



General Assembly of the Commonwealth of Pennsylvania

JOINT STATE GOVERNMENT COMMISSION

Room 108 – Finance Building

Harrisburg, Pa 17120

717-787-4397

Fax 717-783-9380

**ACT 12 OF 2020
ELECTION LAW ADVISORY BOARD**

**LEGISLATIVE UPDATE
SUMMER 2020**

This article summarizes several election law bills introduced in the 2019-2020 legislative session of the Pennsylvania General Assembly. Status of each bill is as of June 28, 2020. The full text of the bills, as well as their legislative history, may be found at:

<http://www.legis.state.pa.us/cfdocs/legis/home/bills/>.

Newly Enacted Legislation

Election Law Advisory Board

Senate Bill 422, Printer's No. 1608, was signed into law on March 27, 2020 at P.L. 41, No. 12. The bill amends the Act of June 3, 1937, P.L. 1333, No. 320 (Pennsylvania Election Code) by establishing the Pennsylvania Election Law Advisory Board. The board will be charged with studying the Election Code to identify statutory language that can be repealed, modified or updated, collaborating with agencies and political subdivisions to study election related issues, studying new election technology, evaluating the electoral process, and identifying best practices to ensure voting integrity and efficiency, and publishing an annual report with the findings on the PA Department of State's website. This version passed the Senate by a vote of 50-0 on March 25, 2020. The bill passed the House on March 25, 2020 by a vote of 198-0.

Absentee Voting and Nomination Requirements

Senate Bill 421, Printer's No. 1330, was signed into law on October 31, 2019 at P.L. 552, No. 77. The bill amends the Election Code by providing Pennsylvania residents with the option to vote by mail up to 50 days prior to an election, without any excuse – a requirement previously mandated for the use of absentee ballots. Furthermore, the bill permits voters to elect to be placed on a list to permanently receive a ballot application by mail. In addition, the bill also extends voter registration window to 15 days prior to an election from the prior 30-days. The bill eliminates straight-party voting and authorizes a \$90 million bond to help counties fund the purchase of new

voting systems that create a paper trail. More administrative amendments to the Election Code by the bill include the provision of additional definitions. This version passed the Senate by a vote of 35-14 on October 29, 2019. The bill passed the House on October 29, 2019 by a vote of 138-61.

House Bill 227, Printer's No. 2925, was signed into law on November 27, 2019 at P.L. 673, No. 94. The bill provides omnibus amendments to the Election Code. In pertinent part, the bill amends the Election Code to require 10 petition signers for the nomination of a candidate for school director in a primary race and eliminates ballot stubs. The bill also adds provisions for privacy. For instance, the bill requires the county board of elections to furnish supplies to each election district to enable the voter to insert the ballot into the district automatic tabulating equipment in secret. This version passed the Senate by a vote of 49-0 on November 20, 2019. The House concurred in the amendments on November 21, 2019 by a vote of 187-0.

Report on General Primary Election

House Bill 2502, Printer's No. 3774, was signed into law on June 17, 2020 at P.L. 177, No. 175. As it pertains to elections, the bill amends the Administrative Code of 1929 to require the Department of State to issue a report on the 2020 general primary election to the chairperson and minority chairperson of the Committee on State Government of the Senate and the chairperson and minority chairperson of the Committee on State Government of the House of Representatives. The bill requires that the report be made available on the Department of State's publicly accessible Internet website. The report must provide county information on number of applications for absentee ballots received and approved by each county, number of applications for mail-in ballots received and approved by each county, and other county-specific voting data. This version passed the Senate by a vote of 50-0 on June 10, 2020. The House concurred in the amendments on May 19, 2020 by a vote of 201-1.

Newly Introduced Legislation

PPE for Polling Workers

Senate Bill 1140, Printer's No. 1708, was introduced and referred to the Health and Human Services Committee on May 25, 2020. The bill amends Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to provide for personal protective equipment for polling places during COVID-19 disaster emergency.

Absentee and Mail-in Voting Reform

Senate Bill 1098, Printer's No. 1609, was introduced and referred to the Committee on State Government on April 3, 2020. The bill makes an appropriation from the General Fund to the Department of State for the fiscal year beginning July 1, 2019, for the purpose of providing mail-in ballot applications and mail-in ballots to qualified electors for the 2020 primary and general elections. The co-sponsorship memorandum for this bill indicates that this is a companion bill to House Bill 2367, Printer's No. 3466, which was introduced and referred to the Committee on State Government on March 13, 2020.

Senate Bill 1169, Printer's No. 1744, was introduced and referred to the Committee on State Government on June 5, 2020. The bill amends § 1306 (25 P.S. § 3146.6) of the Election Code to extend the deadline for counties to receive and count mail-in and absentee ballots to the same deadline used for military and overseas ballots, which is through 5:00 p.m. the seventh day following an election.

Senate Bill 1129, Printer's No. 1669, was introduced and referred to the Committee on State Government on April 30, 2020. The bill amends § 1301 (25 P.S. § 2602) of the Election Code to allow for an “all-mail voting system” – that is, a voting system where all elections would be conducted entirely by mail forward from November 1, 2020.

