

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1971 Session of 2021

INTRODUCED BY CONKLIN, OCTOBER 13, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 13, 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, providing for district canvass
19 inspectors and further providing for compensation of district
20 election officers;
21 in ballots, further providing for form of official election
22 ballot and for number of ballots to be printed and specimen
23 ballots;
24 in voting machines, further providing for examination and
25 approval of voting machines by the Secretary of the
26 Commonwealth, for requirements of voting machines, for
27 preparation of voting machines by county election boards and
28 for delivery of voting machines and supplies by county
29 election boards to election officers;
30 in electronic voting systems, further providing for statistical
31 sample and providing for requirements of accessible voting
32 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, for date of
18 application for mail-in ballot and for voting by mail-in
19 electors;
20 providing for early voting by qualified electors;
21 in returns of primaries and elections, further providing for
22 computation of returns by county board, certification and
23 issuance of certificates of election;
24 in penalties, further providing for disobeying lawful
25 instructions, for perjury, for false affidavits of
26 candidates, for refusal to permit inspection of papers,
27 destruction or removal and Secretary of the Commonwealth, for
28 refusal to permit inspection of papers, destruction or
29 removal and county boards of elections, for insertion and
30 alteration of entries in documents, removal and refusal to
31 deliver, for refusal to permit overseers, watchers, attorneys
32 or candidates to act, for driving away watchers, attorneys,
33 candidates or overseers, for refusal to permit election
34 officers, clerks and machine inspectors to act and driving
35 away said persons, for refusal to administer oath and acting
36 without being sworn, for violation of oath of office by
37 election officers, for peace officers, failure to render
38 assistance and hindering or delaying county board members and
39 others, for nomination petitions and papers and offenses by
40 signers, for false signatures and statements in nomination
41 petitions and papers, for nomination petitions, certificates
42 and papers, destruction, fraudulent filing and suppression,
43 for offenses by printers of ballots, for unlawful possession
44 of ballots and counterfeiting ballots, for forging and
45 destroying ballots, for tampering with voting machines, for
46 destroying, defacing or removing notices, et cetera, for
47 police officers at polling places, for peace officer, failure
48 to quell disturbances at polls, hindering or delaying
49 election officers and others, for election officers
50 permitting unregistered electors to vote, challenges and
51 refusing to permit qualified electors to vote, for election

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

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

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

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

35 * * *

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

38 (j) To provide uniform standards for the proper, accurate
39 and uniform implementation of voter registration laws and
40 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 (x) To purchase electronic poll books for use as the
27 district register in each election district within one year
28 after the effective date of this subsection. The electronic poll
29 books must provide an elector with the ability to scan his or
30 her driver's license or his or her voter registration card in

1 order to have his or her eligibility to vote verified, and must
2 have a means for an elector to electronically record his or her
3 signature. Notwithstanding any other provision of this act, for
4 elections held within one year of the effective date of this
5 section, paper district register cards may still be utilized by
6 any county. After the purchase of electronic poll books, paper
7 district register cards may be retained for use in the event of
8 an unforeseen issue in using electronic poll books at an
9 election.

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

11 Section 313. Ballot Return Sites and Secure Receptacles.--In
12 addition to the permanent offices operated by a county board of
13 elections, the county board may establish multiple ballot return
14 locations, including access to secure ballot return receptacles,
15 where electors may return their completed ballot. The following
16 shall apply:

17 (a) Sites may include, but shall not be limited to, city and
18 municipal facilities, public libraries, county facilities or
19 other locations designated by the county board of elections to
20 receive ballots. The Secretary of the Commonwealth, in
21 collaboration with the counties, shall issue minimum criteria
22 for considering locations to ensure availability and access to
23 electors.

24 (b) A list of the ballot return sites and county election
25 offices, including the dates and hours of operation, shall be
26 available to the public as early as possible by providing notice
27 of the county's ballot return plan in the county elections
28 office, in a highly visible location on the county's website and
29 at other such locations as the county board deems appropriate
30 for maximum notification to voters. The notice posted on the

1 county's website shall be in a format that is accessible for
2 people with disabilities. In the event of any changes to site
3 location operations, the county board of elections shall post
4 the updated information on the official election website within
5 twenty-four hours. The notice shall include, at a minimum:

6 (1) Ballot return deadline.

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

9 (3) Days and hours of operation, including election day
10 hours.

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

12 (5) Accessibility information, including a list of ballot
13 return sites and secure receptacles that meet accessibility
14 requirements.

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

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

24 (e) A ballot return site may have a secure receptacle that
25 permits voters to return their completed ballot. A postage stamp
26 is not required on the return envelope when depositing a
27 completed ballot at a ballot return site or a secure receptacle.

28 (f) Secure receptacles shall be designed to function as
29 follows:

30 (1) Hardware shall be operable without any tight grasping,

1 pinching, or twisting of the wrist.

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

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

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

9 (5) Ensure that only ballot material can be deposited and
10 not be removed by anyone but designated county board of election
11 officials. This includes confirming that the opening slot of the
12 secure receptacle is too small to allow tampering or removal of
13 ballots, but is not so small to interfere with depositing
14 completed ballots.

15 (6) Ensure that the opening slot minimizes the ability for
16 liquid to be poured into the secure receptacle or rainwater to
17 seep inside.

18 (g) The secure receptacle shall be securely fastened to a
19 stationary surface, to an immovable object or placed behind a
20 counter.

21 (h) The county board of election shall determine the size of
22 the secure receptacle based on the use and needs of the
23 location.

24 (i) Each ballot return site shall be marked with official
25 signage designating the site. Signage shall adhere to the
26 following:

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

29 (2) Display language stating that counterfeiting, forging,
30 tampering with or destroying ballots is a misdemeanor of the

1 second degree under sections 1816 and 1817.

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

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

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

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

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

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

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

21 (5) During the hours when the ballot return site is closed
22 or otherwise unstaffed, the secure receptacle shall be places in
23 a secure area that is inaccessible to the public or otherwise
24 safeguarded.

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

27 (7) All secure receptacles and ballot return sites shall be
28 monitored by a video security surveillance system or an internal
29 camera that can capture digital images or video. A video
30 security surveillance system may include existing systems on

1 county, city, municipal or private buildings. Video surveillance
2 shall be retained by the county election office through 60 days
3 following the deadline to certify an election.

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

8 (k) Ballots returned to a ballot return site shall be
9 collected promptly by an authorized county board personnel at
10 times determined by the county board, but at a minimum of every
11 24 hours every weekday.

12 (l) County board personnel designated to collect completed
13 ballots shall sign a declaration affirming that the official
14 personnel will timely and securely collect and return the
15 ballots in the secure ballot transfer container, will not permit
16 any person to tamper with a ballot return site, secure
17 receptacle or its contents, and that they will faithfully and
18 securely perform their duties.

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

23 (n) The department shall promulgate rules and regulations to
24 implement this section.

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

27 Section 401.1. District Canvass Inspectors.--At all
28 primaries and elections, the county board of elections shall be
29 assisted with its duties to pre-canvass and canvass ballots
30 under section 1308 by district canvass inspectors. The district

1 canvass inspectors shall be elected by the electors thereof at
2 the municipal election and shall hold office for a term of four
3 years from the first Monday of January next succeeding their
4 election. Each elector may vote for one person as district
5 canvass inspector, and the person receiving the highest number
6 of votes for district canvass inspector shall be declared
7 elected majority district canvass inspector, and the person
8 receiving the second highest number of votes for district
9 canvass inspector shall be declared elected minority district
10 canvass inspector. The qualifications for district canvass
11 inspectors shall be the same as for judge of election.
12 Compensation for district canvass inspectors shall be the same
13 as for judge of election; Provided, however, that a district
14 canvass inspector shall be compensated separately for each day
15 of the pre-canvass and canvass of ballots.

