

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1831 Session of  
2023

INTRODUCED BY RABB, MADDEN AND SANCHEZ, NOVEMBER 8, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 8, 2023

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 dates of elections and primaries and special  
 12 elections, further providing for special elections for  
 13 Senator and Representative in the General Assembly, for  
 14 special elections for members of councils or legislative  
 15 bodies of cities, boroughs, towns and townships and for  
 16 nominations for special election for Representative in  
 17 Congress, Senator and Representative in the General Assembly  
 18 and member of council or legislative body of cities,  
 19 boroughs, towns and townships and providing for special  
 20 election for Senator or Representative in General Assembly or  
 21 member of council or legislative body of cities, boroughs,  
 22 towns and townships and for fines imposed for certain  
 23 resignations and establishing the Special Election Fund; in  
 24 nomination of candidates, further providing for number of  
 25 signers required for nomination petitions of candidates at  
 26 primaries, providing for secure online signature collection  
 27 for Federal, State and municipal political offices and  
 28 further providing for nominations by political bodies, for  
 29 limitations on eligibility of candidates, for contents of  
 30 nomination papers, restriction on names and campaign finances  
 31 and for filing fee; in voting machines, further providing for  
 32 requirements of voting machines; in electronic voting  
 33 systems, further providing for requirements of electronic  
 34 voting systems and for forms; in voting by qualified mail-in  
 35 electors, repealing provisions relating to qualified mail-in

1 electors, providing for automatic issuance of mail-in  
2 ballots, repealing provisions relating to applications for  
3 official mail-in ballots, to date of application for mail-in  
4 ballot and to approval of application for mail-in ballot and  
5 further providing for delivering or mailing ballots, for  
6 voting by mail-in electors and for public records; in primary  
7 and election expenses, further providing for authorization of  
8 political committee and for reporting by candidate and  
9 political committees and other persons; and imposing  
10 penalties.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Sections 628, 628.1 and 629 of the act of June 3,  
14 1937 (P.L.1333, No.320), known as the Pennsylvania Election  
15 Code, are amended to read:

16 Section 628. Special Elections for Senator and  
17 Representative in the General Assembly.--[Whenever] (a) Except  
18 as provided in subsection (b), whenever a vacancy shall occur in  
19 either house of the General Assembly whether or not it then be  
20 in session, the presiding officer of such house shall, within  
21 ten (10) days after the happening of the vacancy, issue a writ  
22 of election to the proper county board or boards of election and  
23 to the Secretary of the Commonwealth, for a special election to  
24 fill said vacancy, which election shall be held at the next  
25 ensuing primary, municipal or general election scheduled at  
26 least sixty (60) days after the issuance of the writ or such  
27 other earlier date which is at least sixty (60) days following  
28 the issuance of the writ as the presiding officer may deem  
29 appropriate: Provided, however, That should the Governor after  
30 the issuance of the said writ of election advise the presiding  
31 officer that the General Assembly will be called into  
32 extraordinary session prior to the date set for such special  
33 election, the presiding officer may countermand the writ  
34 theretofore issued and shall issue a new writ of election,  
35 fixing therein such earlier date therefor as is deemed

1 expedient, but which shall not be less than sixty (60) days  
2 after the issuance of said writ: Provided further, That if the  
3 vacancy shall occur less than seven (7) months prior to the  
4 expiration of the term, a special election shall be held only if  
5 in the opinion of the presiding officer the election is in the  
6 public interest.

7 (b) Notwithstanding subsection (a), whenever a vacancy under  
8 subsection (a) occurs more than ninety (90) days before the next  
9 ensuing primary, municipal or general election, the special  
10 election under subsection (a) shall be held at least sixty (60)  
11 days before the next ensuing primary, municipal or general  
12 election.

