 curing the defect.

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

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

30 (p) Civil penalty.--If the Department of State determines

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

8 (g) Administrative penalty.--If the Department of State
9 finds that a defect existed:

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

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

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

1 use under this act.

2 (4) A vendor for whom a civil penalty was imposed under
3 this section may not submit a voting system for approval by
4 the Department of State or enter into a contract for sale or
5 lease of a voting system in this Commonwealth until each
6 civil penalty has been paid and the department provides
7 written confirmation of the payment to the county board of
8 elections.

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

18 (s) Authority.--The authority of the Department of State
19 under this section shall be in addition to, and not exclusive
20 of, any other authority provided by law.

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

1 in a manner that affects the timeliness or accuracy of the
2 casting or counting of ballots.

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

5 (1) Vote and have his or her vote accurately counted.

6 (2) Cast a vote if he or she is in line at the time of the
7 closing of polls.

8 (3) Ask for and receive assistance in voting.

9 (4) Receive up to two replacement ballots if he or she makes
10 a mistake prior to the ballot being cast.

11 (5) Receive an explanation if his or her registration or
12 identity is in question.

13 (6) Cast a provisional ballot, if his or her registration or
14 identity is in question.

15 (7) Receive written instructions to use when voting and,
16 upon request, oral instructions from elections officers to use
17 when voting.

18 (8) Vote free from coercion or intimidation by elections
19 officers or any other person.

20 (9) Vote on a voting system that is in working condition and
21 that will allow votes to be accurately cast and accurately
22 counted.

23 Section 1201.4. Senior Voter's Bill of Rights.--In addition
24 to the rights of a voter under section 1201.3, a voter in this
25 Commonwealth who is seventy years of age or older shall have the
26 right to:

27 (1) Receive any assistance necessary to successfully cast a
28 ballot.

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

1 (3) Receive assistance through supervised voting under
2 section 1306.2.

3 Section 1201.5. Disabled Voter's Bill of Rights.--In
4 addition to the rights of a voter under section 1201.3, a voter
5 in this Commonwealth who is disabled shall have the right to:

6 (1) Receive any assistance necessary to successfully cast a
7 ballot.

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

10 (3) Bring into a polling place or elections office a service
11 animal qualified under the Americans with Disabilities Act of
12 1990 (Public Law 101-336, 104 Stat. 327).

13 (4) Vote using an accessible voting machine approved under
14 this act.

15 (5) Have all polling places in this Commonwealth meet
16 accessibility requirements under the Americans with Disabilities
17 Act of 1990.

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

20 (i) A qualified elector's vote under this section shall be
21 cast within one hundred fifty feet of the entrance to the
22 polling place.

23 (ii) The qualified elector shall mark the ballot in the
24 presence of the judge of elections or county election official.

25 (iii) The qualified elector shall mark the ballot in a
26 secret manner and, obscuring the vote, return the ballot to the
27 Judge of elections or county election official. The judge of
28 elections or county election official shall immediately return
29 to the polling place and deposit the ballot in the voting
30 machine.

1 (iv) The district register utilized by the polling place
2 shall be brought to the qualified elector, if possible, or
3 otherwise made to record the qualified elector's participation
4 in the election.

5 (v) A record shall be made of each elector voting under this
6 section and of each Judge of elections or county election
7 official assisting in the casting of each such ballot.

8 Section 10. Sections 1205, 1210(a.3)(4) and 1302(i)(2) of
9 the act are amended to read:

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

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

18 (a.3) * * *

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

27 * * *

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

29 * *

30 (i) * * *

1 (2) Nothing in this act shall prohibit a private
2 organization or individual from printing blank voter
3 applications for absentee ballots or shall prohibit the use of
4 such applications by another individual, provided the form,
5 content and paper quality have been approved by the Secretary of
6 the Commonwealth. Voter applications of absentee ballots
7 distributed under this section must clearly indicate that they
8 have not been sent or distributed by a county or by the
9 Department of State and must be blank upon distribution to an
10 elector.

11 * * *

12 Section 11. Section 1306(a) introductory paragraph of the
13 act, amended March 27, 2020 (P.L.41, No.12), is amended and the
14 section is amended by adding a subsection to read:

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

1 deliver it in person to said county board of election.]

2 * * *

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

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

8 (2) Delivery in person to the permanent offices of his or
9 her county board of elections during its regular hours of
10 operation.

11 (3) Delivery to a ballot return site established under
12 section 313.

13 (4) Nothing in this section shall be construed to prohibit
14 an elector from returning the completed ballot of another member
15 of his household, registered at the same residential address and
16 unit number, or prohibit an elector from returning a completed
17 ballot of an elector for whom they are appointed as Power of
18 Attorney with valid proof thereof.

19 * * *

20 Section 12. The act is amended by adding a section to read:

21 Section 1306.2. Supervised Voting by Qualified Absentee
22 Electors in Certain Facilities.--(a) The county board of
23 elections shall provide supervised voting for absent electors
24 residing in an assisted living facility or nursing home facility
25 within that county at the request of an administrator of the
26 facility. The request for supervised voting in the facility
27 shall be made by submitting a written request to the board of
28 elections no later than twenty-one days prior to the election
29 for which that request is submitted. The request shall specify
30 the name and address of the facility and the name of electors

1 who wish to vote absentee in that election. If the request
2 contains the names of fewer than five voters, the board of
3 elections is not required to provide supervised voting.

4 (b) The county board of elections may, in the absence of a
5 request from the administrator of a facility, provide for
6 supervised voting in the facility for persons who have requested
7 an absentee ballot. The county board of elections shall notify
8 the administrator of a facility that supervised voting will
9 occur.

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

13 (d) The county board of elections shall designate supervised
14 voting teams to provide services prescribed by this section.
15 Each supervised voting team shall include at least two persons.
16 Each supervised voting team must include representatives of at
17 least the two parties with the largest number of registered
18 electors in this Commonwealth, except that, in a primary
19 election to nominate party nominees in which only one party has
20 candidates appearing on the ballot, each supervised voting team
21 members may be of only that party. A candidate may not provide
22 supervised voting services.

23 (e) The supervised voting team shall deliver the ballots to
24 the respective absentee electors and each member of the team
25 shall jointly supervise the voting of the ballots. If an elector
26 requests assistance in voting, the oath prescribed under this
27 act shall be completed and the elector may receive the
28 assistance of two members of the supervised voting team or some
29 other person of the elector's choice to assist the elector in
30 casting the elector's ballot.

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

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

9 (h) After the ballots have been voted or marked in
10 accordance with the provisions of this section, the supervised
11 voting team shall deliver the ballots to the county board of
12 elections.

13 (i) The Department of State shall provide training and
14 information to assisted living facilities and nursing home
15 facilities in order to assist residents in voting, including
16 applicable laws regarding assistance in voting and penalties for
17 violation of election laws.

18 Section 13. Sections 1308(g) and 1302-D(g) of the act,
19 amended March 27, 2020 (P.L.41, No.12), are amended to read:

20 Section 1308. Canvassing of Official Absentee Ballots and
21 Mail-in Ballots.--* * *

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

28 (ii) An absentee ballot cast by any absentee elector as
29 defined in section 1301(i), (j), (k), (l), (m) and (n), an
30 absentee ballot under section 1302(a.3) or a mail-in ballot cast

1 by a mail-in elector shall be canvassed in accordance with this
2 subsection if the absentee ballot or mail-in ballot is received
3 in the office of the county board of elections no later than
4 eight o'clock P.M. on the day of the primary or election.