House Bill 2532, Printer's No. 3784, was introduced and referred to the Committee on State Government on May 19, 2020. The bill amends § 1308 (25 P.S. § 3146.8) of the Election Code providing that if an election occurs during a disaster emergency, or within 60 days of the termination of the emergency declaration, counties will be permitted to canvas all absentee and mail-in ballots so long as the ballots are received by 5:00 p.m. on the seventh day after an election.

House Bill 2483, Printer's No. 3705, was introduced and referred to the Committee on State Government on May 4, 2020. The bill amends § 1308(g)(2) (25 P.S. § 3146.8) of the Election Code to permit early counting of mail-in and absentee ballots.

House Bill 2407, Printer's No. 3557, was introduced and referred to the Committee on State Government on April 14, 2020, and was re-committed to the Rules Committee on June 24, 2020. The bill amends §§ 1303(e) and 1303-D(e) (25 P.S. §§ 3146.3 and 3150.13 respectively) of the Election Code requiring the Secretary of the Commonwealth to prescribe the text and the manner by which notices on absentee and mail-in ballots are printed. The bill's co-sponsorship memorandum states that the intention behind the bill is to essentially simplify the notices.

House Bill 2591, Printer's No. 3940, was introduced and referred to the Committee on State Government on June 15, 2020. The bill amends §§ 1301-D (25 P.S. § 3150.11), and repeals §§ 1302-D, 1302.1-D, and 1302.2-D of the Election Code to provide for automatic issuance of mail-in ballots by removing the requirement of filing an application to vote by mail.

House Bill 2563, Printer's No. 3875, was introduced and referred to the Committee on State Government on May 28, 2020. The bill amends the Election Code by adding § 1804.1-B to require that no later than 7 days after the effective date of this section, a county board of elections must mail an application for official mail-in ballot to each qualified elector under section 1301-D who voted in at least one of the last four elections in Pennsylvania.

House Bill 1493, Printer's No. 1872, was introduced and referred to the Committee on State Government on May 22, 2019. The bill amends Title 25 of Pennsylvania's Consolidated Statutes and adds a subsection § 3302 to the Election Code to prohibit a challenge to a person's reason for applying for an application for an absentee ballot.

Polling Locations during State Emergency Orders

House Bill 2545, Printer's No. 3829, was introduced and referred to the Committee on State Government on May 26, 2020. The bill amends the Election Code by adding subsection § 1803-B which provides that polling places designated under the Election Code may be used as polling places for the general primary election during declarations of emergencies and their corresponding orders.

House Bill 2527, Printer's No. 3779, was introduced and referred to the Committee on State Government on May 19, 2020. The bill amends § 302 (25 P.S. § 2642) of the Election Code by requiring that a polling place be cleaned prior to its opening and again within ten hours of its closing for elections held in the year 2020.

Background Checks for Political Candidates

House Bill 2321, Printer's No. 3366, was introduced and referred to the Committee on State Government on February 24, 2020. The bill amends the Election Code by adding § 910.1 which requires that political candidates undergo a criminal history background check. The bill also requires the Department of State to develop and maintain a record database on political candidates that will be publically available via Internet website.

House Bill 2272, Printer's No. 3271, was introduced and referred to the Committee on State Government on February 4, 2020. The bill amends the Election Code by adding § 910.1 which requires that candidates for school district office undergo a criminal history background check.

Campaign Finance Transparency Reform

House Bill 2249, Printer's No. 3231, was introduced and referred to the Committee on State Government on January 30, 2020. The bill amends § 1626(a) (25 P.S. § 3246) of the Election Code and adds a new subsection. The bill prescribes a standardized itemization of campaign expenditures within campaign finance reports.

House Bill 1953, Printer's No. 3412, was introduced and referred to the Committee on State Government on May 4, 2020. The bill amends the Election Code by adding Article XVI-A in order to address the qualifications for small dollar donations for state legislative campaigns.

Date of Presidential Primary Elections

Senate Bill 779, Printer's No. 1039, was referred to the Committee on State Government on January 31, 2020. The bill amends the § 603 (25 P.S. § 2753) of the Election Code to move Pennsylvania's Presidential primary election day to the third Tuesday of March. Currently under the Election Code, the primary takes place on the fourth Tuesday of April.

Computing Irregular Ballots

Senate Bill 417, Printer's No. 1652, was referred to the Committee on State Government on April 21, 2020. The bill amends the manner in which irregular ballots are calculated under § 1405 (25

P.S. § 3155) of the Pennsylvania Election Code. In particular, the bill requires that the county board compute and certify votes cast on irregular ballots exactly as such names were written, stamped or deposited in or on receptacles for that purpose and as they had been returned by the election officers.

Form of Ballots and Voting Machines

Senate Bill 693, Printer's No. 838, was laid on the table pursuant to Senate Rule 9 on June 9, 2020. The bill amends §§ 1004, 1109-A, and 1110 (25 P.S. §§ 2964, 3010, 3031.9 respectively) of the Election Code. The amendments pertain to the form of ballots; printing ballots, stubs, and numbers; voting machines; form of ballot labels on voting machines; and forms for electronic voting systems.