13 Section 628.1. Special Elections for Members of Councils or  
14 Legislative Bodies of Cities, Boroughs, Towns and Townships.--  
15 [In all cases] (a) Except as provided in subsection (b), where  
16 under any law now or hereafter enacted, a special election is  
17 required to fill any vacancy in the office of member of the  
18 council or legislative body of any city, borough, town or  
19 township, such election shall be held on the day fixed in the  
20 writ for the special election or on such day as may be otherwise  
21 provided by such law, which day shall be within sixty (60) days  
22 after the issuance of the writ or after the happening of the  
23 vacancy, as the case may be, notwithstanding any provisions in  
24 such law requiring the special election to be held on an earlier  
25 day. This section shall not be construed as requiring a special  
26 election in any case where such election is not required under  
27 any law now or hereafter enacted.

28 (b) Notwithstanding subsection (a), whenever a vacancy under  
29 subsection (a) occurs more than ninety (90) days before the next  
30 ensuing primary, municipal or general election, the special

1 election under subsection (a) shall be held at least sixty (60)  
2 days before the next ensuing primary, municipal or general  
3 election.

4 Section 629. Nominations for Special Election for  
5 Representative in Congress, Senator and Representative in the  
6 General Assembly and Member of Council or Legislative Body of  
7 Cities, Boroughs, Towns and Townships.--[Candidates] Subject to  
8 section 629.1, candidates to fill vacancies in the offices of  
9 Representative in Congress, Senator and Representative in the  
10 General Assembly and member of the council or legislative body  
11 of any city, borough, town or township shall be nominated by  
12 political parties, in accordance with the party rules relating  
13 to the filling of vacancies, by means of nomination  
14 certificates, in the form prescribed in section 630 of this act;  
15 and by political bodies, by means of nomination papers, in  
16 accordance with the provisions of sections 951, 952 and 954 of  
17 this act. Said nomination certificates and nomination papers for  
18 the office of Representative in Congress, Senator and  
19 Representative in the General Assembly shall be filed in the  
20 office of the Secretary of the Commonwealth not later than fifty  
21 (50) days prior to the date of the special election, and for the  
22 office of member of the council or legislative body of a city,  
23 borough, town or township, in the office of the county board of  
24 elections wherein such city, borough, town or township is  
25 situate, not later than fifteen (15) days after the issuance of  
26 the writ of election.

27 Section 2. The act is amended by adding sections to read:

28 Section 629.1. Special Election for Senator or  
29 Representative in General Assembly or Member of Council or  
30 Legislative Body of Cities, Boroughs, Towns and Townships.--(a)

1 Notwithstanding any other provision of law, an individual who  
2 seeks consideration as a candidate in a special election for  
3 Senator or Representative in the General Assembly or member of  
4 council or legislative body of a city, borough, town or township  
5 shall do all of the following:

6 (1) File with the Secretary of the Commonwealth the  
7 individual's intent to seek consideration as a candidate, on a  
8 form prescribed by the department, which shall include the  
9 following information:

10 (i) The name of the individual.

11 (ii) The residence and contact information of the  
12 individual, including, as applicable, street address, telephone  
13 number and e-mail address.

14 (iii) The name of the office for which the individual seeks  
15 to become a candidate in the special election.

16 (iv) Other information required by the department.

17 (2) Pay a filing fee in the amount of two hundred fifty  
18 dollars (\$250) to the department. Upon receipt, the department  
19 shall transfer the money to the State Treasurer for deposit into  
20 the fund.

21 (3) Either of the following:

22 (i) Prepare a short video announcing the individual's  
23 interest in becoming a candidate in the special election. The  
24 following apply:

25 (A) The video shall be made available:

26 (I) To be posted on the department's publicly accessible  
27 Internet website.

28 (II) For public broadcast on the Pennsylvania Cable Network  
29 or its assigns or successors.

30 (III) To be posted on the publicly accessible Internet

1 website of the political party or political body with which the  
2 individual is affiliated.

3 (B) The department shall determine whether it would be  
4 appropriate to have the video posted or broadcast on another  
5 form of media, including social media.

6 (C) The individual shall be responsible for all costs  
7 associated with the preparation of the video and any costs  
8 associated with the posting or broadcast of the video.

9 (D) For the purpose of enabling the general public to be  
10 better informed regarding prospective candidates for the special  
11 election, the video shall be available no fewer than ten (10)  
12 days prior to the nomination of the candidate for the special  
13 election and shall remain online or otherwise available to the  
14 general public until the date of the certification of the  
15 candidate for the special election.