5 (1.1) The county board of elections shall meet no earlier
6 than [seven o'clock A.M. on] seven days prior to election day to
7 pre-canvass all ballots received prior to the meeting. A county
8 board of elections shall provide at least forty-eight hours'
9 notice of a pre-canvass meeting by publicly posting a notice of
10 a pre-canvass meeting on its publicly accessible Internet
11 website. One authorized representative of each candidate in an
12 election, one authorized representative of the county
13 chairperson of each political party and one representative
14 [from] of each political party shall be permitted to remain in
15 the room in which the absentee ballots and mail-in ballots are
16 pre-canvassed. Authorized representatives shall be provided with
17 meaningful access to view and observe the entire process of pre-
18 canvassing or canvassing activities. A county board of elections
19 must designate an official to respond to issues reported by
20 authorized representatives. The Department of State shall
21 establish a procedure for authorized representatives to report
22 any concerns arising from any pre-canvass meeting and the
23 department must investigate and report on any concerns raised in
24 each election. A county board of elections shall record the pre-
25 canvassing and canvassing meetings with audio and visual
26 recording. The entire recording under this section shall be made
27 available only after the close of the polls. No person
28 observing, attending or participating in a pre-canvass meeting
29 may disclose the results of any portion of any pre-canvass
30 meeting prior to the close of the polls.

1 (2) The county board of elections shall meet no earlier than
2 the close of polls on the day of the election and no later than
3 eight o'clock A.M. on the [third] day following the election to
4 begin canvassing absentee ballots and mail-in ballots not
5 included in the pre-canvass meeting. The meeting under this
6 paragraph shall continue until all absentee ballots and mail-in
7 ballots received prior to the close of the polls have been
8 canvassed. The county board of elections shall not record or
9 publish any votes reflected on the ballots prior to the close of
10 the polls. The canvass process shall continue through the eighth
11 day following the election for valid military-overseas ballots
12 timely received under 25 Pa.C.S. § 3511 (relating to receipt of
13 voted ballot). A county board of elections shall provide at
14 least forty-eight hours' notice of a canvass meeting by publicly
15 posting a notice on its publicly accessible Internet website.
16 One authorized representative of each candidate in an election
17 and one representative from each political party shall be
18 permitted to remain in the room in which the absentee ballots
19 and mail-in ballots are canvassed.

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

23 (i) Examine the declaration on the envelope of each ballot
24 not set aside under subsection (d) and shall compare the
25 information thereon with that contained in the "Registered
26 Absentee and Mail-in Voters File," the absentee voters' list
27 and/or the "Military Veterans and Emergency Civilians Absentee
28 Voters File," whichever is applicable.

29 (ii) A county board of elections shall use an automated
30 sorting or extracting machine to assist in its processing of

1 absentee ballots and mail-in ballots.

2 (iii) If the county board has verified the proof of
3 identification as required under this act and is satisfied that
4 the declaration is sufficient and the information contained in
5 the "Registered Absentee and Mail-in Voters File," the absentee
6 voters' list and/or the "Military Veterans and Emergency
7 Civilians Absentee Voters File" verifies his right to vote, the
8 county board shall provide a list of the names of electors whose
9 absentee ballots or mail-in ballots are to be pre-canvassed or
10 canvassed.

11 (iv) For absentee ballots or mail-in ballots which the
12 declaration of the elector is incomplete, or are unsigned or
13 undated, the county board shall:

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

18 (B) Direct the elector to appear before, or to provide an
19 electronic, facsimile or paper copy to, the county board of
20 elections within six calendar days, including:

21 (I) proof of identification and an executed affirmation
22 affirming, 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 affirming, 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 for which it is

1 discovered during the pre-canvassing or canvassing process that
2 the official election ballot envelope was not included or
3 unidentifiable marks are placed on the envelope, then the county
4 board shall place and seal the ballot into an empty official
5 election ballot envelope and place he secured envelope with the
6 other removed official election ballot envelopes to be
7 tabulated.

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

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

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

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

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

27 (5) Ballots received whose applications have been challenged
28 and ballots which have been challenged shall be placed unopened
29 in a secure, safe and sealed container in the custody of the
30 county board until it shall fix a time and place for a formal

1 hearing of all such challenges, and notice shall be given where
2 possible to all absentee electors and mail-in electors thus
3 challenged and to every individual who made a challenge. The
4 time for the hearing shall not be later than seven (7) days
5 after the deadline for all challenges to be filed. On the day
6 fixed for said hearing, the county board shall proceed without
7 delay to hear said challenges, and, in hearing the testimony,
8 the county board shall not be bound by the Pennsylvania Rules of
9 Evidence. The testimony presented shall be stenographically
10 recorded and made part of the record of the hearing.

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

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

29 * * *

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

1 * * *

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

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

19 (2) The Secretary of the Commonwealth may develop an
20 electronic system through which all qualified electors may
21 apply for a mail-in ballot and request permanent mail-in
22 voter status under this section, provided the system is able
23 to capture a digitized or electronic signature of the
24 applicant. A county board of elections shall treat an
25 application or request received through the electronic system
26 as if the application or request had been submitted on a
27 paper form or any other format used by the county.

28 (3) The transfer of a qualified registered elector on a
29 permanent mail-in voting list from one county to another
30 county shall only be permitted upon the request of the

1 qualified registered elector.

2 Section 14. Section 1306-D(a) of the act, amended March 27,
3 2020 (P.L.41, No.12), is amended and the section is amended by
4 adding a subsection to read:

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

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

22 * * *

23 (a.2) Return of completed mail-in ballots.--The elector
24 shall, prior to eight o'clock P.M. on election day, return their
25 completed mail-in ballot by one of the following methods only:

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

28 (2) Delivery in person to the permanent offices of his
29 or her county board of elections during its regular hours of
30 operation.

1 (3) Delivery to a ballot return site established under
2 section 313.

3 (4) Nothing in this section shall be construed to
4 prohibit an elector from returning the completed ballot of
5 another member of his household, registered at the same
6 residential address and unit number, or prohibit an elector
7 from returning a completed ballot of an elector for whom they
8 are appointed as Power of Attorney with valid proof thereof.

9 * * *

10 Section 15. The act is amended by adding an article to read:

11 ARTICLE XIII-F

12 EARLY VOTING BY QUALIFIED ELECTORS

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

14 Beginning with the 2022 general election, and for each
15 election thereafter, each county board of elections must provide
16 electors with the opportunity to vote at an early voting center,
17 prior to election day.

18 Section 1302-F. Operation.

19 The following shall apply:

20 (1) Each early voting center shall be considered a
21 county board of elections office for the purposes of this
22 act.

23 (2) Early voting centers may be established beginning on
24 the second Friday prior to an election and ending on the
25 first Wednesday prior to an election. A county shall operate
26 a minimum of one early voting center.

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

29 (4) The county board of elections shall provide notice
30 prior to the establishment of any early voting center,

1 including location and intended hours of operation.

2 (5) A county may establish early voting centers,
3 distributed throughout the county so as to ensure equal
4 access to all voters.

5 (6) Each early voting center must be accessible under
6 the requirements of the Americans with Disabilities Act of
7 1990 (Public Law 101-336, 104 Stat. 327).

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

11 (8) An early voting center shall be continually secured,
12 monitored by staff and monitored by video recording from the
13 beginning of the period provided for early voting until the
14 end, including overnight. Video recording shall be retained
15 and made available publicly.

16 Section 1303-F. Reimbursement.

17 Counties shall be reimbursed by the Department of State for
18 half of the costs incurred in the operation of early voting
19 centers.

20 Section 16. Sections 1404(f), 1801, 1802, 1802.1, 1803,
21 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813,
22 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824,
23 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834,
24 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847,
25 1848, 1849 and 1850 of the act are amended to read:

26 Section 1404. Computation of Returns by County Board;
27 Certification; Issuance of Certificates of Election.--

28 * * *

29 (f) As the returns from each election district are read,
30 computed and found to be correct or corrected as aforesaid, they

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

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

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

26 (3) The votes recorded for each candidate or question, in
27 each voting district and each county, and the sum for the
28 Commonwealth, including the number of votes received by each
29 candidate or question under each article of this act.