16 Section 5. Sections 412.2(a) and (f) and 1003(f) of the act
17 are amended and the sections are amended by adding subsections
18 to read:

19 Section 412.2. Compensation of District Election Officers.--

20 (a) In all counties regardless of class, judges of election,
21 inspectors of election, clerks and machine operators shall be
22 paid compensation as fixed by the county board of elections for
23 each election, which amount shall be at least [~~\$75~~] \$175 and not
24 more than [~~\$200~~] \$300.

25 * * *

26 (f) The individual furnishing transportation to the judge of
27 election and the minority inspector in transmitting returns and
28 ballot boxes shall be entitled to [~~a minimum of 35¢~~] the
29 standard mileage rate set by the Internal Revenue Service for
30 the current year per circular mile from the polling place to the

1 county court house. The name of the individual shall appear on
2 the voucher of the judge of election and only one individual may
3 receive mileage compensation.

4 * * *

5 (j) The Department of State shall reimburse counties for
6 half the cost of payments made under subsections (a) and (f).

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

8 * * *

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

27 * * *

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

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

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

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

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

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

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

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

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

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

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

19 * * *

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

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

24 * * *

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

30 (h) For the purposes of examining the system, the Secretary

1 of the Commonwealth shall employ or contract for the services of
2 at least one individual who is an expert in one or more fields
3 of data processing, mechanical engineering and public
4 administration and shall require from the individual a written
5 report of the individual's examination.

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

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

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

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

1 (m) The examination and approval under subsection (l) shall
2 ensure that the device conforms with standards to provide
3 timeliness and accuracy in the casting and counting of ballots
4 or in the recording of electors.

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

10 * * *

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

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

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

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

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

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

30 (z.1) The requirements of subsections (u), (v), (w), (x),

1 (y) and (z) shall apply only to machines newly examined or
2 approved by the Secretary of the Commonwealth after 2024.

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

5 * * *

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

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

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

1 of the number allowed by law in order to test the ability of the
2 tabulating device to reject such votes.

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

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

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

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

1 any problems reported to the county election board as a result
2 of the testing and whether each device tested is satisfactory or
3 unsatisfactory.

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

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

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

30 Section 8. Sections 1112(c)1 and 1117-A of the act are

1 amended to read:

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

4 * * *

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

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

15 * * *

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

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

30 (1) The Secretary of the Commonwealth shall randomly

1 determine what contests shall be subject to a risk-limiting
2 audit;

3 (2) The Secretary of the Commonwealth shall provide notice
4 of the time and place of the random selection of the audit units
5 to be manually tallied and of the times and places of the
6 audits;

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

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

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

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

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

1 accessible Internet website.

2 (e) Any audit required under this section shall not commence
3 for any election subject to a recount until the conclusion of
4 the recount.

5 (f) The Secretary of the Commonwealth shall promulgate
6 rules, regulations and procedures as necessary to implement this
7 section.

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

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

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

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

18 "Contest" means an election for an office.

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

1 manual tally to determine the correct electoral outcome of the
2 audited contest.

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

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

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

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

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

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

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

27 (6) A voting system that requires any visual perception must
28 offer the election official who programs the voting system,
29 prior to its being sent to the polling place, the capability to
30 set the font size, as it appears to the voter, from a minimum of

1 fourteen points to a maximum of twenty-four points.

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

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

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

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

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

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

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

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

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

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

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

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

15 (v) The voter must be able to review the candidate
16 selections made.

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

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

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

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

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

1 edits meet the voter's intent.

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

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

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

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

15 (a) (Reserved).

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

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

29 (d) New defect.--If a vendor becomes aware of the existence
30 of a defect, the vendor must file a new disclosure with the

1 Department of State as provided in subsection (a) within 30 days
2 of the date the vendor determined or reasonably should have
3 determined that the defect existed.

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

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

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

28 (h) Initiation of investigation.--The Department of State
29 may independently initiate an investigation or upon the written
30 request of the county board of elections that purchased a voting

1 system that contains the alleged defect.

2 (i) Notice of investigation.--Upon initiation of an
3 investigation, the Department of State shall provide written
4 notice to the vendor and each county board of elections.

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

10 (k) Response.--A vendor who receives notice of a defect
11 shall, within ten days of receipt of the notice under subsection
12 (j), file a written response to the Department of State which:

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

17 (2) admits that the defect exists or existed as alleged
18 by the department or that the vendor failed to timely
19 disclose a defect.

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

22 (m) Failure to cure.--If the defect has not been cured, the
23 vendor shall inform the Department of State whether the defect
24 can be cured and shall provide the department with a plan for
25 curing the defect.

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

29 (o) Action.--If, after receiving a response from the vendor,
30 the Department of State determines that a defect does not exist

1 or has been cured within the time frame established by the
2 department, the department shall take no further action.

3 (p) Civil penalty.--If the Department of State determines
4 that a vendor failed to timely disclose a defect or that a
5 defect exists and a vendor has not filed a written response or
6 has failed to cure within the time frame established by the
7 department, or if the defect cannot be cured, the department
8 shall impose a civil penalty of \$25,000 for the defect plus an
9 amount equal to the actual costs incurred by the department in
10 conducting the investigation.

11 (q) Administrative penalty.--If the Department of State
12 finds that a defect existed:

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

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

26 (3) If the defect cannot be cured, the Department of
27 State may disapprove the voting system for use in elections
28 in this Commonwealth. The Department of State shall provide
29 written notice to all supervisors of elections that the
30 system is no longer approved. After approval of a system that

1 has been withdrawn under this paragraph, the system may not
2 be sold, leased or used in this Commonwealth until it has
3 been resubmitted for examination and approval and adopted for
4 use under this act.

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

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

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

24 (t) Definition.--For the purposes of this section, the term
25 "defect" means a failure, fault or flaw in an electronic or
26 electro-mechanic voting system approved under this act, which
27 results in nonconformance with the standards in a manner that
28 affects the timeliness or accuracy of the casting or counting of
29 ballots or a failure or inability of the voting system
30 manufacturer or vendor to make available and provide approved

1 replacements of hardware or software to the counties that have
2 purchased the approved voting system, the unavailability of
3 which results in the system's nonconformance with the standards
4 in a manner that affects the timeliness or accuracy of the
5 casting or counting of ballots.

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

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

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

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

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

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

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

18 (7) Receive written instructions to use when voting and,
19 upon request, oral instructions from elections officers to use
20 when voting.

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

23 (9) Vote on a voting system that is in working condition and
24 that will allow votes to be accurately cast and accurately
25 counted.

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

30 (1) Receive any assistance necessary to successfully cast a

1 ballot.

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

4 (3) Receive assistance through supervised voting under
5 section 1306.2.

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

9 (1) Receive any assistance necessary to successfully cast a
10 ballot.

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

13 (3) Bring into a polling place or elections office a service
14 animal qualified under the Americans with Disabilities Act of
15 1990 (Public Law 101-336, 104 Stat. 327).

16 (4) Vote using an accessible voting machine approved under
17 this act.

18 (5) Have all polling places in this Commonwealth meet
19 accessibility requirements under the Americans with Disabilities
20 Act of 1990.

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

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

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

28 (iii) The qualified elector shall mark the ballot in a
29 secret manner and, obscuring the vote, return the ballot to the
30 Judge of elections or county election official. The judge of

1 elections or county election official shall immediately return
2 to the polling place and deposit the ballot in the voting
3 machine.

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

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

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

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

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

21 (a.3) * * *

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

30 * * *

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

2 * *

3 (i) * * *

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

14 * * *

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

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

1 and sign the declaration printed on such envelope. [Such
2 envelope shall then be securely sealed and the elector shall
3 send same by mail, postage prepaid, except where franked, or
4 deliver it in person to said county board of election.]

5 * * *

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

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

11 (2) Delivery in person to the permanent offices of his or
12 her county board of elections during its regular hours of
13 operation.

