

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1193 Session of 2015

INTRODUCED BY TEPLITZ, BREWSTER, WHITE, FONTANA, HAYWOOD AND SCHWANK, APRIL 19, 2016

REFERRED TO STATE GOVERNMENT, APRIL 19, 2016

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 county boards of elections, further providing
 12 for preservation of records; and, in electronic voting
 13 systems, further providing for requirements of electronic
 14 voting machines.

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

17 Section 1. Section 309 of the act of June 3, 1937 (P.L.1333,
 18 No.320), known as the Pennsylvania Election Code, amended July
 19 14, 1961 (P.L.648, No.334), is amended to read:

20 Section 309. Preservation of Records.--All documents, papers
 21 and records in the office of the county board of elections of
 22 each county shall be preserved therein for a period of at least
 23 eleven (11) months, and all official ballots [and], the contents
 24 of ballot boxes and all voter verified paper audit trails shall

1 be preserved therein for a period of at least four (4) months;
2 in the event the county board has been notified in writing by
3 the district attorney of the county, or by a judge of a court of
4 record, to preserve said papers or contents of ballot boxes for
5 a longer period of time, for the purposes of pending prosecution
6 or litigation, said records shall be preserved accordingly.

7 Section 2. Section 1107-A of the act is amended by adding a
8 paragraph to read:

9 Section 1107-A. Requirements of Electronic Voting Systems.--

10 No electronic voting system shall, upon any examination or
11 reexamination, be approved by the Secretary of the Commonwealth,
12 or by any examiner appointed by him, unless it shall be
13 established that such system, at the time of such examination or
14 reexamination:

15 * * *

16 (18) On and after the first municipal election that occurs
17 after January 2017, unless sooner required by the Help America
18 Vote Act of 2002 (Public Law 107-252, 52 U.S.C. § 21081 et
19 seq.), provides a voter verified paper audit trail if the voting
20 machine is a direct recording electronic voting machine.

21 Section 3. This act shall take effect in 60 days.