30 (4) The percentage of voting districts having reported

1 results.

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

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

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

9 (8) The total number of overseas and military ballots
10 mailed.

11 (9) A website displaying unofficial returns shall provide an
12 interactive map allowing the information under paragraphs (1),
13 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
14 election district, county and this Commonwealth. At any time
15 that unofficial results data previously posted to the Department
16 of State or a county's publicly accessible Internet website is
17 amended, corrected, deleted or updated in a manner other than
18 the inclusion of additional results, the department and an
19 affected county shall post a disclosure to the unofficial
20 returns website explicitly noting the time such update occurred,
21 the reason and the impact on unofficial returns. At the
22 expiration of five (5) days after the completion of the
23 computation of votes, in case no petition for a recount or
24 re canvass has been filed in accordance with the provisions of
25 this act, or upon the completion of the recount or re canvass if
26 a petition therefor has been filed within five (5) days after
27 the completion of the computation of votes, the county board
28 shall certify the returns so computed in said county in the
29 manner required by this act, unless upon appeals taken from any
30 decision, the court of common pleas shall have directed any

1 returns to be revised, or unless in case of a recount, errors in
2 the said returns shall have been found, in which case said
3 returns shall be revised, corrected and certified accordingly.
4 The county board shall thereupon, in the case of elections,
5 issue certificates of election to the successful candidates for
6 all county, city, borough, township, ward, school district, poor
7 district and election offices, and local party offices to be
8 filled by the votes of the electors of said county, or of any
9 part thereof.

10 * * *

11 Section 1801. Disobeying Lawful Instructions.--Any person
12 who wilfully disobeys any lawful instruction or order of any
13 county board of elections, or who refuses to obey their subpoena
14 duly issued and served under the provisions of this act, shall
15 be guilty of a misdemeanor, and, upon conviction thereof, shall
16 be sentenced to pay a fine not exceeding [five hundred (\$500)]
17 one thousand (\$1,000) dollars, or to undergo an imprisonment not
18 exceeding [one (1) year] two (2) years, or both, in the
19 discretion of the court.

20 Section 1802. Perjury.--Any wilful false statement made
21 under oath or affirmation or in writing, stating that it is so
22 made, although such oath or affirmation may not have actually
23 been made, by any person regarding any material matter or thing
24 relating to any subject being investigated, heard, determined or
25 acted upon by any county board of elections, or member thereof,
26 or by any court or judge thereof, judge of election, inspector
27 of election, or overseer, in accordance with the terms of this
28 act, shall be perjury, a misdemeanor of the first degree, and
29 any person, upon conviction thereof, shall be sentenced to pay a
30 fine not exceeding [ten thousand (\$10,000)] twenty thousand

1 (\$20,000) dollars, or to undergo an imprisonment of not more
2 than [~~five (5)~~] ten (10) years, or both, in the discretion of
3 the court.

4 Section 1802.1. False Affidavits of Candidates.--Any
5 candidate for State, county, city, borough, incorporated town,
6 township or school district office or for the office of United
7 States Senator or Representative in Congress or any other
8 elective public office who knowingly makes a false statement
9 regarding his eligibility or qualifications for such office in
10 his candidate's affidavit shall, in litigation which results in
11 the removal of the candidate from the ballot, be liable for
12 court costs, including filing fees, attorney fees, investigation
13 fees and similar costs, in an amount up to [~~ten thousand~~
14 (\$10,000)] twenty thousand (\$20,000) dollars.

15 Section 1803. Refusal to Permit Inspection of Papers;
16 Destruction or Removal; Secretary of the Commonwealth.--Any
17 Secretary of the Commonwealth, deputy, or employe of his office,
18 who shall refuse to permit the public inspection or copying as
19 authorized, except when in use in his office, by this act, of
20 any return, nomination petition, certificate or paper, other
21 petition, account, contract, report or any other document or
22 record in his custody which, under the provisions of this act,
23 is required to be open to public inspection; or who shall
24 destroy or alter, or permit to be destroyed or altered, any such
25 document or record during the period for which the same is
26 required to be kept in his office; or who shall remove any such
27 document or record from his office during said period, or permit
28 the same to be removed, except pursuant to the direction of any
29 competent court or any committee required to determine any
30 contested primary or election, shall be guilty of a misdemeanor,

1 and, upon conviction thereof, shall be sentenced to pay a fine
2 not exceeding [one thousand (\$1,000)] two thousand (\$2,000)
3 dollars, or to undergo an imprisonment of not less than [one (1)
4 month] two (2) months nor more than [two (2)] four (4) years, or
5 both, in the discretion of the court.

6 Section 1804. Refusal to Permit Inspection of Papers;
7 Destruction or Removal; County Boards of Elections.--Any member,
8 chief clerk or other employe of any county board of elections,
9 who shall refuse to permit the public inspection or copying, as
10 authorized by this act, of any general or duplicate return
11 sheet, tally paper, affidavit, nomination petition, certificate
12 or paper, other petition, witness list, account, contract,
13 report or any other document or record in the custody of such
14 county board which, under the provisions of this act, is
15 required to be open to public inspection; or who shall destroy
16 or alter, or permit to be destroyed or altered, any such
17 document or record during the period for which the same is
18 required to be kept in the office of such county board; or who
19 shall remove any such document or record from the office of such
20 county board during said period, or permit the same to be
21 removed, except pursuant to the direction of any competent court
22 or any committee required to determine any contested primary or
23 election, shall be guilty of a misdemeanor, and, upon conviction
24 thereof, shall be sentenced to pay a fine not exceeding [one
25 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
26 an imprisonment of not less than [one (1) month] two (2) months
27 nor more than [two (2)] four (4) years, or both, in the
28 discretion of the court.

29 Section 1805. Insertion and Alteration of Entries in
30 Documents; Removal; Refusal to Deliver.--Any member, chief clerk

1 or employe of any county board of elections or judge, inspector
2 or clerk of election, machine inspector, overseer, or other
3 person, who knowingly inserts or knowingly permits to be
4 inserted any fictitious name, false figure or other fraudulent
5 entry on or in any registration card, district register, voter's
6 certificate, list of voters, affidavit, tally paper, general or
7 duplicate return sheet, statement, certificate, oath, voucher,
8 account, ballot or other record or document authorized or
9 required to be made, used, signed, returned or preserved for any
10 public purpose in connection with any primary or election; or
11 who materially alters or intentionally destroys any entry which
12 has been lawfully made therein, except by order of the county
13 board of elections or court of competent jurisdiction, or who
14 takes or removes any such book, affidavit, return, account,
15 ballot or other document or record from the custody of any
16 person having lawful charge thereof, in order to prevent the
17 same from being used or inspected or copied as required or
18 permitted by this act, or who neglects or refuses, within the
19 time and in the manner required by this act, to deliver the same
20 into the custody of the officers who are required by this act to
21 use or keep the same, shall be guilty of a misdemeanor, and,
22 upon conviction thereof, shall be sentenced to pay a fine not
23 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
24 or to undergo an imprisonment of not less than [one (1) month]
25 two (2) months or more than [two (2)] four (4) years, or both,
26 in the discretion of the court.