14 (3) Delivery to a ballot return site established under
15 section 313.

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

22 * * *

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

24 Section 1306.2. Supervised Voting by Qualified Absentee
25 Electors in Certain Facilities.--(a) The county board of
26 elections shall provide supervised voting for absent electors
27 residing in an assisted living facility or nursing home facility
28 within that county at the request of an administrator of the
29 facility. The request for supervised voting in the facility
30 shall be made by submitting a written request to the board of

1 elections no later than twenty-one days prior to the election
2 for which that request is submitted. The request shall specify
3 the name and address of the facility and the name of electors
4 who wish to vote absentee in that election. If the request
5 contains the names of fewer than five voters, the board of
6 elections is not required to provide supervised voting.

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

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

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

26 (e) The supervised voting team shall deliver the ballots to
27 the respective absentee electors and each member of the team
28 shall jointly supervise the voting of the ballots. If an elector
29 requests assistance in voting, the oath prescribed under this
30 act shall be completed and the elector may receive the

1 assistance of two members of the supervised voting team or some
2 other person of the elector's choice to assist the elector in
3 casting the elector's ballot.

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

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

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

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

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

23 Section 1308. Canvassing of Official Absentee Ballots and
24 Mail-in Ballots.--* * *

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

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

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

1 observing, attending or participating in a pre-canvass meeting
2 may disclose the results of any portion of any pre-canvass
3 meeting prior to the close of the polls.

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

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

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

1 Voters File," whichever is applicable.

2 (ii) A county board of elections shall use an automated
3 sorting or extracting machine to assist in its processing of
4 absentee ballots and mail-in ballots.

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

14 (iv) For absentee ballots or mail-in ballots which the
15 declaration of the elector is incomplete, or are unsigned or
16 undated, the county board shall notify the elector by mail,
17 email, telephone or text message that the elector's ballot is
18 incomplete and will not be counted unless action is taken by the
19 elector prior to the closing of polls on election day.

20 (v) For absentee ballots or mail-in ballots for which it is
21 discovered during the pre-canvassing or canvassing process that
22 the official election ballot envelope was not included or
23 unidentifiable marks are placed on the envelope, then the county
24 board shall place and seal the ballot into an empty official
25 election ballot envelope and place he secured envelope with the
26 other removed official election ballot envelopes to be
27 tabulated.

28 (4) All absentee ballots which have not been challenged
29 under section 1302.2(c) and all mail-in ballots which have not
30 been challenged under section 1302.2-D(a) (2) and that have been

1 verified under paragraph (3) shall be counted and included with
2 the returns of the applicable election district as follows:

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

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

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

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

17 (5) Ballots received whose applications have been challenged
18 and ballots which have been challenged shall be placed unopened
19 in a secure, safe and sealed container in the custody of the
20 county board until it shall fix a time and place for a formal
21 hearing of all such challenges, and notice shall be given where
22 possible to all absentee electors and mail-in electors thus
23 challenged and to every individual who made a challenge. The
24 time for the hearing shall not be later than seven (7) days
25 after the deadline for all challenges to be filed. On the day
26 fixed for said hearing, the county board shall proceed without
27 delay to hear said challenges, and, in hearing the testimony,
28 the county board shall not be bound by the Pennsylvania Rules of
29 Evidence. The testimony presented shall be stenographically
30 recorded and made part of the record of the hearing.

1 (6) The decision of the county board in upholding or
2 dismissing any challenge may be reviewed by the court of common
3 pleas of the county upon a petition filed by any person
4 aggrieved by the decision of the county board. The appeal shall
5 be taken, within two (2) days after the decision was made,
6 whether the decision was reduced to writing or not, to the court
7 of common pleas setting forth the objections to the county
8 board's decision and praying for an order reversing the
9 decision.

10 (7) Pending the final determination of all appeals, the
11 county board shall suspend any action in canvassing and
12 computing all challenged ballots received under this subsection
13 irrespective of whether or not appeal was taken from the county
14 board's decision. Upon completion of the computation of the
15 returns of the county, the votes cast upon the challenged
16 official absentee ballots that have been finally determined to
17 be valid shall be added to the other votes cast within the
18 county.

19 * * *

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

21 * * *

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

23 (1) Any qualified registered elector may request to be
24 placed on a permanent mail-in ballot list file at any time
25 during the calendar year. A mail-in ballot application shall
26 be mailed to every person otherwise eligible to receive a
27 mail-in ballot application by the first Monday in February
28 each year or within 48 hours of receipt of the request,
29 whichever is later, so long as the person does not lose the
30 person's voting rights by failure to vote as otherwise

1 required by this act. A mail-in ballot application mailed to
2 an elector under this section, which is completed and timely
3 returned by the elector, shall serve as an application for
4 any and all primary, general or special elections to be held
5 in the remainder of that calendar year and for all [special]
6 elections to be held [before the third Monday in February of
7 the succeeding year] in subsequent years until an elector
8 requests to be removed.

9 (2) The Secretary of the Commonwealth may develop an
10 electronic system through which all qualified electors may
11 apply for a mail-in ballot and request permanent mail-in
12 voter status under this section, provided the system is able
13 to capture a digitized or electronic signature of the
14 applicant. A county board of elections shall treat an
15 application or request received through the electronic system
16 as if the application or request had been submitted on a
17 paper form or any other format used by the county.

18 (3) The transfer of a qualified registered elector on a
19 permanent mail-in voting list from one county to another
20 county shall only be permitted upon the request of the
21 qualified registered elector.

22 Section 14. Section 1302.1-D(a) of the act is amended to
23 read:

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

25 (a) General rule.--Applications for mail-in ballots shall be
26 received in the office of the county board of elections not
27 earlier than 50 days before the primary or election, except that
28 if a county board of elections determines that it would be
29 appropriate to the county board of elections' operational needs,
30 any applications for mail-in ballots received more than 50 days

1 before the primary or election may be processed before that
2 time. Applications for mail-in ballots shall be processed if
3 received not later than five o'clock P.M. of the [first Tuesday]
4 fourteenth day prior to the day of any primary or election.

5 * * *

6 Section 15. Section 1306-D(a) of the act, amended March 27,
7 2020 (P.L.41, No.12), is amended and the section is amended by
8 adding a subsection to read:

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

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

26 * * *

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

30 (1) Delivery through the United States Postal Service to

1 the offices of his county board of elections.

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

5 (3) Delivery to a ballot return site established under
6 section 313.

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

13 * * *

14 Section 16. The act is amended by adding an article to read:

15 ARTICLE XIII-F

16 EARLY VOTING BY QUALIFIED ELECTORS

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

18 Beginning with the 2025 primary election, and for each
19 election thereafter, each county board of elections must provide
20 electors with the opportunity to vote at an early voting center,
21 prior to election day.

22 Section 1302-F. Operation.

23 The following shall apply:

24 (1) Each early voting center shall be considered a
25 county board of elections office for the purposes of this
26 act.

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

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

3 (4) The county board of elections shall provide notice
4 prior to the establishment of any early voting center,
5 including location and intended hours of operation.

6 (5) A county may establish early voting centers,
7 distributed throughout the county so as to ensure equal
8 access to all voters.

9 (6) An early voting center shall utilize electronic poll
10 books with the capability of printing the appropriate ballot
11 for that elector.

12 (7) Each early voting center must be accessible under
13 the requirements of the Americans with Disabilities Act of
14 1990 (Public Law 101-336, 104 Stat. 327).

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

18 (9) An early voting center shall be continually secured,
19 monitored by staff and monitored by video recording from the
20 beginning of the period provided for early voting until the
21 end, including overnight. Video recording shall be retained
22 and made available publicly.

23 Section 1303-F. Reimbursement.

24 Counties shall be reimbursed by the Department of State for
25 half of the costs incurred in the operation of early voting
26 centers.