16 (ii) File with the Secretary of the Commonwealth, on a form  
17 prescribed by the department, a statement that the individual  
18 wishes to opt out of preparing the video and having the video  
19 posted or broadcast under subparagraph (i).

20 (b) Each chairperson of a political party within each county  
21 in which the legislative district is located shall schedule a  
22 public meeting of elected party committee members from the  
23 legislative district to consider each individual who seeks  
24 consideration as a candidate in the special election. The  
25 following apply:

26 (1) The chairperson shall ensure that each voting district  
27 in the county's legislative district which shall hold the  
28 special election is fairly represented at the public meeting.

29 (2) For the purpose of conducting the public meeting, no  
30 fewer than a majority of the elected committee members from each

1 voting district must be present at the public meeting.

2 (3) The public meeting shall be advertised in at least one  
3 local newspaper of general circulation or on another local media  
4 outlet no fewer than fourteen (14) days before the public  
5 meeting and the nomination of the candidate for the special  
6 election.

7 (4) For the purpose of providing accessibility to the public  
8 meeting, a virtual access option shall be provided for committee  
9 members and candidates who cannot attend the public meeting in  
10 person.

11 (c) The provisions of subsection (b) shall not preclude the  
12 ability of an individual to nominate the individual if:

13 (1) the individual has not been nominated by a political  
14 party or political body; and

15 (2) the individual has filed with the Secretary of the  
16 Commonwealth the individual's intent to seek consideration as a  
17 candidate and has obtained the minimum nomination petition  
18 signatures required under section 912.1.

19 (d) The department shall publish notice of the candidacy of  
20 individuals who seek election in a special election for Senator  
21 or Representative in the General Assembly or member of council  
22 or legislative body of a city, borough, town or township on the  
23 department's publicly available Internet website and other  
24 respective media outlets, as determined by the department.

25 (e) The Special Election Fund is established as a separate  
26 restricted account within the General Fund. The following apply:

27 (1) Money in the fund shall be appropriated to the  
28 department on a continuing basis.

29 (2) The department shall distribute the money on a pro rata  
30 basis to a candidate, political party or political body, which

1 has a candidate seeking election in the special election, of  
2 each county in which the legislative district is located.

3 (f) The department shall develop forms and promulgate rules  
4 and regulations necessary to implement the provisions of this  
5 section.

6 (g) This section shall only apply to filling a vacancy in  
7 elective office through special election. Nothing in this  
8 section shall be construed to preclude filling a vacancy in  
9 elective office through means other than special election, as  
10 prescribed through other provisions of law or the Constitution  
11 of Pennsylvania.

12 (h) As used in this section, the following words and phrases  
13 shall have the meanings given to them in this subsection unless  
14 the context clearly indicates otherwise:

15 "Department." The Department of State of the Commonwealth.

16 "Fund." The Special Election Fund established under  
17 subsection (e).

18 Section 638. Fines Imposed for Certain Resignations.--(a)  
19 Notwithstanding other applicable penalties specified under law,  
20 if a Senator or Representative in the General Assembly or member  
21 of council or legislative body of a city, borough, town or  
22 township resigns from office as a result of being found guilty  
23 of or entering a plea of guilty or nolo contendere to an offense  
24 graded as a felony, the Senator or Representative or member of  
25 council or legislative body of a city, borough, town or township  
26 shall:

27 (1) Forfeit all campaign funds.

28 (2) Pay a fine not exceeding one hundred thousand dollars  
29 (\$100,000), in the discretion of the court in consultation with  
30 the department and any appropriate county election board.



1 (b) Funds and fines incurred under subsection (a) shall be  
2 deposited into the Special Election Fund established under  
3 section 629.1 for the purpose of reimbursing county boards of  
4 elections for the costs associated with holding special  
5 elections and defraying administrative expenses incurred by the  
6 department associated with special elections.