27 Section 1806. Refusal to Permit Overseers, Watchers,
28 Attorneys or Candidates to Act.--Any member of a county board of
29 elections, judge of election or inspector of election who shall
30 refuse to permit any overseer or watcher, attorney or candidate

1 to be present, as authorized by this act, at any session of a
2 county board, computation and canvassing of returns of any
3 primary or election, recount of ballots or recanvass of voting
4 machines, as authorized by this act, or at any polling place
5 during the time the polls are open at any primary or election,
6 and after the close of the polls during the time the ballots are
7 counted or voting machine canvassed and until the returns of
8 such primary or election have been made up and signed, shall be
9 guilty of a misdemeanor, and, upon conviction thereof, shall be
10 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
11 two thousand (\$2,000) dollars, or to undergo an imprisonment not
12 exceeding [one (1) year] two (2) years, or both, in the
13 discretion of the court.

14 Section 1807. Driving away Watchers, Attorneys, Candidates
15 or Overseers.--Any person who by violence or intimidation shall
16 threaten or drive away any watcher, attorney, candidate or
17 overseer, or representative of the county board of elections, or
18 of the Secretary of the Commonwealth, required or permitted to
19 be present at any polling place, or who shall in any manner
20 prevent any overseer, or representative of the county board of
21 elections or of the Secretary of the Commonwealth from
22 performing his duty under this act, shall be guilty of a
23 misdemeanor, and, upon conviction thereof, shall be sentenced to
24 pay a fine not exceeding [one thousand (\$1,000)] two thousand
25 (\$2,000) dollars, or to undergo an imprisonment of not less than
26 [one (1) month] two (2) months nor more than [two (2)] four (4)
27 years, or both, in the discretion of the court.

28 Section 1808. Refusal to Permit Election Officers, Clerks
29 and Machine Inspectors to Act; Driving away Said Persons.--Any
30 person, including any election officer, who shall refuse to

1 permit any election officer, clerk or machine inspector, duly
2 elected or appointed and authorized to act, to perform the
3 duties imposed on him or to act as permitted by this act; or who
4 shall by violence or intimidation threaten or drive away, any
5 such election officer, clerk or machine inspector or who shall,
6 in any manner, prevent any such election officer, clerk or
7 machine inspector from performing his rights and duties under
8 this act, 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 less than [~~one (1) month~~] two (2) months
12 or more than [~~two (2)]~~ four (4) years, or both, in the
13 discretion of the court.

14 Section 1809. Refusal to Administer Oath; Acting Without
15 Being Sworn.--If any judge of election or minority inspector of
16 election refuses or fails to administer the oath to the officers
17 of election, in the manner required by this act, or if any judge
18 of election, inspector of election, clerk of election, or
19 machine inspector, shall act without being first duly sworn, or
20 if any such person shall sign the written form of oath without
21 being duly sworn, or if any judge of election or minority
22 inspector of election or any other person authorized to
23 administer oaths shall certify that any such person was sworn
24 when he was not, he shall be guilty of a misdemeanor, and, upon
25 conviction thereof, shall be sentenced to pay a fine not
26 exceeding [~~one hundred (\$100)~~] two hundred (\$200) dollars, or to
27 undergo an imprisonment not exceeding [~~six (6) months~~] one (1)
28 year, or both, in the discretion of the court.

29 Section 1810. Violation of Oath of Office by Election
30 Officers.--Any judge of election, inspector of election, clerk

1 of election, or machine inspector who shall wilfully violate any
2 of the provisions of his oath of office, shall be guilty of a
3 misdemeanor, and, upon conviction thereof, shall be sentenced to
4 pay a fine not exceeding [~~one thousand (\$1,000)~~] two thousand
5 (\$2,000) dollars, or to undergo an imprisonment not exceeding
6 [~~one (1) year~~] two (2) years, or both, in the discretion of the
7 court.

8 Section 1811. Peace Officers; Failure to Render Assistance;
9 Hindering or Delaying County Board Members and Others.--Any
10 sheriff, deputy sheriff, constable, deputy constable, police or
11 other peace officer, who shall fail upon demand of any member of
12 a county board of elections, judge or inspector of election, or
13 overseer to render such aid and assistance to him as he shall
14 request in the maintenance of peace and in the making of
15 arrests, as herein provided, or who shall wilfully hinder or
16 delay or attempt to hinder or delay any member of a county
17 board, judge or inspector of election, or overseer in the
18 performance of any 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 [~~five hundred (\$500)~~] one thousand
21 (\$1,000) dollars, or to undergo an imprisonment of not less than
22 [~~three (3)~~] six (6) months nor more than [~~two (2)~~] four (4)
23 years, or both, in the discretion of the court.

24 Section 1812. Nomination Petitions and Papers; Offenses by
25 Signers.--If any person shall knowingly and wilfully sign any
26 nomination petition or nomination paper, without having the
27 qualifications prescribed by this act, or if any person shall
28 set opposite a signature on a nomination petition or paper, a
29 date other than the actual date such signature was affixed
30 thereto, or if any person shall set opposite the signature on a

1 nomination petition or nomination paper, a false statement of
2 the signer's place of residence or occupation, or if any person
3 shall sign more nomination petitions or nomination papers than
4 permitted by the provisions of this act, he shall be guilty of a
5 misdemeanor, and, upon conviction thereof, shall be sentenced to
6 pay a fine not exceeding [~~one hundred (\$100)~~] two hundred (\$200)
7 dollars, or to undergo an imprisonment of not less than [~~three~~
8 ~~(3)~~] six (6) months nor more than [~~two (2)~~] four (4) years, or
9 both, at the discretion of the court.

10 Section 1813. False Signatures and Statements in Nomination
11 Petitions and Papers.--If any person shall knowingly make a
12 false statement in any affidavit required by the provisions of
13 this act, to be appended to or to accompany a nomination
14 petition or a nomination paper, or if any person shall
15 fraudulently sign any name not his own to any nomination
16 petition or nomination paper, or if any person shall
17 fraudulently alter any nomination petition or nomination paper
18 without the consent of the signers, he shall be guilty of a
19 misdemeanor, and, upon conviction thereof, shall be sentenced to
20 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
21 (\$1,000) dollars, or to undergo imprisonment of not more than
22 [~~one (1) year~~] two (2) years, or both, in the discretion of the
23 court.

24 Section 1814. Nomination Petitions; Certificates and Papers;
25 Destruction; Fraudulent Filing; Suppression.--Any person who
26 shall falsely make any nomination certificate or who shall
27 wilfully deface or destroy any nomination petition, nomination
28 certificate or nomination paper, or any part thereof, or any
29 letter of withdrawal, or who shall file any nomination petition,
30 nomination certificate or nomination paper or letter of

1 withdrawal knowing the same, or any part thereof, to be falsely
2 made, or who shall suppress any nomination petition, nomination
3 certificate or nomination paper, or any part thereof, which has
4 been duly filed, 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 1815. Offenses by Printers of Ballots.--Any printer
10 employed by any county board of elections to print any official
11 ballots, or any person engaged in printing the same who shall
12 appropriate to himself or give or deliver or knowingly permit to
13 be taken any of said ballots by any other person than such
14 county board of election or their duly authorized agent, or who
15 shall wilfully print or cause to be printed any official ballot
16 in any form other than that prescribed by such county board or
17 with any other names or printing, or with the names spelled
18 otherwise than as directed by them or the names or printing
19 thereon arranged in any other way than that authorized and
20 directed by this act, shall be guilty of a misdemeanor, and,
21 upon conviction thereof, shall be sentenced to pay a fine not
22 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
23 or to undergo an imprisonment of not less than [six (6) months]
24 one (1) year nor more than [five (5)] ten (10) years, or both,
25 in the discretion of the court.

26 Section 1816. Unlawful Possession of Ballots; Counterfeiting
27 Ballots.--Any person other than an officer charged by law with
28 the care of ballots, or a person entrusted by any such officer
29 with the care of the same for a purpose required by law, who
30 shall have in his possession outside the polling place any

1 official ballot, or any person who shall make or have in his
2 possession any counterfeit of an official ballot, shall be
3 guilty of a misdemeanor of the second degree, and, upon
4 conviction thereof, shall be sentenced to pay a fine not
5 exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
6 dollars, or to undergo an imprisonment of not more than [two
7 (2)] four (4) years, or both, in the discretion of the court.