Election Efficiency

House Bill 2626, Printer's No. 4025, was referred to the Committee on State Government on June 23, 2020 and re-committed to the Rules Committee on June 24, 2020. The bill amends various sections of the Election Code to extend the deadline for applications for absentee and mail-in ballots, permit voters to return voted absentee and mail-in ballots at their polling place on election day, re-establish the 30-day deadline for changing political party affiliation before an election, permit county boards of election to begin the pre-canvassing of absentee and mail-in ballots prior to Election Day, and prescribe procedures for a voter's status on the permanent mail-in ballot lists to expire.

Legislation – Under Consideration

Comprehensive Voter and Voting Registration

House Bill 1560, Printer's No. 1978, was introduced and referred to the Committee on State Government on June 4, 2019. The bill would amend the Election Code by providing comprehensive voting and voter registration reform including the provision of new definitions and standardized forms in the registration system; qualifications to register; methods of voter registration; application with driver's license and for government agencies; same day voter registration; further time for preparation and distribution of applications and for approval of registration applications; removal notices; effect of inmates being released from correctional facilities; voting procedures, repealing provisions relating to application for absentee ballots; early voting; vote by mail; voter education; and making related repeals. The co-sponsorship memorandum for this bill indicates that this amendment is intended to make voting and registering to vote easier and more convenient while still maintaining the security of our elections.

House Bill 668, Printer's No. 681, was introduced and referred to the Committee on State Government on March 1, 2019. The bill amends the Election Code by adding a § 1321 to provide for online voter registration.

Non-Partisan School Board Elections

Senate Bill 369, Printer's No. 355, was introduced and referred to the Senate Committee on Education on March 4, 2019. The bill amends the Public School Act of 1949 to eliminate partisan school board elections. Specifically, the bill provides that with the exception of school districts where the board of school directors is appointed, school directors shall be elected in accordance with the Pennsylvania Election Code. The bill further provides that, notwithstanding § 951 of the Election Code, nomination papers for the office of school director shall be filed in the same manner as nominations of candidates by political bodies or independent candidates, as provided by the Election Code, without regard to political party membership. School director nomination paperwork must include the signatures of a minimum number of qualified electors, without regard to political party affiliation.

Voter Accessibility for the Disabled

House Bill 524, Printer's No. 518, was introduced and referred to the Committee on State Government on February 19, 2019. The bill amends the Election Code and certain voting procedures to provide specifically for assistance to disabled electors such as those who are blind, deafblind, visually impaired, afflicted with impaired dexterity, and those with mental health, developmental or intellectual disabilities. The bill requires that qualified electors who are individuals with a disability are able to cast ballots privately, independently and in a verifiable manner through online voting and with devices at polling locations. The bill also prescribes penalties for any person willfully preventing or otherwise obstructing the development, implementation or maintenance of the system or devices within the bill and provides that such act will be considered a misdemeanor of the first degree.

House Bill 134, Printer's No. 128, was referred to the Committee on State Government on January 28, 2019. The bill amends the Pennsylvania Election Code by adding § 3303 to permit an elector who has a physical, emotional, intellectual or developmental disability to request a curbside ballot by an election official outside the elector's polling place. Said ballot must be cast within 150 feet of the entrance to the polling place. The elector must mark the ballot in the election official's presence but in a secret manner and, obscuring the vote, return the ballot to the officer who is to immediately return to the polling place and deposit the ballot in accordance with the instructions of the county election board. An election district that has an electronic voting machine that is easily portable may use the voting machine in lieu of a printed ballot for an elector requiring assistance subject to certain conditions. The bill also provides for an assisted voting designation and procedure.

Senate Bill 416, Printer's No. 435, was referred to the Committee on State Government on March 19, 2019. The bill amends § 502 (25 P.S. § 2702), adds a § 529.2, and amends § 1218(b) (25 P.S. § 3058(b)) of the Election Code to permit a county board of elections to establish one or more vote centers in a county. The bill also provides for those with an inability to enter a polling place by permitting the voter to request an election officer deliver a ballot to the voter at the polling place entrance or curb. The bill also allows for assistance with ballot marking under certain circumstances.

House Bill 1328, Printer's No. 1566, was introduced and referred to the Committee on State Government on April 25, 2019. The bill amends § 1218 (25 P.S. § 3058) of the Election Code to allow an election official to bring a paper ballot – or portable voting machine to any voter outside the polling place who has a physical, emotional, intellectual, developmental disability or short-term inability that would preclude them from easily accessing voting machines.

House Bill 1235, Printer's No. 1469, was introduced and referred to the Committee on State Government on April 17, 2019. The bill amends the Election Code by adding a subsection § 1303.1 to require the Department of State to provide special absentee ballots printed in Braille to qualified voters who submit a written request for a special ballot.

Absentee and Mail-in Voting Reform

Senate Bill 818, Printer's No. 1125, was introduced and referred to the Committee on State Government on August 7, 2019. The bill amends the Election Code to provide general absentee voting reform by adding preliminary provisions, providing for additional definitions; and, providing for qualified absentee electors, provisions regarding applications for official absentee ballots, date of application for absentee ballot, approval of application for absentee ballot, and other related reforms.