7 Section 3. Section 912.1 of the act is amended to read:

8 Section 912.1. Number of Signers Required for Nomination  
9 Petitions of Candidates at Primaries and Special Elections.--(a)

10 Candidates for nomination of offices as listed below shall  
11 present a nominating petition containing at least as many valid  
12 signatures of registered and enrolled members of the proper  
13 party as listed below:

14 (1) President of the United States: [~~Two~~] Six thousand.

15 (2) United States Senate: [~~Two~~] Six thousand.

16 (3) Governor: [~~Two~~] Six thousand including at least [~~one~~]  
17 three hundred from each of at least ten counties.

18 (4) Lieutenant Governor: [~~One~~] Three thousand including at  
19 least [~~one~~] three hundred from each of at least five counties.

20 (5) Treasurer: [~~One~~] Three thousand including at least [~~one~~]  
21 three hundred from each of at least five counties.

22 (6) Auditor General: [~~One~~] Three thousand including at least  
23 [~~one~~] three hundred from each of at least five counties.

24 (7) Attorney General: [~~One~~] Three thousand including at  
25 least [~~one~~] three hundred from each of at least five counties.

26 (8) Justice of the Supreme Court: [~~One~~] Three thousand  
27 including at least [~~one~~] three hundred from each of at least  
28 five counties.

29 (9) Judge of the Superior Court: [~~One~~] Three thousand  
30 including at least [~~one~~] three hundred from each of at least

1 five counties.

2 (10) Judge of the Commonwealth Court: [One] Three thousand  
3 including at least [one] three hundred from each of at least  
4 five counties.

5 (11) For any other office to be filled by the vote of the  
6 electors of the State at large or for any other party office to  
7 be elected by the electors of the State at large: [One] Three  
8 thousand including at least [one] three hundred from each of at  
9 least five counties.

10 (12) Representative in Congress: [One] Three thousand.

11 (13) Senator in the General Assembly: [Five hundred] One  
12 thousand five hundred.

13 (14) Representative in the General Assembly: [Three] Nine  
14 hundred.

15 (15) Public or party offices to be filled by a vote of the  
16 electors in counties of the first class at large: [One] Three  
17 thousand.

18 (16) Public or party offices to be filled by a vote of the  
19 electors in counties of the second class at large: [Five  
20 hundred] One thousand five hundred.

21 (17) Public or party offices to be filled by a vote of the  
22 electors in cities of the first class at large: [One] Three  
23 thousand.

24 (18) Public or party offices to be filled by a vote of the  
25 electors in counties of the second class A at large: [Two] Seven  
26 hundred fifty.

27 (19) Public or party offices to be filled by a vote of the  
28 electors in counties of the third class at large: [Two] Seven  
29 hundred fifty.

30 (20) Public or party offices to be filled by a vote of the

1 electors in counties of the fourth class at large: [~~Two~~] Seven  
2 hundred fifty.

3 (21) Public or party offices to be filled by a vote of the  
4 electors in cities of the second class at large: [~~Two~~] Seven  
5 hundred fifty.

6 (22) Public or party offices to be filled by a vote of the  
7 electors in cities of the second class A at large: [~~One~~] Three  
8 hundred.

9 (23) Public or party offices to be filled by a vote of the  
10 electors in cities of the third class at large: [~~One~~] Three  
11 hundred.

12 (24) Public or party offices to be filled by a vote of the  
13 electors in counties of the fifth class at large: [~~One~~] Three  
14 hundred.

15 (25) Public or party offices to be filled by a vote of the  
16 electors in counties of the sixth class at large: [~~One~~] Three  
17 hundred.

18 (26) Public or party offices to be filled by a vote of the  
19 electors in counties of the seventh class at large: [~~One~~] Three  
20 hundred.

21 (27) Public or party offices to be filled by a vote of the  
22 electors in counties of the eighth class at large: [~~One~~] Three  
23 hundred.

24 (28) Office of judge of any court of record other than a  
25 Statewide court or a court in a county of the first or second  
26 class: [~~Two~~] Seven hundred fifty.

27 (29) District delegate or alternate district delegate to a  
28 National party convention: [~~Two~~] Seven hundred fifty.