27 Section 17. Sections 1404(f), 1801, 1802, 1802.1, 1803,
28 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813,
29 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824,
30 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834,

1 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1843, 1845, 1847,
2 1848, 1849 and 1850 of the act are amended to read:

3 Section 1404. Computation of Returns by County Board;
4 Certification; Issuance of Certificates of Election.--

5 * * *

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

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

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

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

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

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

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

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

16 (8) The total number of overseas and military ballots
17 mailed.

18 (9) A website displaying unofficial returns shall provide an
19 interactive map allowing the information under paragraphs (1),
20 (2), (3), (4), (5), (6), (7) and (8) to be viewed for each
21 election district, county and this Commonwealth. At any time
22 that unofficial results data previously posted to the Department
23 of State or a county's publicly accessible Internet website is
24 amended, corrected, deleted or updated in a manner other than
25 the inclusion of additional results, the department and an
26 affected county shall post a disclosure to the unofficial
27 returns website explicitly noting the time such update occurred,
28 the reason and the impact on unofficial returns. At the
29 expiration of five (5) days after the completion of the
30 computation of votes, in case no petition for a recount or

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

17 * * *

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

27 Section 1802. Perjury.--Any wilful false statement made
28 under oath or affirmation or in writing, stating that it is so
29 made, although such oath or affirmation may not have actually
30 been made, by any person regarding any material matter or thing

1 relating to any subject being investigated, heard, determined or
2 acted upon by any county board of elections, or member thereof,
3 or by any court or judge thereof, judge of election, inspector
4 of election, or overseer, in accordance with the terms of this
5 act, shall be perjury, a misdemeanor of the first degree, and
6 any person, upon conviction thereof, shall be sentenced to pay a
7 fine not exceeding [~~ten thousand (\$10,000)~~] twenty thousand
8 (\$20,000) dollars, or to undergo an imprisonment of not more
9 than [~~five (5)~~] ten (10) years, or both, in the discretion of
10 the court.

11 Section 1802.1. False Affidavits of Candidates.--Any
12 candidate for State, county, city, borough, incorporated town,
13 township or school district office or for the office of United
14 States Senator or Representative in Congress or any other
15 elective public office who knowingly makes a false statement
16 regarding his eligibility or qualifications for such office in
17 his candidate's affidavit shall, in litigation which results in
18 the removal of the candidate from the ballot, be liable for
19 court costs, including filing fees, attorney fees, investigation
20 fees and similar costs, in an amount up to [~~ten thousand~~
21 (\$10,000)] twenty thousand (\$20,000) dollars.

22 Section 1803. Refusal to Permit Inspection of Papers;
23 Destruction or Removal; Secretary of the Commonwealth.--Any
24 Secretary of the Commonwealth, deputy, or employe of his office,
25 who shall refuse to permit the public inspection or copying as
26 authorized, except when in use in his office, by this act, of
27 any return, nomination petition, certificate or paper, other
28 petition, account, contract, report or any other document or
29 record in his custody which, under the provisions of this act,
30 is required to be open to public inspection; or who shall

1 destroy or alter, or permit to be destroyed or altered, any such
2 document or record during the period for which the same is
3 required to be kept in his office; or who shall remove any such
4 document or record from his office during said period, or permit
5 the same to be removed, except pursuant to the direction of any
6 competent court or any committee required to determine any
7 contested primary or election, shall be guilty of a misdemeanor,
8 and, upon conviction thereof, shall be sentenced to pay a fine
9 not exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000)
10 dollars, or to undergo an imprisonment of not less than [~~one (1)~~
11 ~~month~~] two (2) months nor more than [~~two (2)~~] four (4) years, or
12 both, in the discretion of the court.

13 Section 1804. Refusal to Permit Inspection of Papers;
14 Destruction or Removal; County Boards of Elections.--Any member,
15 chief clerk or other employe of any county board of elections,
16 who shall refuse to permit the public inspection or copying, as
17 authorized by this act, of any general or duplicate return
18 sheet, tally paper, affidavit, nomination petition, certificate
19 or paper, other petition, witness list, account, contract,
20 report or any other document or record in the custody of such
21 county board which, under the provisions of this act, is
22 required to be open to public inspection; or who shall destroy
23 or alter, or permit to be destroyed or altered, any such
24 document or record during the period for which the same is
25 required to be kept in the office of such county board; or who
26 shall remove any such document or record from the office of such
27 county board during said period, or permit the same to be
28 removed, except pursuant to the direction of any competent court
29 or any committee required to determine any contested primary or
30 election, 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 [~~one (1) month]~~ two (2) months
4 nor more than [~~two (2)]~~ four (4) years, or both, in the
5 discretion of the court.~~

6 Section 1805. Insertion and Alteration of Entries in
7 Documents; Removal; Refusal to Deliver.--Any member, chief clerk
8 or employe of any county board of elections or judge, inspector
9 or clerk of election, machine inspector, overseer, or other
10 person, who knowingly inserts or knowingly permits to be
11 inserted any fictitious name, false figure or other fraudulent
12 entry on or in any registration card, district register, voter's
13 certificate, list of voters, affidavit, tally paper, general or
14 duplicate return sheet, statement, certificate, oath, voucher,
15 account, ballot or other record or document authorized or
16 required to be made, used, signed, returned or preserved for any
17 public purpose in connection with any primary or election; or
18 who materially alters or intentionally destroys any entry which
19 has been lawfully made therein, except by order of the county
20 board of elections or court of competent jurisdiction, or who
21 takes or removes any such book, affidavit, return, account,
22 ballot or other document or record from the custody of any
23 person having lawful charge thereof, in order to prevent the
24 same from being used or inspected or copied as required or
25 permitted by this act, or who neglects or refuses, within the
26 time and in the manner required by this act, to deliver the same
27 into the custody of the officers who are required by this act to
28 use or keep the same, shall be guilty of a misdemeanor, and,
29 upon conviction thereof, shall be sentenced to pay a fine not
30 exceeding [~~one thousand (\$1,000)]~~ two thousand (\$2,000) dollars,

1 or to undergo an imprisonment of not less than [one (1) month]
2 two (2) months or more than [two (2)] four (4) years, or both,
3 in the discretion of the court.

4 Section 1806. Refusal to Permit Overseers, Watchers,
5 Attorneys or Candidates to Act.--Any member of a county board of
6 elections, judge of election or inspector of election who shall
7 refuse to permit any overseer or watcher, attorney or candidate
8 to be present, as authorized by this act, at any session of a
9 county board, computation and canvassing of returns of any
10 primary or election, recount of ballots or recanvass of voting
11 machines, as authorized by this act, or at any polling place
12 during the time the polls are open at any primary or election,
13 and after the close of the polls during the time the ballots are
14 counted or voting machine canvassed and until the returns of
15 such primary or election have been made up and signed, shall be
16 guilty of a misdemeanor, and, upon conviction thereof, shall be
17 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
18 two thousand (\$2,000) dollars, or to undergo an imprisonment not
19 exceeding [one (1) year] two (2) years, or both, in the
20 discretion of the court.

21 Section 1807. Driving away Watchers, Attorneys, Candidates
22 or Overseers.--Any person who by violence or intimidation shall
23 threaten or drive away any watcher, attorney, candidate or
24 overseer, or representative of the county board of elections, or
25 of the Secretary of the Commonwealth, required or permitted to
26 be present at any polling place, or who shall in any manner
27 prevent any overseer, or representative of the county board of
28 elections or of the Secretary of the Commonwealth from
29 performing his duty under this act, shall be guilty of a
30 misdemeanor, and, upon conviction thereof, shall be sentenced to

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

5 Section 1808. Refusal to Permit Election Officers, Clerks
6 and Machine Inspectors to Act; Driving away Said Persons.--Any
7 person, including any election officer, who shall refuse to
8 permit any election officer, clerk or machine inspector, duly
9 elected or appointed and authorized to act, to perform the
10 duties imposed on him or to act as permitted by this act; or who
11 shall by violence or intimidation threaten or drive away, any
12 such election officer, clerk or machine inspector or who shall,
13 in any manner, prevent any such election officer, clerk or
14 machine inspector from performing his rights and duties under
15 this act, shall be guilty of a misdemeanor, and, upon conviction
16 thereof, shall be sentenced to pay a fine not exceeding [one
17 thousand (\$1,000)] two thousand (\$2,000) dollars, or to undergo
18 an imprisonment of not less than [one (1) month] two (2) months
19 or more than [two (2)] four (4) years, or both, in the
20 discretion of the court.