Senate Bill 345, Printer's No. 330, was introduced and referred to the Committee on State Government on February 27, 2019. The bill amends § 1302 (25 P.S. § 3146.2) to permit a permanent absentee voting status while eliminating the current requirement to submit a written statement asserting continuing disability every four years in order to maintain eligibility.

House Bill 1809, Printer's No. 2467, was introduced and referred to the Committee on State Government on September 16, 2019. The bill amends § 1306.1 (25 P.S. § 3146.6a) of the Election Code to essentially remove the notarization requirement for an absentee ballot.

House Bill 1543, Printer's No. 1960, was introduced and referred to the Committee on State Government on June 3, 2019. The bill amends §§ 1004 and 1302(e.1) (25 P.S. § 3010 and 3146.2(e.1)) of the Election Code to require the automatic sending of an absentee ballot to each voter on the permanent absentee voter list for each primary and election.

House Bill 1506, Printer's No. 1891, was introduced and referred to the Committee on State Government on May 23, 2019. The bill amends §§ 1305(b) and 1306(a) (25 P.S. § 3146.5(b) and 3146.5a(a)) of the Election Code to extend the timeline for absentee voting. The bill provides that any lawful absentee ballot received by a county board of elections on or before 5 p.m. on the Monday prior to Election Day will be counted. The bill also authorizes counties to begin mailing absentee ballots to civilian absentee voters beginning on the fourth Tuesday prior to an election.

House Bill 1420, Printer's No. 1749, was introduced and referred to the Committee on State Government on May 7, 2019. The bill amends § 1308(e) (25 P.S. § 3146.8) of the Election Code by requiring notification to absentee voters of a perceived signature mismatch while providing them the opportunity to verify their signature. The bill also extends the amount of time that county boards have to submit election returns to the Pennsylvania Department of State.

Senate Bill 414, Printer's No. 1013, was referred to the Committee on State Government on June 18, 2019. The bill amends §§ 1302, 1305, 1306, and 1308 (25 P.S. §§ 3146.2, 3146.5, 3146.6, and 3146.8 respectively) of the Election Code by revising the qualifications for those eligible for absentee ballots, along with amendments to the application process for absentee ballots and the manner by which the county board of elections, upon receipt and approval of an application filed by any qualified elector, delivers or mails the ballots.

House Bill 1059, Printer's No. 1221, was referred to the Committee on State Government on April 5, 2019. The bill would provide for the authorization of elections by mail-in voting.

House Bill 743, Printer's No. 773, was introduced and referred to the Committee on State Government on March 6, 2019. The bill amends §§ 1302.1(a.2) and 1308(a) and (g)(1) (25 P.S. §§ 3146.2a and 3146.8 respectively) of the Election Code to require that an absentee ballot cast by an absentee elector and received in the office of the county board of elections after 5p.m. on the Friday immediately preceding the election and no later than 5p.m. on the seventh day following an election be collected.

House Bill 667, Printer's No. 680, was introduced and referred to the Committee on State Government on March 1, 2019. The bill amends § 1308 (25 P.S. § 3146.8) of the Election Code to require that a ballot postmarked by Monday, the day before an election will be counted if it is received by the county board of elections before 5 p.m. on Tuesday, the week after election day.

House Bill 566, Printer's No. 576, was introduced and referred to the Committee on State Government on February 25, 2019. The bill amends § 1308(d) (25 P.S. § 3146.8) of the Election Code to require that whenever any absentee elector who has returned his or her ballot has died prior to the opening of the polls on the day of the primary or election, the ballot of such deceased elector shall be counted by the canvassers instead of rejected as it currently states.

Campaign Finance Transparency and Reform

Senate Bill 549, Printer's No. 613, was introduced and referred to the Committee on State Government on April 16, 2019. The bill amends § 1631 (25 P.S. § 3251) of the Election Code to mandate that the counties, upon receiving contribution reports for local government campaigns, provide that information to the Department of State to post on their public website for review.

Senate Bill 403, Printer's No. 384, was introduced and referred to the Committee on State Government on March 11, 2019. The bill amends § 1638(a) (25 P.S. § 3258(a)) of the Election Code by requiring a candidate's authorized political committee or their agents, to disclose the top 5 largest campaign donors during the 12-month period prior to the date of communication.

Senate Bill 11, Printer's No. 1403, was introduced and referred to the Committee on State Government on November 20, 2019. The bill amends the Election Code by providing comprehensive campaign finance reform. According to the bill's co-sponsorship memorandum, the bill is intended to address the excessive corporate influence in our political system, from both at home and abroad, on our elections, remove the opportunity to take personal advantage of campaign contributions, and protect the integrity and fairness of our electoral process.

House Bill 2142, Printer's No. 3049, was introduced and referred to the Committee on State Government on December 17, 2019. The bill amends § 1626 (25 P.S. § 3246) of the Election Code to require State House and Senate candidates, in addition to filing campaign expense reports on the second Friday before the election, to also file expense reports on or before the sixth Tuesday prior to the election.