8 Section 1817. Forging and Destroying Ballots.--Any person
9 who shall forge or falsely make the official endorsement on any
10 ballot or wilfully destroy or deface any ballot or wilfully
11 delay the delivery of any ballots shall be guilty of a
12 misdemeanor of the second degree, and, upon conviction thereof,
13 shall be sentenced to pay a fine not exceeding [five thousand
14 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
15 imprisonment of not more than [two (2)] four (4) years, or both,
16 in the discretion of the court.

17 Section 1818. Tampering with Voting Machines.--Any election
18 officer or other person who shall unlawfully open or who shall
19 tamper with or injure or attempt to injure any voting machine to
20 be used or being used at any primary or election, or who shall
21 prevent or attempt to prevent the correct operation of such
22 machine, or any unauthorized person who shall make or have in
23 his possession a key to a voting machine to be used or being
24 used in any primary or election, shall be guilty of a
25 misdemeanor of the second degree, and, upon conviction thereof,
26 shall be sentenced to pay a fine not exceeding [five thousand
27 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
28 imprisonment of not more than [two (2)] four (4) years, or both,
29 in the discretion of the court.

30 Section 1819. Destroying, Defacing or Removing Notices, Et

1 Cetera.--Any person who shall, prior to any primary or election,
2 wilfully deface, remove or destroy any notice or list of
3 candidates posted in accordance with the provisions of this act,
4 or who, during any primary or election, shall wilfully deface,
5 tear down, remove or destroy any card of instructions, notice of
6 penalties, specimen ballot or diagram printed or posted for the
7 instruction of electors, or who shall, during any primary or
8 election, wilfully remove or destroy any of the supplies or
9 conveniences furnished by the county board of elections to any
10 polling place in order to enable electors to vote, or the
11 election officers to perform their duties, or who shall wilfully
12 hinder the voting of others, shall be guilty of a misdemeanor,
13 and, upon conviction thereof, shall be sentenced to pay a fine
14 not exceeding [~~one hundred (\$100)~~] two hundred (\$200) dollars,
15 or to undergo an imprisonment of not more than [~~three (3)~~] six
16 (6) months, or both, in the discretion of the court.

17 Section 1820. Police Officers at Polling Places.--Any police
18 officer in commission, whether in uniform or in citizen's
19 clothes, who shall be within one hundred (100) feet of a polling
20 place during the conduct of any primary or election, except in
21 the exercise of his privilege of voting or for the purpose of
22 serving warrants, or in accordance with the provisions of the
23 exception set forth in section 1207 of this act where the police
24 station or headquarters is located in the same building or on
25 the premises where the polling place is located or unless called
26 upon to preserve the peace, as provided by this act, shall be
27 guilty of a misdemeanor, and, upon conviction thereof, shall be
28 sentenced to pay a fine not exceeding [~~five hundred (\$500)~~] one
29 thousand (\$1,000) dollars, or to undergo an imprisonment of not
30 more than [~~one (1) year~~] two (2) years, or both, in the

1 discretion of the court.

2 Section 1821. Peace Officer; Failure to Quell Disturbances
3 at Polls; Hindering or Delaying Election Officers and Others.--

4 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
5 deputy constable, police officer or other peace officer who
6 shall neglect or refuse to clear an avenue to the door of any
7 polling place which is obstructed in such a way as to prevent
8 electors from approaching, or who shall neglect or refuse to
9 maintain order and quell any disturbance if such arises at any
10 polling place upon the day of any primary or election, when
11 called upon so to do by any election officer or any three
12 qualified electors of the election district, or who shall
13 wilfully hinder or delay, or attempt to hinder or delay, any
14 judge, inspector or clerk of election, machine inspector or
15 overseer in the performance of any duty under this act, shall be
16 guilty of a misdemeanor in office, and, upon conviction thereof,
17 shall be sentenced to pay a fine not exceeding [one thousand
18 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
19 imprisonment of not more than [one (1) year] two (2) years, or
20 both, in the discretion of the court.

21 Section 1823. Election Officers Permitting Unregistered
22 Electors to Vote; Challenges; Refusing to Permit Qualified
23 Electors to Vote.--Any judge or inspector of election who
24 permits any person to vote at any primary or election who is not
25 registered in accordance with law, except a person in actual
26 military service or a person as to whom a court of competent
27 jurisdiction has ordered that he shall be permitted to vote, or
28 who permits any registered elector to vote knowing that such
29 registered elector is not qualified to vote, whether or not such
30 person has been challenged, or who permits any person who has

1 been lawfully challenged to vote at any primary or election
2 without requiring the proof of the right of such person to vote
3 which is required by law, or who refuses to permit any duly
4 registered and qualified elector to vote at any primary or
5 election, with the knowledge that such elector is entitled to
6 vote, shall be guilty of a felony of the third degree, and, upon
7 conviction thereof, shall be sentenced to pay a fine not
8 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
9 dollars, and to undergo an imprisonment of not more than [seven
10 (7)] fourteen (14) years, or both.

11 Section 1824. Election Officers Refusing to Permit Elector
12 to Vote in Proper Party at Primaries.--Any judge, inspector or
13 clerk of election who refuses to permit an elector at any
14 primary at which ballots are used to receive the ballot of the
15 party with which he is enrolled, or who gives to any such
16 elector the ballot of any party in which he is not enrolled, or
17 any judge, or inspector of election, or machine inspector who,
18 at any primary at which voting machines are used, adjusts any
19 voting machine about to be used by an elector so as not to
20 permit him to vote for the candidates of the party in which he
21 is enrolled, or so as to permit him to vote for the candidates
22 of any party in which he is not enrolled, shall be guilty of a
23 misdemeanor of the first degree, and, upon conviction thereof,
24 shall be sentenced to pay a fine not exceeding [ten thousand
25 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
26 imprisonment of not more than [five (5)] ten (10) years, or
27 both, in the discretion of the court.

28 Section 1825. Frauds by Election Officers.--Any judge,
29 inspector or clerk of election or machine inspector who shall be
30 guilty of any wilful fraud in the conduct of his duties at a

1 primary or election, and any person who shall make a false
2 return of the votes cast at any primary or election, or who
3 shall deposit fraudulent ballots in the ballot box or certify as
4 correct a return of ballots in the ballot box which he knows to
5 be fraudulent, or who shall register fraudulent votes upon any
6 voting machine or certify as correct a return of votes cast upon
7 any voting machine which he knows to be fraudulently registered
8 thereon, or who shall make any false entries in the district
9 register, or who shall fail to insert in the voting check list
10 the voter's certificate of any elector actually voting at any
11 primary or election, or who shall fail to record voting
12 information as required herein, or who shall fail to insert in
13 the numbered lists of voters the name of any person actually
14 voting, or who shall wilfully destroy or alter any ballot,
15 voter's certificate, or registration card contained in any
16 district register, or who shall wilfully tamper with any voting
17 machine, or who shall prepare or insert in the voting check list
18 any false voter's certificates not prepared by or for an elector
19 actually voting at such primary or election, for the purpose of
20 concealing the destruction or removal of any voter's
21 certificate, or for the purpose of concealing the deposit of
22 fraudulent ballots in the ballot box, or the registering of
23 fraudulent votes upon any voting machine or of aiding in the
24 perpetration of any such fraud, or who shall fail to return to
25 the county board of election following any primary or election
26 any keys of a voting machine, ballot box, general or duplicate
27 return sheet, tally paper, oaths of election officers,
28 affidavits of electors and others, record of assisted voters,
29 numbered list of voters, district register, voting check list,
30 unused, spoiled and cancelled ballots, ballots deposited,

1 written or affixed in or upon a voting machine, or any
2 certificate, or any other paper or record required to be
3 returned under the provisions of this act; or who shall conspire
4 with others to commit any of the offenses herein mentioned, or
5 in any manner to prevent a free and fair primary or election,
6 shall be guilty of a felony of the third degree, and, upon
7 conviction thereof, shall be sentenced to pay a fine not
8 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
9 dollars, or to undergo an imprisonment of not more than [seven
10 (7)] fourteen (14) years, or both, in the discretion of the
11 court.