21 Section 1809. Refusal to Administer Oath; Acting Without
22 Being Sworn.--If any judge of election or minority inspector of
23 election refuses or fails to administer the oath to the officers
24 of election, in the manner required by this act, or if any judge
25 of election, inspector of election, clerk of election, or
26 machine inspector, shall act without being first duly sworn, or
27 if any such person shall sign the written form of oath without
28 being duly sworn, or if any judge of election or minority
29 inspector of election or any other person authorized to
30 administer oaths shall certify that any such person was sworn

1 when he was not, he shall be guilty of a misdemeanor, and, upon
2 conviction thereof, shall be sentenced to pay a fine not
3 exceeding [~~one hundred (\$100)~~] two hundred (\$200) dollars, or to
4 undergo an imprisonment not exceeding [~~six (6) months~~] one (1)
5 year, or both, in the discretion of the court.

6 Section 1810. Violation of Oath of Office by Election
7 Officers.--Any judge of election, inspector of election, clerk
8 of election, or machine inspector who shall wilfully violate any
9 of the provisions of his oath of office, shall be guilty of a
10 misdemeanor, and, upon conviction thereof, shall be sentenced to
11 pay a fine not exceeding [~~one thousand (\$1,000)~~] two thousand
12 (\$2,000) dollars, or to undergo an imprisonment not exceeding
13 [~~one (1) year~~] two (2) years, or both, in the discretion of the
14 court.

15 Section 1811. Peace Officers; Failure to Render Assistance;
16 Hindering or Delaying County Board Members and Others.--Any
17 sheriff, deputy sheriff, constable, deputy constable, police or
18 other peace officer, who shall fail upon demand of any member of
19 a county board of elections, judge or inspector of election, or
20 overseer to render such aid and assistance to him as he shall
21 request in the maintenance of peace and in the making of
22 arrests, as herein provided, or who shall wilfully hinder or
23 delay or attempt to hinder or delay any member of a county
24 board, judge or inspector of election, or overseer in the
25 performance of any duty under this act, shall be guilty of a
26 misdemeanor, and, upon conviction thereof, shall be sentenced to
27 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
28 (\$1,000) dollars, or to undergo an imprisonment of not less than
29 [~~three (3)~~] six (6) months nor more than [~~two (2)~~] four (4)
30 years, or both, in the discretion of the court.

1 Section 1812. Nomination Petitions and Papers; Offenses by
2 Signers.--If any person shall knowingly and wilfully sign any
3 nomination petition or nomination paper, without having the
4 qualifications prescribed by this act, or if any person shall
5 set opposite a signature on a nomination petition or paper, a
6 date other than the actual date such signature was affixed
7 thereto, or if any person shall set opposite the signature on a
8 nomination petition or nomination paper, a false statement of
9 the signer's place of residence or occupation, or if any person
10 shall sign more nomination petitions or nomination papers than
11 permitted by the provisions of this act, he shall be guilty of a
12 misdemeanor, and, upon conviction thereof, shall be sentenced to
13 pay a fine not exceeding [~~one hundred (\$100)~~] two hundred (\$200)
14 dollars, or to undergo an imprisonment of not less than [~~three~~
15 ~~(3)~~] six (6) months nor more than [~~two (2)~~] four (4) years, or
16 both, at the discretion of the court.

17 Section 1813. False Signatures and Statements in Nomination
18 Petitions and Papers.--If any person shall knowingly make a
19 false statement in any affidavit required by the provisions of
20 this act, to be appended to or to accompany a nomination
21 petition or a nomination paper, or if any person shall
22 fraudulently sign any name not his own to any nomination
23 petition or nomination paper, or if any person shall
24 fraudulently alter any nomination petition or nomination paper
25 without the consent of the signers, he shall be guilty of a
26 misdemeanor, and, upon conviction thereof, shall be sentenced to
27 pay a fine not exceeding [~~five hundred (\$500)~~] one thousand
28 (\$1,000) dollars, or to undergo imprisonment of not more than
29 [~~one (1) year~~] two (2) years, or both, in the discretion of the
30 court.

1 Section 1814. Nomination Petitions; Certificates and Papers;
2 Destruction; Fraudulent Filing; Suppression.--Any person who
3 shall falsely make any nomination certificate or who shall
4 wilfully deface or destroy any nomination petition, nomination
5 certificate or nomination paper, or any part thereof, or any
6 letter of withdrawal, or who shall file any nomination petition,
7 nomination certificate or nomination paper or letter of
8 withdrawal knowing the same, or any part thereof, to be falsely
9 made, or who shall suppress any nomination petition, nomination
10 certificate or nomination paper, or any part thereof, which has
11 been duly filed, shall be guilty of a misdemeanor, and, upon
12 conviction thereof, shall be sentenced to pay a fine not
13 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
14 or to undergo an imprisonment of not more than [one (1) year]
15 two (2) years, or both, in the discretion of the court.

16 Section 1815. Offenses by Printers of Ballots.--Any printer
17 employed by any county board of elections to print any official
18 ballots, or any person engaged in printing the same who shall
19 appropriate to himself or give or deliver or knowingly permit to
20 be taken any of said ballots by any other person than such
21 county board of election or their duly authorized agent, or who
22 shall wilfully print or cause to be printed any official ballot
23 in any form other than that prescribed by such county board or
24 with any other names or printing, or with the names spelled
25 otherwise than as directed by them or the names or printing
26 thereon arranged in any other way than that authorized and
27 directed by this act, shall be guilty of a misdemeanor, and,
28 upon conviction thereof, shall be sentenced to pay a fine not
29 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
30 or to undergo an imprisonment of not less than [six (6) months]

1 one (1) year nor more than [five (5)] ten (10) years, or both,
2 in the discretion of the court.

3 Section 1816. Unlawful Possession of Ballots; Counterfeiting
4 Ballots.--Any person other than an officer charged by law with
5 the care of ballots, or a person entrusted by any such officer
6 with the care of the same for a purpose required by law, who
7 shall have in his possession outside the polling place any
8 official ballot, or any person who shall make or have in his
9 possession any counterfeit of an official ballot, shall be
10 guilty of a misdemeanor of the second degree, and, upon
11 conviction thereof, shall be sentenced to pay a fine not
12 exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
13 dollars, or to undergo an imprisonment of not more than [two
14 (2)] four (4) years, or both, in the discretion of the court.

15 Section 1817. Forging and Destroying Ballots.--Any person
16 who shall forge or falsely make the official endorsement on any
17 ballot or wilfully destroy or deface any ballot or wilfully
18 delay the delivery of any ballots shall be guilty of a
19 misdemeanor of the second degree, and, upon conviction thereof,
20 shall be sentenced to pay a fine not exceeding [five thousand
21 (\$5,000)] ten thousand (\$10,000) dollars, or to undergo an
22 imprisonment of not more than [two (2)] four (4) years, or both,
23 in the discretion of the court.