29 (30) Member of State committee: [~~One~~] Three hundred.

30 (31) Office of district council member in a city of the

1 first class: [Seven hundred fifty] Two thousand two hundred  
2 fifty.

3 (31.1) Office of district council member in a city of the  
4 second class: [One] Three hundred.

5 (32) Office of magisterial district judge: [One] Three  
6 hundred, but only for a candidate's primary election when the  
7 candidate does not already hold the office of magisterial  
8 district judge. A sitting magisterial district judge elected to  
9 the office shall not be required to file a nominating petition  
10 under this section to run for the office of magisterial district  
11 judge but may instead file a certificate of nomination for  
12 reelection specifying the intent to seek reelection to the  
13 office. If a sitting magisterial district judge files a  
14 certificate of nomination for reelection, the sitting  
15 magisterial district judge may not challenge the nominating  
16 petition of another candidate for magisterial district judge.

17 (33) Office of judge of election: Ten.

18 (34) Inspector of elections: Five.

19 (35) School director: Ten.

20 (36) All other public and party offices: Ten.

21 (b) Unless otherwise specified under subsection (a), for any  
22 public or party office which encompasses more than one political  
23 subdivision, at least five signatures from each subdivision must  
24 be secured.

25 (c) This section shall apply to a candidate for nomination  
26 of an office in a primary and to a candidate in a special  
27 election not nominated by a political party or political body.

28 Section 4. The act is amended by adding a section to read:

29 Section 913.1. Secure Online Signature Collection for  
30 Federal, State and Municipal Political Offices.--Notwithstanding

1 any other provision of law, the Secretary of the Commonwealth  
2 shall promulgate regulations by January 1, 2025, to establish  
3 and implement an electronic system for qualified electors to  
4 sign a nomination petition for a candidate for all Federal,  
5 State and political offices by way of a secure Internet portal.

6 The following apply:

7 (1) The system shall be implemented for use in the 2025  
8 Municipal primary and each election thereafter.

9 (2) The system shall allow only those qualified electors who  
10 are eligible to sign a petition for a particular candidate to  
11 sign the petition and shall provide a method for the qualified  
12 elector's identity to be properly verified.

13 (3) A candidate may choose to collect up to the full number  
14 of required nomination petition signatures by use of the online  
15 signature collection system under this section.

16 Section 5. Sections 951(b), 951.1, 952 and 954 of the act  
17 are amended to read:

18 Section 951. Nominations by Political Bodies.--\* \* \*

19 (b) Where the nomination is for any office to be filled by  
20 the electors of the State at large, the number of qualified  
21 electors of the State signing such nomination paper shall be at  
22 least equal to [two per centum of the largest entire vote cast  
23 for any elected candidate in the State at large at the last  
24 preceding election at which State-wide candidates were voted  
25 for. In the case of all other nominations, the number of  
26 qualified electors of the electoral district signing such  
27 nomination papers shall be at least equal to two per centum of  
28 the largest entire vote cast for any officer] that listed in  
29 section 912.1, except a judge of a court of record, elected at  
30 the last preceding election in said electoral district for which

1 said nomination papers are to be filed, and shall be not less  
2 than the number of signers required for nomination petitions for  
3 party candidates for the same office. In cases where a new  
4 electoral district shall have been created, the number of  
5 qualified electors signing such nomination papers, for  
6 candidates to be elected at the first election held after the  
7 creation of such district, shall be at least equal to [two per  
8 centum of the largest vote cast in the several election  
9 districts, which are included in the district newly created, for  
10 any officer elected in the last preceding election] that listed  
11 in section 912.1.

12 \* \* \*

13 Section 951.1. Limitations on Eligibility of Candidates.--

14 Any person who is a registered and enrolled member of a party  
15 during any period of time beginning with thirty (30) days before  
16 the primary and extending through the general or municipal  
17 election of that same year shall be ineligible to be the  
18 candidate of a political body in a general or municipal election  
19 held in that same year [nor shall any person who is a registered  
20 and enrolled member of a party be eligible to be the candidate  
21 of a political body for a special election].