12 Section 1826. Prying into Ballots.--Any judge, inspector or
13 clerk of election, or other person, who, before any ballot is
14 deposited in the ballot box as provided by this act, shall
15 unfold, open or pry into any such ballot, with the intent to
16 discover the manner in which the same has been marked, shall be
17 guilty of a misdemeanor, and upon conviction thereof, shall be
18 sentenced to pay a fine not exceeding [five hundred (\$500)] one
19 thousand (\$1,000) dollars, or to undergo an imprisonment of not
20 more than [one (1) year] two (2) years, or both, in the
21 discretion of the court.

22 Section 1827. Interference with Primaries and Elections;
23 Frauds; Conspiracy.--If any person shall prevent or attempt to
24 prevent any election officers from holding any primary or
25 election, under the provisions of this act, or shall use or
26 threaten any violence to any such officer; or shall interrupt or
27 improperly interfere with him in the execution of his duty; or
28 shall block up or attempt to block up the avenue to the door of
29 any polling place; or shall use or practice any intimidation,
30 threats, force or violence with design to influence unduly or

1 overawe any elector, or to prevent him from voting or restrain
2 his freedom of choice; or shall prepare or present to any
3 election officer a fraudulent voter's certificate not signed in
4 the polling place by the elector whose certificate it purports
5 to be; or shall deposit fraudulent ballots in the ballot box; or
6 shall register fraudulent votes upon any voting machine; or
7 shall tamper with any district register, voting check list,
8 numbered lists of voters, ballot box or voting machine; or shall
9 conspire with others to commit any of the offenses herein
10 mentioned, or in any manner to prevent a free and fair primary
11 or election, he shall be guilty of a felony of the third degree,
12 and, upon conviction thereof, shall be sentenced to pay a fine
13 not exceeding [~~fifteen thousand (\$15,000)~~] twenty thousand
14 (\$20,000) dollars, or to undergo an imprisonment of not more
15 than [~~seven (7)~~] fourteen (14) years, or both, in the discretion
16 of the court.

17 Section 1828. Persons Interfering in Other Districts.--Any
18 person who shall on the day of any primary or election visit any
19 polling place at which he is not entitled to vote and at which
20 he is not entitled to be present under any provision of this
21 act, and shall use any intimidation or violence for the purpose
22 of preventing any election officer from performing the duties
23 required of him by this act, or for the purpose of preventing
24 any qualified elector from exercising his right to vote or from
25 exercising his right to challenge any person offering to vote,
26 or for the purpose of influencing the vote of any elector, he
27 shall be guilty of a felony of the third degree, and, upon
28 conviction thereof, shall be sentenced to pay a fine not
29 exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand (\$30,000)
30 dollars, or to undergo an imprisonment of not more than [~~seven~~

1 (7)] fourteen (14) years, or both, in the discretion of the
2 court.

3 Section 1829. Assault and Battery at Polls.--Any person who
4 shall unlawfully strike, wound or commit an assault and battery
5 upon the person of any elector at or near the polling place
6 during the time of any primary or election shall be guilty of a
7 misdemeanor of the first degree, and, upon conviction thereof,
8 shall be sentenced to pay a fine not exceeding [ten thousand
9 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
10 imprisonment of not more than [five (5)] ten (10) years, or
11 both, in the discretion of the court.

12 Section 1830. Unlawful Assistance in Voting.--Any elector at
13 any primary or election who shall allow his ballot or the face
14 of the voting machine voted by him to be seen by any person with
15 the apparent intention of letting it be known how he is about to
16 vote; or in districts in which ballots are used, shall cast or
17 attempt to cast any other than the official ballot which has
18 been given to him by the proper election officer; or who,
19 without having made the declaration under oath or affirmation
20 required by section 1218 of this act, or when the disability
21 which he declared before any registration commission no longer
22 exists, shall permit another to accompany him into the voting
23 compartment or voting machine booth, or to mark his ballot or
24 prepare the voting machine for voting by him; or who shall mark
25 his ballot or prepare the voting machine for voting while
26 another is unlawfully present in the voting machine compartment
27 or voting machine booth with him; or who shall state falsely to
28 any election officer that because of illiteracy he is unable to
29 read the names on the ballot or ballot labels or that by reason
30 of physical disability he cannot see or mark the ballot or enter

1 the voting compartment without assistance or that he cannot see
2 or operate the voting machine or enter the voting machine booth
3 without assistance; or who shall state, as his reason for
4 requiring assistance, a disability from which he does not
5 suffer; or any person who shall go into the voting compartment
6 or voting machine booth with another while voting or be present
7 therein while another is voting, or mark the ballot of another
8 or prepare the voting machine for voting with another, except in
9 strict accordance with the provisions of this act; or any person
10 who shall interfere with any elector when inside the enclosed
11 space or when marking his ballot, or preparing the voting
12 machine for voting, or who shall endeavor to induce any elector
13 before depositing his ballot to show how he marks or has marked
14 his ballot; or any person giving assistance who shall attempt to
15 influence the vote of the elector whom he is assisting or who
16 shall mark a ballot or prepare a voting machine for voting in
17 any other way than that requested by the voter whom he is
18 assisting, or who shall disclose to anyone the contents of any
19 ballot which has been marked or any voting machine which has
20 been prepared for voting with his assistance, except when
21 required to do so in any legal proceeding, shall be guilty of a
22 misdemeanor, and, upon conviction thereof, shall be sentenced to
23 pay a fine not exceeding [one thousand (\$1,000)] two thousand
24 (\$2,000) dollars, or to undergo an imprisonment of not more than
25 [one (1) year] two (2) years, or both, in the discretion of the
26 court.

27 Section 1831. Election Officers Permitting Unlawful
28 Assistance.--Any election officer who shall permit a voter to be
29 accompanied by another into the voting compartment or voting
30 machine booth when the registration card of such person contains

1 no declaration that such person requires assistance, or when
2 such person has not made, under oath or affirmation, the
3 statement required by section 1218 of this act, or when such
4 election officer knows that the disability which the elector
5 declared before any registration commission no longer exists, or
6 who shall permit any person to accompany an elector into the
7 voting compartment or voting machine booth, except as provided
8 by this act, shall be guilty of a misdemeanor, and, upon
9 conviction thereof, shall be sentenced to pay a fine not
10 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
11 or to undergo an imprisonment of not more than [one (1) year]
12 two (2) years, or both, in the discretion of the court.