House Bill 1653, Printer's No. 2198, was introduced and referred to the Committee on State Government on June 19, 2019. The bill amends the Election Code by adding § 1626.2 to require an "out-of-state" political committee, organized for the purpose of supporting or opposing a candidate or ballot question in another state or on the Federal level, to report all expenditures made in support or in opposition to a candidate or political committee in Pennsylvania. The political committee must file its report to the Secretary of the Commonwealth.

House Bill 1474, Printer's No. 1885, was introduced and referred to the Committee on State Government on May 23, 2019. The bill amends §§ 1631(2) and 1640(5) (25 P.S. §§ 3251 and 3260) of the Election Code to require that within 30 days of receipt of a statement or report concerning campaign finance, the county board of elections shall file the statement or report with the Secretary of the Commonwealth for publication on the Department of State's publicly accessible Internet website.

House Bill 633, Printer's No. 1806, passed the Senate on May 6, 2019 and was referred to the House Committee on State Government on May 24, 2019. The bill amends §§ 1626(a) and (h) (25 P.S. § 3246(a) and (h) and adds § 3246(k)) while amending §§ 1629, 1631, 1639, 1649, and 1641 (25 P.S. §§ 3249, 3251, 3259, 3260, and 3260A respectively) of the Pennsylvania Election Code by adding a section requiring that all campaign finance reports or statements required to be filed with the Secretary of the Commonwealth be filed electronically using the electronic filing system developed by the Secretary of the Commonwealth. The co-sponsorship memorandum for this bill suggest that this electronic system will greatly hasten the process of disclosure to keep up with political and legislative developments in the state.

Senate Bill 178, Printer's No. 681, was referred to the Committee on State Government on May 7, 2019. The bill amends §§ 1626(a) and (h) (25 P.S. §§ 3246(a) and (h)) and adds § 3246(k) of the Election Code to require that all campaign finance reports or statements required to be filed with the Secretary of the Commonwealth be filed electronically using the electronic filing system developed by the Secretary of the Commonwealth. Exemptions from the requirement are permitted under the bill for those who can demonstrate technological hardship (i.e. a lack of computer or Internet access or a disability that prevents electronic filing).

House Bill 966, Printer's No. 1097, was introduced and referred to the Committee on State Government on March 26, 2019. The bill amends §§ 1621, 1626, and 1633 (25 P.S. §§ 3241, 3246, and 3253 respectively) of the Election Code by requiring nonprofit organizations making contributions or expenditures of \$25,000 or more in a calendar year to a political committee or campaign to file a statement of organization with the Department of State.

House Bill 795, Printer's No. 874, was introduced and referred to the Committee on State Government on March 12, 2019. The bill amends the Election Code to provide comprehensive campaign finance reform.

Recall Election of State and Local Officials

House Bill 1652, Printer's No. 2197, was introduced and referred to the Committee on State Government on June 19, 2019. The bill amends Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, by adding Chapter 14 to provide for recall election of State and local officers, for recall petition process, for review of recall petitions, for recall election, and for prohibited practices.

Open Primaries

Senate Bill 300, Printer's No. 1011, passed the Senate on June 25, 2019, and was referred to the Committee on State Government on June 26, 2019. The bill amends §§ 102 and 702 (25 P.S. §§ 2602, 2812, and 3050) of the Election Code and adds a § 902.1 to permit voters who are registered as independents to vote in primary elections and to provide procedures for doing so.

House Bill 821, Printer's No. 922, was introduced and referred to the Committee on State Government on March 14, 2019. The bill amends § 1210(d) (25 P.S. § 3050) of the Election Code to permit independent voters to vote in primary elections for municipal offices such as judge of a court of common pleas, the Philadelphia Municipal Court or the Traffic Court of Philadelphia, for the office of school director in a district where that office is elective or for the office of magisterial district judge.

Election Districts and Polling Places

House Bill 1588, Printer's No. 2505, was referred to the Committee on State Government on June 7, 2019 and reported as amended September 18, 2019. The bill amends § 536 (25 P.S. § 2746) of the Election Code to revise alterations and restrictions within election districts and polling places.

House Bill 1725, Printer's No. 2317, was introduced and referred to the Committee on Judiciary on July 22, 2019. The bill amends Title 18 of the Pennsylvania Consolidated Statutes (Crimes Code) § 914 which effectively prohibits a person from knowingly possessing a firearm in a polling place. A violation of the amendment constitutes a misdemeanor of the first degree.

House Bill 748, Printer's No. 778, was introduced and referred to the Committee on State Government on March 6, 2019. The bill amends § 1220(d) (25 P.S. § 3060) of the Election Code to require that all persons, except certain election officers when permitted by the provisions of the Election Code, must remain at least 35 feet distant from the polling place during the progress of the voting. The current distance requirement is 10 feet.

House Bill 582, Printer's No. 589, was introduced and referred to the Committee on State Government on February 28, 2019. The bill amends § 527(a) (25 P.S. § 2727) of the Election Code to require counties to avoid making school buildings polling place locations.

