
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 30 Session of
2021

INTRODUCED BY DAY, ARMANINI, COX, DOWLING, FRITZ, GILLEN, HAMM,
KAUFFMAN, KERWIN, MILLARD, PENNYCUICK, ROWE AND RYAN,
JUNE 3, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 3, 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," in voting by qualified mail-in electors, further
12 providing for applications for official mail-in ballots and
13 for voting by mail-in electors and providing for thumbprint
14 verification and for election management system.

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

17 Section 1. Section 1302-D(b), (d) and (f) of the act of June
18 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election
19 Code, amended March 27, 2020 (P.L.41, No.12), are amended and
20 the section is amended by adding a subsection to read:

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

22 * * *

23 (a.1) Other proper requests.--A guardian of a qualified

1 elector under section 1301-D, a person acting under a valid
2 power of attorney for a qualified elector under section 1301-D
3 or the next of kin of a qualified elector under section 1301-D
4 may apply at any time before any primary or election for an
5 official mail-in ballot for the qualified elector under section
6 1301-D in person or on any official county board of election
7 form addressed to the Secretary of the Commonwealth or the
8 county board of election of the county in which the qualified
9 elector's voting residence is located.

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

11 (1) The [qualified elector's] application under
12 subsection (a) or (a.1) shall contain the following
13 information regarding the qualified elector:

14 (i) Date of birth.

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

16 (iii) Voting district, if known.

17 (iv) Party choice in case of primary.

18 (v) Name.

19 (2) A qualified elector or person specified under
20 subsection (a.1) shall, in addition, specify the address to
21 which the ballot is to be sent, the relationship where
22 necessary and other information as may be determined by the
23 Secretary of the Commonwealth.

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

27 * * *

28 (d) Signature not required.--If any elector entitled to a
29 mail-in ballot under this section is unable to sign the
30 application because of illness or physical disability, the

1 elector shall be excused from signing upon making a statement
2 which shall be witnessed by one adult person in substantially
3 the following form:

4 I hereby state that I am unable to sign my application
5 for a mail-in ballot without assistance because I am
6 unable to write by reason of my illness or physical
7 disability. I have made or have received assistance in
8 making my mark or I have provided my thumbprint in lieu
9 of my signature.

10 (Mark) or (Thumbprint)

11 (Date)

12 (Complete Address of Witness)

13 (Signature of Witness)

14 * * *

15 (f) Form.--Application for an official mail-in ballot shall
16 be on physical and electronic forms prescribed by the Secretary
17 of the Commonwealth. The application shall state that a voter
18 who applies for a mail-in ballot under section 1301-D shall not
19 be eligible to vote at a polling place on election day unless
20 the elector brings the elector's mail-in ballot to the elector's
21 polling place, remits the ballot and the envelope containing the
22 declaration of the elector to the judge of elections to be
23 spoiled and signs a statement subject to the penalties under 18
24 Pa.C.S. § 4904 (relating to unsworn falsification to
25 authorities) to the same effect. The application shall also
26 state that the voter is a qualified voter, resides at the
27 residence as provided in the application and is voting in only
28 one location for the election, subject to the penalties under 18
29 Pa.C.S. § 4904. The physical application forms shall be made
30 freely available to the public at county board of elections,

1 municipal buildings and at other locations designated by the
2 Secretary of the Commonwealth. The electronic application forms
3 shall be made freely available to the public through publicly
4 accessible means. No written application or personal request
5 shall be necessary to receive or access the application forms.
6 Copies and records of all completed physical and electronic
7 applications for official mail-in ballots shall be retained by
8 the county board of elections.

9 * * *

10 Section 2. Section 1306-D(a.1) of the act is amended and the
11 section is amended by adding a subsection to read:

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

13 * * *

14 (a.1) Signature.--Any elector who is unable to sign the
15 declaration because of illness or physical disability, shall be
16 excused from signing upon making a declaration which shall be
17 witnessed by one adult person in substantially the following
18 form:

19 I hereby declare that I am unable to sign my declaration
20 for voting my mail-in ballot without assistance because I
21 am unable to write by reason of my illness or physical
22 disability. I have made or received assistance in making
23 my mark or I have provided my thumbprint in lieu of my
24 signature.

25 (Mark) or (Thumbprint)

26 (Date)

27 (Complete Address of Witness)

28 (Signature of Witness)

29 (a.2) Assistance.--An adult person who assists an elector in
30 voting a mail-in ballot or signing the declaration for the mail-

1 in ballot shall sign the declaration and provide other necessary
2 information as prescribed by law. The adult person may not
3 assist more than 12 electors with mail-in ballots during an
4 election.

5 * * *

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

7 Section 1309-D. Thumbprint verification.

8 The Department of State shall develop thumbprint verification
9 procedures to be used along with signature-by-mark requirements
10 under this article if a qualified elector is unable to sign the
11 application for a mail-in ballot or the mail-in ballot without
12 assistance because of illness or physical disability.

13 Section 1310-D. Election management system.

14 Each county board, in consultation with the Department of
15 State, shall develop and implement an election management system
16 to track each mail-in ballot issued during an election.

17 Section 4. This act shall apply to elections occurring more
18 than 90 days after the effective date of this section.

19 Section 5. This act shall take effect immediately.