22 Section 952. Contents of Nomination Papers; Restriction on  
23 Names; Campaign Finances.--[All nomination] If applicable, all

24 papers shall specify--(a) The name or appellation of the  
25 political body which the candidates nominated thereby represent,  
26 expressed in not more than three words, and in the case of  
27 electors for President and Vice-President of the United States,  
28 the names of the candidates for President and Vice-President of  
29 such political body; (b) the name of each candidate nominated  
30 therein, his profession, business or occupation, if any; and his

1 place of residence with street and number, if any; (c) the  
2 office for which such candidate is nominated; and (d) if  
3 applicable, the names and addresses of the committee, not to be  
4 less than three (3) nor more than five (5) persons, authorized  
5 to fill vacancies, if any shall occur. No words shall be used in  
6 any nomination paper to designate the name or appellation of the  
7 political body represented by the candidates named in such  
8 nomination paper which are identical with or deceptively similar  
9 to the words used for a like purpose by any existing political  
10 party as defined by section 801 of this act, or which contain  
11 part of the name or an abbreviation of the name or part of the  
12 name of any existing political party; nor shall any words be  
13 used in any nomination paper to designate the name or  
14 appellation of the political body represented by the candidate's  
15 name in such nomination paper which are identical with or  
16 deceptively similar to the words used for a like purpose by any  
17 political body which has already filed nomination papers for the  
18 same office nor which contain part of the name or an  
19 abbreviation of the name or part of the name of a political body  
20 which has already filed nomination papers for the same office.  
21 Any petition to set aside a nomination paper on account of the  
22 name or appellation used therein, or involving the right of the  
23 signers thereof to use such name or appellation shall be decided  
24 as in the case of other petitions to set aside nomination  
25 papers, in the manner provided by this article.

26 Each person filing any nomination paper for public office  
27 shall be given a statement composed by the Secretary of the  
28 Commonwealth setting forth his duties under law to file pre-  
29 election and post-election campaign finance reports, and the  
30 penalties for nonfiling. Each person filing shall also be given

1 a form to file expenses if the amount received or expended or  
2 liabilities incurred shall exceed the sum of two hundred fifty  
3 dollars (\$250), and a form containing a sworn statement that the  
4 amount received or expended or liabilities incurred do not  
5 exceed the sum of two hundred fifty dollars (\$250), with written  
6 instructions prepared by the Secretary of the Commonwealth.  
7 Within three weeks after such candidate has filed, the  
8 appropriate supervisor shall mail the same forms and  
9 instructions to such candidate by first class mail.

10 Section 954. Filing Fee.--The same filing fee shall be paid  
11 for each candidate nominated by a nomination paper as required  
12 in [section] sections 629.1 and 913 for the filing of nomination  
13 petitions by candidates for nomination to the same office. Each  
14 nomination paper nominating a candidate or a group of candidates  
15 for office shall be accompanied by a certified check or money  
16 order drawn in the proper amount to cover the filing fees for  
17 each candidate nominated therein but in no case less than the  
18 sum of five dollars (\$5.00), and payable to the Commonwealth of  
19 Pennsylvania or to the county, as the case may be. All fees so  
20 received by the Secretary of the Commonwealth or the county  
21 election board shall be transmitted to the State Treasurer or to  
22 the county treasurer, as the case may be, and shall become part  
23 of the General Fund.

24 Section 6. Section 1107(e) of the act is amended and the  
25 section is amended by adding a subsection to read:

26 Section 1107. Requirements of Voting Machines.--No voting  
27 machine shall, upon any examination or reexamination, be  
28 approved by the Secretary of the Commonwealth, or by any  
29 examiner appointed by him, unless it shall, at the time, satisfy  
30 the following requirements:



1 \* \* \*

2 (e) It shall preclude each voter from voting [for any  
3 candidate, or] upon any question[, for whom or upon] which he is  
4 not entitled to vote, and from voting for more persons for any  
5 office than he is entitled to vote for, and from voting for any  
6 candidate for the same office or upon any question more than  
7 once, except in districts and for offices where cumulative  
8 voting is authorized by law.