13 Section 1832. Failure to Keep and Return Record of Assisted
14 Voters.--Any judge of election who shall fail to record, as
15 required by section 1218 (c) of this act, the name of each
16 elector who received assistance or who is accompanied by another
17 into the voting compartment or voting machine booth; or who
18 shall insert in the record of assisted voters the name of any
19 elector who does not receive assistance or is not accompanied by
20 another into the voting compartment or voting machine booth; or
21 who shall fail to record the exact disability of any assisted
22 elector which makes the assistance necessary, or shall record in
23 respect of any assisted elector a disability, other than that
24 stated by the elector; or who shall fail to record the name of
25 each person rendering assistance to an elector as prescribed by
26 this act; or who shall knowingly record as the name of such
27 person giving assistance a name which is not the name of such
28 person; or who shall fail or neglect to return the record of
29 assisted voters to the county board of elections as required by
30 this act, shall be guilty of a misdemeanor, and, upon conviction

1 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
2 ~~thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
3 an imprisonment of not less than [~~two (2)] four (4) months nor
4 more than [~~two (2)] four (4) years, or both, in the discretion
5 of the court.~~~~~~

6 Section 1833. Unlawful Voting.--Any person who votes or
7 attempts to vote at any primary or election, knowing that he
8 does not possess all the qualifications of an elector at such
9 primary or election, as set forth in this act, shall be guilty
10 of a misdemeanor of the first degree, and, upon conviction
11 thereof, shall be sentenced to pay a fine not exceeding [~~ten~~
12 ~~thousand (\$10,000)] twenty thousand (\$20,000) dollars, or to
13 undergo an imprisonment of not more than [~~five (5)] ten (10)
14 years, or both, in the discretion of the court.~~~~

15 Section 1834. Elector Voting Ballot of Wrong Party at
16 Primary.--Any elector who shall wilfully vote at any primary the
17 ballot of a party in which he is not enrolled, in violation of
18 the provisions of this act, shall be guilty of a misdemeanor of
19 the second degree, and, upon conviction thereof, shall be
20 sentenced to pay a fine not exceeding [~~five thousand (\$5,000)]
21 ten thousand (\$10,000) dollars, or to undergo an imprisonment of
22 not more than [~~two (2)] four (4) years, or both, in the
23 discretion of the court.~~~~

24 Section 1835. Repeat Voting at Elections.--If any person
25 shall vote in more than one election district, or otherwise
26 fraudulently vote more than once at the same primary or
27 election, or shall vote a ballot other than the ballot issued to
28 him by the election officers, or shall advise or procure another
29 so to do, he shall be guilty of a felony of the third degree,
30 and, upon conviction thereof, shall be sentenced to pay a fine

1 not exceeding [fifteen thousand (\$15,000)] thirty thousand
2 (\$30,000) dollars, or to undergo an imprisonment of not more
3 than [seven (7)] fourteen (14) years, or both, in the discretion
4 of the court.

5 Section 1836. Removing Ballots.--Any person removing any
6 ballot from any book of official ballots, except in the manner
7 provided by this act, shall be guilty of a misdemeanor of the
8 second degree, and, upon conviction thereof, shall be sentenced
9 to pay a fine not exceeding [five thousand (\$5,000)] ten
10 thousand (\$10,000) dollars, or to undergo an imprisonment of not
11 more than [two (2)] four (4) years, or both, in the discretion
12 of the court.

13 Section 1837. Commissioners to Take Soldiers' Votes.--Any
14 commissioner appointed by or under the provisions of Article
15 XIII of this act who shall knowingly violate his duty or
16 knowingly omit or fail to do his duty thereunder or violate any
17 part of his oath, shall be guilty of perjury, and, upon
18 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 more than [one (1) year]
21 two (2) years, or both, in the discretion of the court.

22 Section 1838. Fraudulent Voting by Soldiers.--Any person who
23 shall vote or attempt to vote at any election by electors in
24 military service under the provisions of Article XIII of this
25 act, not being qualified to vote at such election, shall be
26 guilty of a misdemeanor, and, upon conviction thereof, shall be
27 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
28 two thousand (\$2,000) dollars, or to undergo an imprisonment of
29 not more than [one (1) year] two (2) years, or both, in the
30 discretion of the court.

1 Section 1839. Bribery at Elections.--Any person who shall,
2 directly or indirectly, give or promise or offer to give any
3 gift or reward in money, goods or other valuable thing to any
4 person, with intent to induce him to vote or refrain from voting
5 for any particular candidate or candidates or for or against any
6 constitutional amendment or other question at any primary or
7 election; or who shall, directly or indirectly, procure for or
8 offer or promise to procure for such person any such gift or
9 reward with the intent aforesaid; or, who with the intent to
10 influence or intimidate such person to give his vote or to
11 refrain from giving his vote for any particular candidate or
12 candidates or for or against any constitutional amendment or
13 other question at any primary or election, shall give to or
14 obtain for or assist in obtaining for or offer or promise to
15 give to or obtain for or assist in obtaining for such person any
16 office, place, appointment or employment, public or private, or
17 threaten such person with dismissal or discharge from any
18 office, place, appointment or employment, public or private,
19 then held by him, shall be guilty of a felony of the third
20 degree, and, upon conviction thereof, shall be sentenced to pay
21 a fine not exceeding [~~fifteen thousand (\$15,000)~~] thirty
22 thousand (\$30,000) dollars, or to undergo an imprisonment of not
23 more than [~~seven (7)~~] fourteen (14) years, or both, in the
24 discretion of the court.

25 Section 1840. Receipts and Disbursements of Primary and
26 Election Expenses by Persons Other Than Candidates and
27 Treasurers.--Any member of a political committee who shall
28 receive or disburse any money or incur any liability for primary
29 or election expenses, except through the treasurer of such
30 political committee, and any person not a candidate or member of

1 a political committee who shall receive or disburse any money or
2 incur any liability for primary or election expenses, shall be
3 guilty of a misdemeanor, and, upon conviction thereof, shall be
4 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
5 two thousand (\$2,000) dollars, or to undergo an imprisonment of
6 not less than [one (1) month] two (2) months nor more than [two
7 (2)] four (4) years, or both, in the discretion of the court.

8 Section 1841. Receipts of Primary and Election Expenses by
9 Unauthorized Persons.--Any person or any political committee who
10 receives money on behalf of any candidate without being
11 authorized to do so under the provisions of section 1623, shall
12 be guilty of a misdemeanor, and, upon conviction thereof, shall
13 be sentenced to pay a fine not exceeding [five thousand dollars
14 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
15 imprisonment of not less than [one (1) month] two (2) months nor
16 more than [two (2)] four (4) years, or both, in the discretion
17 of the court.

18 Section 1843. Contributions by Corporations or
19 Unincorporated Associations.--Any corporation or unincorporated
20 association, which shall pay, give or lend or agree to pay, give
21 or lend any money belonging to such corporation or
22 unincorporated association or in its custody or control, in
23 violation of the provisions of section 1633, shall be guilty of
24 a misdemeanor, and, upon conviction thereof, shall be sentenced
25 to pay a fine of not less than [one thousand dollars (\$1,000)]
26 two thousand dollars (\$2,000) nor more than [ten thousand
27 dollars (\$10,000)] twenty thousand dollars (\$20,000). Any
28 director, officer, agent or employe of any corporation or
29 unincorporated association who shall on behalf of such
30 corporation or unincorporated association pay, give or lend or

1 authorize to be paid, given or lent any money belonging to such
2 corporation or unincorporated association or in its custody or
3 control in violation of the provisions of section 1633, shall be
4 guilty of a misdemeanor, and, upon conviction thereof, shall be
5 sentenced to pay a fine not exceeding [~~ten thousand dollars~~
6 ~~(\$10,000)~~] twenty thousand dollars (\$20,000), or to undergo an
7 imprisonment of not less than [~~one (1) month~~] two (2) months nor
8 more than [~~two (2)~~] four (4) years, or both, in the discretion
9 of the court.

10 Section 1845. Failure to File Expense Account.--Any
11 candidate or treasurer of a political committee or person acting
12 as such treasurer who shall fail to file an account of primary
13 or election expenses, as required by this act, shall be guilty
14 of a misdemeanor, and, upon conviction thereof, shall be
15 sentenced to pay a fine not exceeding [~~five thousand dollars~~
16 ~~(\$5,000)~~] ten thousand dollars (\$10,000), or to undergo an
17 imprisonment of not less than [~~one (1) month~~] two (2) months nor
18 more than [~~two (2)~~] four (4) years, or both, in the discretion
19 of the court.