Poll Workers

House Bill 1643, Printer's No. 2158, was introduced and referred to the Committee on State Government on June 17, 2019. The bill amends the Election Code by adding subsection § 201 to develop a mandatory professional certification and poll watcher training program for use by county election officials in consultation with county boards. The bill requires each poll watcher to attend at least one training class provided by the county of residence before each election at which the poll watcher will serve. A certificate will be provided upon successful completion.

Prison Gerrymandering

Senate Bill 930, Printer's No. 1357, was referred to the Committee on State Government on October 30, 2019. The bill amends the Election Code by adding § 507 which would require that the census population count identify certain Federal or State prisoners as residing at the individual's last known address if the individual was a resident of this Commonwealth. Furthermore, the bill provides that an inmate or person in State custody in Pennsylvania whose last known place of residence was outside of the Commonwealth or whose last known place of residence cannot be determined is to be considered a resident at the location of the facility in which the inmate or resident is incarcerated, placed or committed. The co-sponsorship memorandum for this bill states that it is the intention of the bill to eliminate "prison gerrymandering" which occurs when an inmate is counted by the census as a resident in their "usual residence," which is the district of the prison in which he or she is incarcerated. According to the co-sponsorship memorandum, this practice has the effect of giving jurisdictions with prisons more representative power than those without.

House Bill 1535, Printer's No. 1953, was referred to the Committee on State Government on June 3, 2019. The bill amends the Election Code by adding § 507 requiring that the population used to define the boundary of a congressional district or State legislative district in a congressional redistricting statute or the Final Plan of the Reapportionment Commission shall not include persons incarcerated in Federal, State or private correctional facilities and were not residents of Pennsylvania before their incarceration and shall include persons who are incarcerated in Federal, State or private correctional facilities and were residents of Pennsylvania before their incarceration. Under the bill such person will be considered residents of the congressional district or State legislative district according to their last known address.

House Bill 940, Printer's No. 1071, was introduced and referred to the Committee on State Government on March 25, 2019. The bill amends the Election Code by adding a § 507 which permits Pennsylvania to collect the home addresses of incarcerated people for the population count used after each decennial census for the purpose of creating the congressional districting plan.

Nonpartisan Municipal Elections

Senate Bill 894, Printer's No. 1311, was introduced and referred to the Committee on State Government on October 24, 2019. The bill amends § 604 (25 P.S. § 2754) of the Election Code to provide the option for municipalities to conduct nonpartisan, ranked-choice elections for all local offices. To exercise this option, a municipality would have to enact a resolution or ordinance.

Public Financing of State Elections

Senate Bill 812, Printer's No. 1119, was introduced and referred to the Committee on State Government on August 7, 2019. The bill amends the Election Code by adding Article XVI-A "Clean Elections" to provide an alternative campaign financing option to candidates for Governor, Senator, Representative, Auditor General, Attorney General and State Treasurer.

Form of Ballots and Voting Equipment

Senate Bill 602, Printer's No. 671, was introduced and referred to the Committee on State Government on April 30, 2019. The bill amends §§ 1004, 1109-A, and 1110 (25 P.S. §§ 2964, 3010, 3031.9 respectively) of the Election Code. The amendments made pertain to shifting ballots in Philadelphia for candidates running for public offices. Like Senate Bill 693, this bill amends form of ballots; printing ballots, stubs, and numbers; voting machines; form of ballot labels on voting machines; and forms for electronic voting systems.

House Bill 1783, Printer's No. 2373, was introduced and referred to the Committee on State Government on August 30, 2019. The bill amends the Election Code to add an Article XI-B to authorize the Pennsylvania Economic Development Financing Authority (PEDFA) to issue bonds to provide funding to help replace voting machines in counties.

House Bill 1212, Printer's No. 1350, was introduced and referred to the Committee on State Government on April 9, 2019. The bill amends § 1107-A (25 P.S. § 3031.7) of the Election Code to require that voting machines purchased in the Commonwealth will produce a permanent paper record for each vote cast. The bill further provides that the permanent paper record shall be available for inspection and verification by the voter before the vote is cast and retained.

House Bill 864, Printer's No. 978, was introduced and referred to the Committee on State Government on March 18, 2019. The bill amends § 1105-A (25 P.S. § 3031.5) of the Election Code to exempt from the mandatory voting system update, an electronic voting system that includes an apparatus in which paper ballots or ballot cards are used in connection with an implement by which a voter registers his votes with ink or another substance.

House Bill 765, Printer's No. 815, was introduced and referred to the Committee on State Government on March 8, 2019. The bill amends § 1116 (25 P.S. § 3016) of the Election Code to require that until the Secretary of the Commonwealth certifies that all voting machines used in a county have a voter-verifiable paper ballot or paper record of votes cast, the county election board must arrange to have the voting for all offices and candidates and all constitutional or other questions conducted by paper ballots.

Senate Bill 418, Printer's No. 1014, passed the Senate on June 25, 2019, and was referred to the House Committee on State Government on June 26, 2019. The bill amends § 1007 (25 P.S. § 2967) of the Election Code as to whom the county board of each county must provide a supply of official election ballots.