24 Section 1818. Tampering with Voting Machines.--Any election
25 officer or other person who shall unlawfully open or who shall
26 tamper with or injure or attempt to injure any voting machine to
27 be used or being used at any primary or election, or who shall
28 prevent or attempt to prevent the correct operation of such
29 machine, or any unauthorized person who shall make or have in
30 his possession a key to a voting machine to be used or being

1 used in any primary or election, shall be guilty of a
2 misdemeanor of the second degree, and, upon conviction thereof,
3 shall be sentenced to pay a fine not exceeding [~~five thousand~~
4 ~~(\$5,000)~~] ten thousand (\$10,000) dollars, or to undergo an
5 imprisonment of not more than [~~two (2)~~] four (4) years, or both,
6 in the discretion of the court.

7 Section 1819. Destroying, Defacing or Removing Notices, Et
8 Cetera.--Any person who shall, prior to any primary or election,
9 wilfully deface, remove or destroy any notice or list of
10 candidates posted in accordance with the provisions of this act,
11 or who, during any primary or election, shall wilfully deface,
12 tear down, remove or destroy any card of instructions, notice of
13 penalties, specimen ballot or diagram printed or posted for the
14 instruction of electors, or who shall, during any primary or
15 election, wilfully remove or destroy any of the supplies or
16 conveniences furnished by the county board of elections to any
17 polling place in order to enable electors to vote, or the
18 election officers to perform their duties, or who shall wilfully
19 hinder the voting of others, shall be guilty of a misdemeanor,
20 and, upon conviction thereof, shall be sentenced to pay a fine
21 not exceeding [~~one hundred (\$100)~~] two hundred (\$200) dollars,
22 or to undergo an imprisonment of not more than [~~three (3)~~] six
23 (6) months, or both, in the discretion of the court.

24 Section 1820. Police Officers at Polling Places.--Any police
25 officer in commission, whether in uniform or in citizen's
26 clothes, who shall be within one hundred (100) feet of a polling
27 place during the conduct of any primary or election, except in
28 the exercise of his privilege of voting or for the purpose of
29 serving warrants, or in accordance with the provisions of the
30 exception set forth in section 1207 of this act where the police

1 station or headquarters is located in the same building or on
2 the premises where the polling place is located or unless called
3 upon to preserve the peace, as provided by this act, shall be
4 guilty of a misdemeanor, and, upon conviction thereof, shall be
5 sentenced to pay a fine not exceeding [five hundred (\$500)] one
6 thousand (\$1,000) dollars, or to undergo an imprisonment of not
7 more than [one (1) year] two (2) years, or both, in the
8 discretion of the court.

9 Section 1821. Peace Officer; Failure to Quell Disturbances
10 at Polls; Hindering or Delaying Election Officers and Others.--
11 Any mayor, chief burgess, sheriff, deputy sheriff, constable,
12 deputy constable, police officer or other peace officer who
13 shall neglect or refuse to clear an avenue to the door of any
14 polling place which is obstructed in such a way as to prevent
15 electors from approaching, or who shall neglect or refuse to
16 maintain order and quell any disturbance if such arises at any
17 polling place upon the day of any primary or election, when
18 called upon so to do by any election officer or any three
19 qualified electors of the election district, or who shall
20 wilfully hinder or delay, or attempt to hinder or delay, any
21 judge, inspector or clerk of election, machine inspector or
22 overseer in the performance of any duty under this act, shall be
23 guilty of a misdemeanor in office, and, upon conviction thereof,
24 shall be sentenced to pay a fine not exceeding [one thousand
25 (\$1,000)] two thousand (\$2,000) dollars, or to undergo an
26 imprisonment of not more than [one (1) year] two (2) years, or
27 both, in the discretion of the court.

28 Section 1823. Election Officers Permitting Unregistered
29 Electors to Vote; Challenges; Refusing to Permit Qualified
30 Electors to Vote.--Any judge or inspector of election who

1 permits any person to vote at any primary or election who is not
2 registered in accordance with law, except a person in actual
3 military service or a person as to whom a court of competent
4 jurisdiction has ordered that he shall be permitted to vote, or
5 who permits any registered elector to vote knowing that such
6 registered elector is not qualified to vote, whether or not such
7 person has been challenged, or who permits any person who has
8 been lawfully challenged to vote at any primary or election
9 without requiring the proof of the right of such person to vote
10 which is required by law, or who refuses to permit any duly
11 registered and qualified elector to vote at any primary or
12 election, with the knowledge that such elector is entitled to
13 vote, shall be guilty of a felony of the third degree, and, upon
14 conviction thereof, shall be sentenced to pay a fine not
15 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
16 dollars, and to undergo an imprisonment of not more than [seven
17 (7)] fourteen (14) years, or both.

18 Section 1824. Election Officers Refusing to Permit Elector
19 to Vote in Proper Party at Primaries.--Any judge, inspector or
20 clerk of election who refuses to permit an elector at any
21 primary at which ballots are used to receive the ballot of the
22 party with which he is enrolled, or who gives to any such
23 elector the ballot of any party in which he is not enrolled, or
24 any judge, or inspector of election, or machine inspector who,
25 at any primary at which voting machines are used, adjusts any
26 voting machine about to be used by an elector so as not to
27 permit him to vote for the candidates of the party in which he
28 is enrolled, or so as to permit him to vote for the candidates
29 of any party in which he is not enrolled, shall be guilty of a
30 misdemeanor of the first degree, and, upon conviction thereof,

1 shall be sentenced to pay a fine not exceeding [~~ten thousand~~
2 ~~(\$10,000)~~] twenty thousand (\$20,000) dollars, or to undergo an
3 imprisonment of not more than [~~five (5)~~] ten (10) years, or
4 both, in the discretion of the court.

5 Section 1825. Frauds by Election Officers.--Any judge,
6 inspector or clerk of election or machine inspector who shall be
7 guilty of any wilful fraud in the conduct of his duties at a
8 primary or election, and any person who shall make a false
9 return of the votes cast at any primary or election, or who
10 shall deposit fraudulent ballots in the ballot box or certify as
11 correct a return of ballots in the ballot box which he knows to
12 be fraudulent, or who shall register fraudulent votes upon any
13 voting machine or certify as correct a return of votes cast upon
14 any voting machine which he knows to be fraudulently registered
15 thereon, or who shall make any false entries in the district
16 register, or who shall fail to insert in the voting check list
17 the voter's certificate of any elector actually voting at any
18 primary or election, or who shall fail to record voting
19 information as required herein, or who shall fail to insert in
20 the numbered lists of voters the name of any person actually
21 voting, or who shall wilfully destroy or alter any ballot,
22 voter's certificate, or registration card contained in any
23 district register, or who shall wilfully tamper with any voting
24 machine, or who shall prepare or insert in the voting check list
25 any false voter's certificates not prepared by or for an elector
26 actually voting at such primary or election, for the purpose of
27 concealing the destruction or removal of any voter's
28 certificate, or for the purpose of concealing the deposit of
29 fraudulent ballots in the ballot box, or the registering of
30 fraudulent votes upon any voting machine or of aiding in the

1 perpetration of any such fraud, or who shall fail to return to
2 the county board of election following any primary or election
3 any keys of a voting machine, ballot box, general or duplicate
4 return sheet, tally paper, oaths of election officers,
5 affidavits of electors and others, record of assisted voters,
6 numbered list of voters, district register, voting check list,
7 unused, spoiled and cancelled ballots, ballots deposited,
8 written or affixed in or upon a voting machine, or any
9 certificate, or any other paper or record required to be
10 returned under the provisions of this act; or who shall conspire
11 with others to commit any of the offenses herein mentioned, or
12 in any manner to prevent a free and fair primary or election,
13 shall be guilty of a felony of the third degree, and, upon
14 conviction thereof, shall be sentenced to pay a fine not
15 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
16 dollars, or to undergo an imprisonment of not more than [seven
17 (7)] fourteen (14) years, or both, in the discretion of the
18 court.