20 Section 1847. Prohibiting Duress and Intimidation of Voters
21 and Interference with the Free Exercise of the Elective
22 Franchise.--Any person or corporation who, directly or
23 indirectly--(a) uses or threatens to use any force, violence or
24 restraint, or inflicts or threatens to inflict any injury,
25 damage, harm or loss, or in any other manner practices
26 intimidation or coercion upon or against any person, in order to
27 induce or compel such person to vote or refrain from voting at
28 any election, or to vote or refrain from voting for or against
29 any particular person, or for or against any question submitted
30 to voters at such election, or to place or cause to be placed or

1 refrain from placing or causing to be placed his name upon a
2 register of voters, or on account of such person having voted or
3 refrained from voting at such election, or having voted or
4 refrained from voting for or against any particular person or
5 persons or for or against any question submitted to voters at
6 such election, or having registered or refrained from
7 registering as a voter; or (b) by abduction, duress or coercion,
8 or any forcible or fraudulent device or contrivance, whatever,
9 impedes, prevents, or otherwise interferes with the free
10 exercise of the elective franchise by any voter, or compels,
11 induces, or prevails upon any voter to give or refrain from
12 giving his vote for or against any particular person at any
13 election; or (c) being an employer, pays his employes the salary
14 or wages due in "pay envelopes" upon which or in which there is
15 written or printed any political motto, device, statement or
16 argument containing threats, express or implied, intended or
17 calculated to influence the political opinions or actions of
18 such employes, or within ninety days of any election or primary
19 puts or otherwise exhibits in the establishment or place where
20 his employes are engaged in labor, any handbill or placard
21 containing any threat, notice, or information that if any
22 particular ticket or candidate is elected or defeated work in
23 his place or establishment will cease, in whole or in part, his
24 establishment be closed up, or the wages of his employes
25 reduced, or other threats, express or implied, intended or
26 calculated to influence the political opinions or actions of his
27 employes, shall be guilty of a misdemeanor of the second degree.
28 Any person or corporation, convicted of a violation of any of
29 the provisions of this section, shall be sentenced to pay a fine
30 not exceeding [five thousand (\$5,000)] ten thousand (\$10,000)

1 dollars, or such person or the officers, directors or agents of
2 such corporation responsible for the violation of this section,
3 shall be sentenced to undergo an imprisonment of not more than
4 [two (2)] four (4) years, or both, in the discretion of the
5 court.

6 Section 1848. Failure to Perform Duty.--Any Secretary of the
7 Commonwealth, member of a county board of elections, chief
8 clerk, employe, overseer, judge of election, inspector of
9 election, clerk of election, machine inspector or custodian or
10 deputy custodian of voting machines on whom a duty is laid by
11 this act who shall wilfully neglect or refuse to perform his
12 duty, shall be guilty of a misdemeanor, and, upon conviction
13 thereof, shall be sentenced to pay a fine not exceeding [one
14 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
15 an imprisonment of not more than [two (2)] four (4) years, or
16 both, in the discretion of the court.

17 Section 1849. Hindering or Delaying Performance of Duty.--
18 Any person who intentionally interferes with, hinders or delays
19 or attempts to interfere with, hinder or delay any other person
20 in the performance of any act or duty authorized or imposed by
21 this act, shall be guilty of a misdemeanor, and, upon conviction
22 thereof, shall be sentenced to pay a fine not exceeding [five
23 hundred (\$500)] one thousand (\$1,000) dollars, or to undergo an
24 imprisonment of not more than [one (1) year] two (2) years, or
25 both, in the discretion of the court.

26 Section 1850. Violation of Any Provision of Act.--Any person
27 who shall violate any of the provisions of this act, for which a
28 penalty is not herein specifically provided, shall be guilty of
29 a misdemeanor, and, upon conviction thereof, shall be sentenced
30 to pay a fine not exceeding [one thousand (\$1,000)] two thousand

1 (\$2,000) dollars, or to undergo an imprisonment of not more than
2 [one (1) year] two (2) years, or both, in the discretion of the
3 court.

4 Section 17. Section 1853 of the act, amended March 27, 2020
5 (P.L.41, No.12), is amended to read:

6 Section 1853. Violations of Provisions Relating to Absentee
7 and Mail-in Ballots.--If any person shall sign an application
8 for absentee ballot, mail-in ballot or declaration of elector on
9 the forms prescribed knowing any matter declared therein to be
10 false, or shall vote any ballot other than one properly issued
11 to the person, or vote or attempt to vote more than once in any
12 election for which an absentee ballot or mail-in ballot shall
13 have been issued to the person, or shall disclose results of a
14 pre-canvassing meeting under section 1308(g)(1.1), or shall
15 violate any other provisions of Article XIII or Article XIII-D
16 of this act, the person shall be guilty of a misdemeanor of the
17 third degree, and, upon conviction, shall be sentenced to pay a
18 fine not exceeding [two thousand five hundred dollars (\$2,500)]
19 five thousand dollars (\$5,000), or be imprisoned for a term not
20 exceeding [two (2)] four (4) years, or both, at the discretion
21 of the court.

22 If any chief clerk or member of a board of elections, member
23 of a return board or member of a board of registration
24 commissioners, shall neglect or refuse to perform any of the
25 duties prescribed by Article XIII or Article XIII-D of this act,
26 or shall reveal or divulge any of the details of any ballot cast
27 in accordance with the provisions of Article XIII or Article
28 XIII-D of this act, or shall disclose results of a pre-
29 canvassing meeting under section 1308(g)(1.1), or shall count an
30 absentee ballot or mail-in ballot knowing the same to be

1 contrary to Article XIII or Article XIII-D, or shall reject an
2 absentee ballot or mail-in ballot without reason to believe that
3 the same is contrary to Article XIII or Article XIII-D, or shall
4 permit an elector to cast the elector's ballot other than a
5 provisional ballot at a polling place knowing that there has
6 been issued to the elector an absentee ballot or mail-in ballot,
7 the [elector] individual shall be guilty of a felony of the
8 third degree, and, upon conviction, shall be punished by a fine
9 not exceeding [fifteen thousand dollars (\$15,000)] thirty
10 thousand dollars (\$30,000), or be imprisoned for a term not
11 exceeding [seven (7)] fourteen (14) years, or both, at the
12 discretion of the court.

13 Section 18. The act is amended by adding a section to read:

14 Section 1855. Unlawful Collection of Ballots.--A person who
15 wilfully collects or returns absentee or mail-in ballots in
16 violation of this act commits a felony of the third degree and,
17 upon conviction, shall be punished by a fine not exceeding
18 thirty thousand dollars (\$30,000), or be imprisoned for a term
19 not exceeding fourteen (14) years, or both, at the discretion of
20 the court.

21 Section 19. The act is amended by adding an article to read:

22 ARTICLE XX

23 REIMBURSEMENTS

24 Section 2001. General rule.

25 The following shall apply:

26 (1) The State Treasurer shall reimburse counties for 50%
27 of the cost of replacing voting machines or ballot processing
28 machines, not more than once every 10 years, except that:

29 (i) The State Treasurer shall reimburse counties for
30 50% of the cost of replacing equipment at any time if the

1 equipment previously used by the county was decertified
2 by the department.

3 (ii) The State Treasurer shall reimburse counties
4 for 100% of the cost of purchasing ballot processing
5 machines within one year after the effective date of this
6 section.

7 (2) The State Treasurer shall reimburse counties for
8 100% of the cost of issuing registration cards required under
9 section 302(s), within one year of the effective date of this
10 section.

11 Section 2002. (Reserved).

12 Section 20. This act shall apply to elections held on or
13 after the effective date of this section.

14 Section 21. This act shall take effect immediately.