

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1169 Session of 2020

INTRODUCED BY HAYWOOD, MUTH, COLLETT AND KEARNEY, JUNE 5, 2020

REFERRED TO STATE GOVERNMENT, JUNE 5, 2020

AN ACT

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

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

18 Section 1. Section 1306(c) of the act of June 3, 1937  
 19 (P.L.1333, No.320), known as the Pennsylvania Election Code,  
 20 added October 31, 2019 (P.L.552, No.77), is amended to read:

21 Section 1306. Voting by Absentee Electors.--\* \* \*

22 (c) Except as provided under 25 Pa.C.S. § 3511 (relating to  
 23 receipt of voted ballot), a completed absentee ballot must be  
 24 received in the office of the county board of elections no later  
 25 than [eight] five o'clock P.M. on the seventh day [of] following

1 the primary or election.

2 Section 2. Section 1308(f) and (g) (1) (ii) of the act, added  
3 October 31, 2019 (P.L.552, No.77), and amended March 27, 2020  
4 (P.L.41, No.12), are amended to read:

5 Section 1308. Canvassing of Official Absentee Ballots and  
6 Mail-in Ballots.--\* \* \*

7 (f) Any person challenging an application for an absentee  
8 ballot, an absentee ballot, an application for a mail-in ballot  
9 or a mail-in ballot for any of the reasons provided in this act  
10 shall deposit the sum of ten dollars (\$10.00) in cash with the  
11 county board, which sum shall only be refunded if the challenge  
12 is sustained or if the challenge is withdrawn within [~~five (5)~~]  
13 twelve (12) days after the primary or election. If the challenge  
14 is dismissed by any lawful order then the deposit shall be  
15 forfeited. The county board shall deposit all deposit money in  
16 the general fund of the county.

17 Notice of the requirements of subsection (b) of section 1306  
18 shall be printed on the envelope for the absentee ballot or  
19 mail-in ballot.

20 (g) (1) \* \* \*

21 (ii) An absentee ballot cast by any absentee elector as  
22 defined in section 1301(i), (j), (k), (l), (m) and (n), an  
23 absentee ballot under section 1302(a.3) or a mail-in ballot cast  
24 by a mail-in elector shall be canvassed in accordance with this  
25 subsection if the absentee ballot or mail-in ballot is received  
26 in the office of the county board of elections no later than  
27 [~~eight~~] five o'clock P.M. on the seventh day [~~of~~] following the  
28 primary or election.

29 \* \* \*

30 Section 3. Section 1306-D(c) of the act, added October 31,

1 2019 (P.L.552, No.77), is amended to read:

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

3 \* \* \*

4 (c) Deadline.--Except as provided under 25 Pa.C.S. § 3511  
5 (relating to receipt of voted ballot), a completed mail-in  
6 ballot must be received in the office of the county board of  
7 elections no later than [~~eight~~] five o'clock P.M. on the seventh  
8 day [~~of~~] following the primary or election.

9 Section 4. This act shall take effect immediately.