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

29 Section 1827. Interference with Primaries and Elections;
30 Frauds; Conspiracy.--If any person shall prevent or attempt to

1 prevent any election officers from holding any primary or
2 election, under the provisions of this act, or shall use or
3 threaten any violence to any such officer; or shall interrupt or
4 improperly interfere with him in the execution of his duty; or
5 shall block up or attempt to block up the avenue to the door of
6 any polling place; or shall use or practice any intimidation,
7 threats, force or violence with design to influence unduly or
8 overawe any elector, or to prevent him from voting or restrain
9 his freedom of choice; or shall prepare or present to any
10 election officer a fraudulent voter's certificate not signed in
11 the polling place by the elector whose certificate it purports
12 to be; or shall deposit fraudulent ballots in the ballot box; or
13 shall register fraudulent votes upon any voting machine; or
14 shall tamper with any district register, voting check list,
15 numbered lists of voters, ballot box or voting machine; or shall
16 conspire with others to commit any of the offenses herein
17 mentioned, or in any manner to prevent a free and fair primary
18 or election, he shall be guilty of a felony of the third degree,
19 and, upon conviction thereof, shall be sentenced to pay a fine
20 not exceeding [fifteen thousand (\$15,000)] twenty thousand
21 (\$20,000) dollars, or to undergo an imprisonment of not more
22 than [seven (7)] fourteen (14) years, or both, in the discretion
23 of the court.

24 Section 1828. Persons Interfering in Other Districts.--Any
25 person who shall on the day of any primary or election visit any
26 polling place at which he is not entitled to vote and at which
27 he is not entitled to be present under any provision of this
28 act, and shall use any intimidation or violence for the purpose
29 of preventing any election officer from performing the duties
30 required of him by this act, or for the purpose of preventing

1 any qualified elector from exercising his right to vote or from
2 exercising his right to challenge any person offering to vote,
3 or for the purpose of influencing the vote of any elector, he
4 shall be guilty of a felony of the third degree, and, upon
5 conviction thereof, shall be sentenced to pay a fine not
6 exceeding [fifteen thousand (\$15,000)] thirty thousand (\$30,000)
7 dollars, or to undergo an imprisonment of not more than [seven
8 (7)] fourteen (14) years, or both, in the discretion of the
9 court.

10 Section 1829. Assault and Battery at Polls.--Any person who
11 shall unlawfully strike, wound or commit an assault and battery
12 upon the person of any elector at or near the polling place
13 during the time of any primary or election shall be guilty of a
14 misdemeanor of the first degree, and, upon conviction thereof,
15 shall be sentenced to pay a fine not exceeding [ten thousand
16 (\$10,000)] twenty thousand (\$20,000) dollars, or to undergo an
17 imprisonment of not more than [five (5)] ten (10) years, or
18 both, in the discretion of the court.

19 Section 1830. Unlawful Assistance in Voting.--Any elector at
20 any primary or election who shall allow his ballot or the face
21 of the voting machine voted by him to be seen by any person with
22 the apparent intention of letting it be known how he is about to
23 vote; or in districts in which ballots are used, shall cast or
24 attempt to cast any other than the official ballot which has
25 been given to him by the proper election officer; or who,
26 without having made the declaration under oath or affirmation
27 required by section 1218 of this act, or when the disability
28 which he declared before any registration commission no longer
29 exists, shall permit another to accompany him into the voting
30 compartment or voting machine booth, or to mark his ballot or

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

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

4 Section 1831. Election Officers Permitting Unlawful
5 Assistance.--Any election officer who shall permit a voter to be
6 accompanied by another into the voting compartment or voting
7 machine booth when the registration card of such person contains
8 no declaration that such person requires assistance, or when
9 such person has not made, under oath or affirmation, the
10 statement required by section 1218 of this act, or when such
11 election officer knows that the disability which the elector
12 declared before any registration commission no longer exists, or
13 who shall permit any person to accompany an elector into the
14 voting compartment or voting machine booth, except as provided
15 by this act, shall be guilty of a misdemeanor, and, upon
16 conviction thereof, shall be sentenced to pay a fine not
17 exceeding [one thousand (\$1,000)] two thousand (\$2,000) dollars,
18 or to undergo an imprisonment of not more than [one (1) year]
19 two (2) years, or both, in the discretion of the court.

20 Section 1832. Failure to Keep and Return Record of Assisted
21 Voters.--Any judge of election who shall fail to record, as
22 required by section 1218 (c) of this act, the name of each
23 elector who received assistance or who is accompanied by another
24 into the voting compartment or voting machine booth; or who
25 shall insert in the record of assisted voters the name of any
26 elector who does not receive assistance or is not accompanied by
27 another into the voting compartment or voting machine booth; or
28 who shall fail to record the exact disability of any assisted
29 elector which makes the assistance necessary, or shall record in
30 respect of any assisted elector a disability, other than that

1 stated by the elector; or who shall fail to record the name of
2 each person rendering assistance to an elector as prescribed by
3 this act; or who shall knowingly record as the name of such
4 person giving assistance a name which is not the name of such
5 person; or who shall fail or neglect to return the record of
6 assisted voters to the county board of elections as required by
7 this act, shall be guilty of a misdemeanor, and, upon conviction
8 thereof, shall be sentenced to pay a fine not exceeding [~~one~~
9 ~~thousand (\$1,000)~~] two thousand (\$2,000) dollars, or to undergo
10 an imprisonment of not less than [~~two (2)~~] four (4) months nor
11 more than [~~two (2)~~] four (4) years, or both, in the discretion
12 of the court.

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

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

1 Section 1835. Repeat Voting at Elections.--If any person
2 shall vote in more than one election district, or otherwise
3 fraudulently vote more than once at the same primary or
4 election, or shall vote a ballot other than the ballot issued to
5 him by the election officers, or shall advise or procure another
6 so to do, he shall be guilty of a felony of the third degree,
7 and, upon conviction thereof, shall be sentenced to pay a fine
8 not exceeding [~~fifteen thousand (\$15,000)~~] thirty thousand
9 (\$30,000) dollars, or to undergo an imprisonment of not more
10 than [~~seven (7)~~] fourteen (14) years, or both, in the discretion
11 of the court.

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

20 Section 1837. Commissioners to Take Soldiers' Votes.--Any
21 commissioner appointed by or under the provisions of Article
22 XIII of this act who shall knowingly violate his duty or
23 knowingly omit or fail to do his duty thereunder or violate any
24 part of his oath, shall be guilty of perjury, and, upon
25 conviction thereof, shall be sentenced to pay a fine not
26 exceeding [~~one thousand (\$1,000)~~] two thousand (\$2,000) dollars,
27 or to undergo an imprisonment of not more than [~~one (1) year~~]
28 two (2) years, or both, in the discretion of the court.

29 Section 1838. Fraudulent Voting by Soldiers.--Any person who
30 shall vote or attempt to vote at any election by electors in

1 military service under the provisions of Article XIII of this
2 act, not being qualified to vote at such election, 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 more than [one (1) year] two (2) years, or both, in the
7 discretion of the court.

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

1 discretion of the court.

2 Section 1840. Receipts and Disbursements of Primary and
3 Election Expenses by Persons Other Than Candidates and
4 Treasurers.--Any member of a political committee who shall
5 receive or disburse any money or incur any liability for primary
6 or election expenses, except through the treasurer of such
7 political committee, and any person not a candidate or member of
8 a political committee who shall receive or disburse any money or
9 incur any liability for primary or election expenses, shall be
10 guilty of a misdemeanor, and, upon conviction thereof, shall be
11 sentenced to pay a fine not exceeding [one thousand (\$1,000)]
12 two thousand (\$2,000) dollars, or to undergo an imprisonment of
13 not less than [one (1) month] two (2) months nor more than [two
14 (2)] four (4) years, or both, in the discretion of the court.