Senate Bill 417, Printer's No. 1652, passed the Senate on April 21, 2020 was referred to the House Committee on State Government on April 21, 2020. The bill amends §§ 810 and 1405 (25 P.S. §§

2840 and 3155 respectively) of the Election Code to provide that in districts in which paper ballots or ballot cards are electronically tabulated, stickers or labels cannot be used to mark ballots – such a vote so cast will be void and not counted. The bill further provides that in the primary or election, the county board is prohibited from certifying a vote cast on irregular ballots for any person unless the total number of votes cast for said person is equal to or greater than the number of signatures required on a nomination petition for the particular office.

Consolidation of Election Districts

Senate Bill 419, Printer's No. 438, was referred to the Committee on State Government on March 19, 2019. The bill amends §§ 504 and 526 (25 P.S. §§ 2704 and 2726 respectively) of the Election Code. Specifically, the bill provides that the county board of elections may consolidate election districts containing less than two hundred fifty (250) registered electors if the consolidated district will not exceed a combined one thousand two hundred (1,200) registered electors. The bill also permits a county board of elections to require absentee ballots to be cast in accordance with section 1115-A for an election district with less than two hundred and fifty (250) registered electors.

Early Voting

Senate Bill 415, Printer's No. 434, was referred to the Committee on State Government on March 19, 2019. The bill amends the Election Code by adding § 1302.4 that would allow a qualified elector approved under § 1302.2 of the Code for an absentee ballot apply to be included on a permanent early voting list.

Senate Bill 294, Printer's No. 256, was introduced and referred to the Committee on State Government on February 14, 2019. The bill amends the Election Code by adding Article XII-A to require county boards to provide for early voting to begin 15 days prior to the dates of primaries and elections established under Article VI and end 14 days after the starting date. Under the bill, county boards must also designate early voting sites and provide notice by publication no earlier than 15 days, nor later than 9 days before each November election.

House Bill 1558, Printer's No. 1977, was introduced and referred to the Committee on State Government on June 4, 2019. The bill amends the Election Code by adding Article XII-A to require that each county board provide for a period of early voting in elections.

House Bill 747, Printer's No. 777, was introduced and referred to the Committee on State Government on March 6, 2019. The bill amends the Election Code by adding Article XII-A to provide for early voting in Pennsylvania.

Employment Leave for Voters

Senate Bill 379, Printer's No. 363, was referred to the Committee on State Government on March 4, 2019. The bill amends the Election Code by adding § 1210.1 that requires an employer in Pennsylvania to permit an employee, who is qualified and registered to vote in an election, time off necessary to vote, not to exceed two hours' absence from work, on the day of the election. The employer is permitted under the bill to specify the hours during which the employee may be absent.

House Bill 676, Printer's No. 689, was introduced and referred to the Committee on State Government on March 1, 2019. The bill amends the Election Code by adding Article VII-A to authorize two hours of time off work, without loss of pay, on an election day if an employee does not have enough time to vote before or after work.

Special Elections

Senate Bill 378, Printer's No. 362, was referred to the Committee on State Government on March 4, 2019. The bill amends § 628 (25 P.S. § 2778) of the Election Code to require any election to fill a vacant seat within the Pennsylvania House of Representatives or Senate to be held in conjunction with the next regularly scheduled general or primary election day. The bill's co-sponsorship memorandum indicates that the amendment is designed to establish special elections for vacancies in legislative or Congressional seats to coincide with a primary or general election whenever practical.

House Bill 1668, Printer's No. 2226, was introduced and referred to the Committee on State Government. The bill amends the Election Code by adding § 638 to impose fines for a Senator or Representative in the General Assembly who resigns from office as a result of being found guilty of or entering a plea of guilty or nolo contendere to an offense graded as a felony. The bill provides that the Senator or Representative pay a fine of \$100,000 into the Special Election Fund established under the amendment.

House Bill 1661, Printer's No. 2206, was introduced and referred to the Committee on State Government on June 19, 2019 to amend § 629 (25 P.S. § 2779) of the Election Code to provide reforms to the special election nominating process. Such reforms include requiring candidates to file their candidacy with a political party in each county of the legislative district, pay a filing fee, and prepare an announcement video.

Voter's Bill of Rights

Senate Bill 375, Printer's No. 359, was referred to the Committee on State Government on March 4, 2019. The bill amends the Election Code by adding § 107 that would establish a "Voter's Bill of Rights" that would guarantee certain rights to all registered voters in Pennsylvania. For example, the bill of rights would guarantee a voter with children the right to take his or her children who are not yet 18 years of age in to the voting booth with them.

Redistricting

Senate Bill 122, Printer's No. 1177, was introduced and referred to the Committee on State Government on September 23, 2019. The bill amends § 17 of Article II of the Pennsylvania Constitution to reform the method by which legislative and congressional districts are re-drawn. Most notably, the bill requires the formation of a Legislative and Congressional Redistricting Commission for the purpose of proposing redistricting within the Commonwealth.