15 Section 1841. Receipts of Primary and Election Expenses by
16 Unauthorized Persons.--Any person or any political committee who
17 receives money on behalf of any candidate without being
18 authorized to do so under the provisions of section 1623, shall
19 be guilty of a misdemeanor, and, upon conviction thereof, shall
20 be sentenced to pay a fine not exceeding [five thousand dollars
21 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
22 imprisonment of not less than [one (1) month] two (2) months nor
23 more than [two (2)] four (4) years, or both, in the discretion
24 of the court.

25 Section 1843. Contributions by Corporations or
26 Unincorporated Associations.--Any corporation or unincorporated
27 association, which shall pay, give or lend or agree to pay, give
28 or lend any money belonging to such corporation or
29 unincorporated association or in its custody or control, in
30 violation of the provisions of section 1633, shall be guilty of

1 a misdemeanor, and, upon conviction thereof, shall be sentenced
2 to pay a fine of not less than [one thousand dollars (\$1,000)]
3 two thousand dollars (\$2,000) nor more than [ten thousand
4 dollars (\$10,000)] twenty thousand dollars (\$20,000). Any
5 director, officer, agent or employe of any corporation or
6 unincorporated association who shall on behalf of such
7 corporation or unincorporated association pay, give or lend or
8 authorize to be paid, given or lent any money belonging to such
9 corporation or unincorporated association or in its custody or
10 control in violation of the provisions of section 1633, shall be
11 guilty of a misdemeanor, and, upon conviction thereof, shall be
12 sentenced to pay a fine not exceeding [ten thousand dollars
13 (\$10,000)] twenty thousand dollars (\$20,000), or to undergo an
14 imprisonment of not less than [one (1) month] two (2) months nor
15 more than [two (2)] four (4) years, or both, in the discretion
16 of the court.

17 Section 1845. Failure to File Expense Account.--Any
18 candidate or treasurer of a political committee or person acting
19 as such treasurer who shall fail to file an account of primary
20 or election expenses, as required by this act, shall be guilty
21 of a misdemeanor, and, upon conviction thereof, shall be
22 sentenced to pay a fine not exceeding [five thousand dollars
23 (\$5,000)] ten thousand dollars (\$10,000), or to undergo an
24 imprisonment of not less than [one (1) month] two (2) months nor
25 more than [two (2)] four (4) years, or both, in the discretion
26 of the court.

27 Section 1847. Prohibiting Duress and Intimidation of Voters
28 and Interference with the Free Exercise of the Elective
29 Franchise.--Any person or corporation who, directly or
30 indirectly--(a) uses or threatens to use any force, violence or

1 restraint, or inflicts or threatens to inflict any injury,
2 damage, harm or loss, or in any other manner practices
3 intimidation or coercion upon or against any person, in order to
4 induce or compel such person to vote or refrain from voting at
5 any election, or to vote or refrain from voting for or against
6 any particular person, or for or against any question submitted
7 to voters at such election, or to place or cause to be placed or
8 refrain from placing or causing to be placed his name upon a
9 register of voters, or on account of such person having voted or
10 refrained from voting at such election, or having voted or
11 refrained from voting for or against any particular person or
12 persons or for or against any question submitted to voters at
13 such election, or having registered or refrained from
14 registering as a voter; or (b) by abduction, duress or coercion,
15 or any forcible or fraudulent device or contrivance, whatever,
16 impedes, prevents, or otherwise interferes with the free
17 exercise of the elective franchise by any voter, or compels,
18 induces, or prevails upon any voter to give or refrain from
19 giving his vote for or against any particular person at any
20 election; or (c) being an employer, pays his employes the salary
21 or wages due in "pay envelopes" upon which or in which there is
22 written or printed any political motto, device, statement or
23 argument containing threats, express or implied, intended or
24 calculated to influence the political opinions or actions of
25 such employes, or within ninety days of any election or primary
26 puts or otherwise exhibits in the establishment or place where
27 his employes are engaged in labor, any handbill or placard
28 containing any threat, notice, or information that if any
29 particular ticket or candidate is elected or defeated work in
30 his place or establishment will cease, in whole or in part, his

1 establishment be closed up, or the wages of his employes
2 reduced, or other threats, express or implied, intended or
3 calculated to influence the political opinions or actions of his
4 employes, shall be guilty of a misdemeanor of the second degree.
5 Any person or corporation, convicted of a violation of any of
6 the provisions of this section, shall be sentenced to pay a fine
7 not exceeding [five thousand (\$5,000)] ten thousand (\$10,000)
8 dollars, or such person or the officers, directors or agents of
9 such corporation responsible for the violation of this section,
10 shall be sentenced to undergo an imprisonment of not more than
11 [two (2)] four (4) years, or both, in the discretion of the
12 court.

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

24 Section 1849. Hindering or Delaying Performance of Duty.--
25 Any person who intentionally interferes with, hinders or delays
26 or attempts to interfere with, hinder or delay any other person
27 in the performance of any act or duty authorized or imposed by
28 this act, shall be guilty of a misdemeanor, and, upon conviction
29 thereof, shall be sentenced to pay a fine not exceeding [five
30 hundred (\$500)] one thousand (\$1,000) dollars, or to undergo an

1 imprisonment of not more than [~~one (1) year~~] two (2) years, or
2 both, in the discretion of the court.

3 Section 1850. Violation of Any Provision of Act.--Any person
4 who shall violate any of the provisions of this act, for which a
5 penalty is not herein specifically provided, shall be guilty of
6 a misdemeanor, and, upon conviction thereof, shall be sentenced
7 to pay a fine not exceeding [~~one thousand (\$1,000)~~] two thousand
8 (\$2,000) dollars, or to undergo an imprisonment of not more than
9 [~~one (1) year~~] two (2) years, or both, in the discretion of the
10 court.

11 Section 18. Section 1853 of the act, amended March 27, 2020
12 (P.L.41, No.12), is amended to read:

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

29 If any chief clerk or member of a board of elections, member
30 of a return board or member of a board of registration

1 commissioners, shall neglect or refuse to perform any of the
2 duties prescribed by Article XIII or Article XIII-D of this act,
3 or shall reveal or divulge any of the details of any ballot cast
4 in accordance with the provisions of Article XIII or Article
5 XIII-D of this act, or shall disclose results of a pre-
6 canvassing meeting under section 1308(g)(1.1), or shall count an
7 absentee ballot or mail-in ballot knowing the same to be
8 contrary to Article XIII or Article XIII-D, or shall reject an
9 absentee ballot or mail-in ballot without reason to believe that
10 the same is contrary to Article XIII or Article XIII-D, or shall
11 permit an elector to cast the elector's ballot other than a
12 provisional ballot at a polling place knowing that there has
13 been issued to the elector an absentee ballot or mail-in ballot,
14 the [elector] individual shall be guilty of a felony of the
15 third degree, and, upon conviction, shall be punished by a fine
16 not exceeding [fifteen thousand dollars (\$15,000)] thirty
17 thousand dollars (\$30,000), or be imprisoned for a term not
18 exceeding [seven (7)] fourteen (14) years, or both, at the
19 discretion of the court.

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

21 Section 1855. Unlawful Collection of Ballots.--A person who
22 willfully collects or returns absentee or mail-in ballots in
23 violation of this act commits a felony of the third degree and,
24 upon conviction, shall be punished by a fine not exceeding
25 thirty thousand dollars (\$30,000), or be imprisoned for a term
26 not exceeding fourteen (14) years, or both, at the discretion of
27 the court.

28 Section 20. The act is amended by adding an article to read:

29 ARTICLE XX
30 REIMBURSEMENTS

1 Section 2001. General rule.

2 The following shall apply:

3 (1) The State Treasurer shall reimburse counties for
4 100% of the cost of replacing voting machines or ballot
5 processing machines.

6 (2) The State Treasurer shall reimburse counties for
7 100% of the cost of purchasing electronic poll books within
8 one year after the effective date of this section.

9 Section 2002. (Reserved).

10 Section 21. This act shall apply to elections held on or
11 after the effective date of this section.

12 Section 22. This act shall take effect immediately.