Political Advertising

House Bill 2049, Printer's No. 2879, was introduced and referred to the Committee on Education on November 18, 2019. The bill amends § 1638(a) (25 P.S. § 3258(a)) of the Election Code to require political action committees and outside special interests to clearly state who is paying for the advertisements they run and to disclose whether their advertisements are authorized by a specific candidate. The bill also expressly requires candidates to include an audio disclaimer on television and radio advertisements that they choose to endorse.

Rotating Ballot Positions

House Bill 2007, Printer's No. 2811, was introduced and referred to the Committee on State Government on October 29, 2019. The bill amends § 530 (25 P.S. § 2730) of the Election Code to require that the position of candidate names for the same office on a ballot be randomized between polling places within an election district.

Option to Cross File

House Bill 1987, Printer's No. 2792, was introduced and referred to the Committee on State Government on October 25, 2019. The bill amends §§ 406, 630.1, 909, 910, 976, 978.1, 981.1, 993(a) and (b) and 998(a) and (b) of the Election Code and specifically eliminates the ability for all candidates for public office to cross-file nomination petitions. The bill's co-sponsorship memorandum states that such elimination is intended to provide more clarity for voters and better representation in those that hold these important positions.

House Bill 1707, Printer's No. 2300, was introduced and referred to the Committee on State Government on July 16, 2019. The bill amends § 909 (25 P.S. § 2869) of the Election Code which adds school board to the list of offices that are exempt from the rule requiring circulators to be registered to the same party as their petitions.

Drug Screening of Candidates

House Bill 1829, Printer's No. 2500, was introduced and referred to the Committee on State Government on September 18, 2019. The bill amends § 913 (25 P.S. § 2873) of the Election Code by requiring candidates to submit to drug tests and submit a drug screening certificate of compliance with their nominating petitions to be deemed eligible for the ballot.

Background Checks for Candidates

House Bill 604, Printer's No. 599, was introduced and referred to the Committee on State Government on February 28, 2019. The bill amends § 322 of the Public School Code of 1949 to require candidates for School Director to undergo criminal background checks and receive a certification of such from the Department of Human Services.

Eligibility of Candidates

House Bill 749, Printer's No. 779, was introduced and referred to the Committee on State Government on March 6, 2019. The bill amends § 951.1 (25 P.S. § 2911.1) of the Election Code to prohibit a candidate from filing a nominating petition for more than one State, county or municipal public office in an election year. The bill further provides that a public official may not file a nominating petition for State, county or municipal public office, unless any of the following apply: (1) the nominating petition is for the same State, county or municipal public office that the public official currently holds; (2) the nominating petition is for a State, county or municipal public office that begins after the public official's current term of office expires; or (3) the public official resigns from the public office that the public official currently holds.

Candidate Tax Returns

House Bill 583, Printer's No. 590, was introduced and referred to the Committee on State Government on February 28, 2019. The bill amends the Election Code by adding Article XIV-A to require U.S. presidential candidates and gubernatorial candidates to make their tax returns public in order to be eligible to appear on the Pennsylvania ballot.

Presidential Primary Date

House Bill 1183, Printer's No. 1369, was introduced and referred to the Committee on State Government on April 10, 2019. The bill amends § 603 (25 P.S. § 2753) of the Election Code to amend the date of Pennsylvania's presidential primary from the fourth Tuesday of April to the third Tuesday of March.

Casting of Lots

House Bill 553, Printer's No. 552, was introduced and referred to the Committee on State Government on February 20, 2019. The bill amends § 915 (25 P.S. § 2875) of the Election Code by requiring that lots be cast first by the candidates who appear in person, and those candidates in turn receive the highest positions on the primary ballots. The bill further provides that if there is only one absentee, the absentee shall receive the lowest position on the primary ballots. Moreover, if there is more than one absentee, the lots shall be drawn separately by the representatives for the absentees and they shall receive the lowest positions on the primary ballots.

The Limited Constitutional Convention Act

House Bill 611, Printer's No. 606, was introduced and referred to the Committee on State Government on February 28, 2019. The bill establishes the Limited Constitutional Convention Act which, among other things, provides for a Constitutional Convention with limited powers (certain articles and subject matter and the convention cannot propose any changes to Article I, Declaration of Rights or any Article or Section not referenced in the legislation); a referendum on the question and for the selection, nomination and election of delegates; and defining the powers, duties and operation of the Constitutional Convention. According to the co-sponsorship memorandum, the convention would be intended to help facilitate more efficient reforms related to broad topics such as state government and elections.

Miscellaneous Updates

House Bill 1111, Printer's No. 1342, was introduced and referred to the Committee on State Government on April 9, 2019. The bill amends the Election Code to provide increased financial incentive for poll workers to attend training to \$20 from the current \$5. The bill also provides additional language within the Election Code that the Pennsylvania Secretary of State shall only certify voting equipment that is secure, auditable, and transparent.

House Bill 969, Printer's No. 1099, was introduced and referred to the Committee on State Government on March 26, 2019. The bill amends § 913 (b.1) 6 (25 P.S. § 2873) of the Election Code to eliminate the \$25 filing fee for delegates and alternates who have been elected.