9 \* \* \*

10 (f.1) It shall be capable of adjustment by election  
11 officers, so as to permit each voter at a special election to  
12 vote for the candidates for nonpartisan nomination, if any, or  
13 for the candidates seeking nomination by the political party in  
14 which the voter is registered and enrolled, if the voter is  
15 enrolled as a member of a political party.

16 \* \* \*

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

19 Section 1107-A. Requirements of Electronic Voting Systems.--  
20 No electronic voting system shall, upon any examination or  
21 reexamination, be approved by the Secretary of the Commonwealth,  
22 or by any examiner appointed by him, unless it shall be  
23 established that such system, at the time of such examination or  
24 reexamination:

25 \* \* \*

26 (4.1) Permits each voter at a special election to vote a  
27 ticket selected from the nominees of any and all political  
28 parties, from the nominees of any and all political bodies, from  
29 any nonpartisan nominees and from any persons whose names are  
30 not in nomination and do not appear upon the official ballot.

1 \* \* \*

2 Section 8. Section 1109-A(c) of the act is amended and  
3 subsection (a) is amended by adding a paragraph to read:

4 Section 1109-A. Forms.--(a) \* \* \*

5 (3.1) In a special election, the pages placed on the voting  
6 device may be arranged with the entire ballot label listing the  
7 names of candidates seeking nomination of each qualified  
8 political party, any nonpartisan candidates and any nonpartisan  
9 offices or measures. Groups of pages may be identified by color  
10 or other suitable means, and voters shall be instructed to vote  
11 only for candidates of the party of their choice or any  
12 nonpartisan candidate and thereafter to vote for any nonpartisan  
13 offices or measures.

14 \* \* \*

15 (c) On all ballot labels the titles of offices and the names  
16 of candidates shall in all elections be arranged in columns or  
17 rows in a series of separate pages and, in primary elections,  
18 the names of candidates for an office shall appear in the order  
19 that was established under the provisions of sections 915 and  
20 916. The office titles shall be printed above or at the side of  
21 the names of candidates so as to indicate clearly the candidates  
22 for each office and the number to be elected. In [partisan]  
23 general elections the party designation of each candidate shall  
24 be printed to the right or below the candidate's name. All  
25 candidates for one office shall be grouped on one page where  
26 practical; in case there are more candidates for an office than  
27 can be printed in one column or on one ballot page, the ballot  
28 label shall clearly indicate that the list of candidates is  
29 continued on the following column or page, and so far as  
30 possible, the same number of names shall be printed on each

1 column or page. Arrows may be used to indicate the place to vote  
2 for each candidate and for or against every question presented.

3 \* \* \*

4 Section 9. Section 1301-D of the act is repealed:

5 [Section 1301-D. Qualified mail-in electors.]

6 (a) General rule.--A qualified mail-in elector shall be  
7 entitled to vote by an official mail-in ballot in any primary or  
8 election held in this Commonwealth in the manner provided under  
9 this article.

10 (b) Construction.--The term "qualified mail-in elector"  
11 shall not be construed to include a person not otherwise  
12 qualified as a qualified elector in accordance with the  
13 definition in section 102(t).]

14 Section 10. The act is amended by adding a section to read:  
15 Section 1301.1-D. Automatic issuance of mail-in ballots.

16 (a) Official mail-in ballot.--The county board of elections  
17 shall provide an official mail-in ballot to each qualified  
18 registered elector prior to a primary or election held in this  
19 Commonwealth in the manner provided under this article.

20 (b) Qualified mail-in elector.--A qualified registered  
21 elector shall be entitled to vote by an official mail-in ballot  
22 in a primary or election held in this Commonwealth in the manner  
23 provided under this article.

24 Section 11. Sections 1302-D, 1302.1-D and 1302.2-D of the  
25 act are repealed:

26 [Section 1302-D. Applications for official mail-in ballots.]

27 (a) General rule.--A qualified elector under section 1301-D  
28 may apply at any time before any primary or election for an  
29 official mail-in ballot in person or on any official county  
30 board of election form addressed to the Secretary of the

1 Commonwealth or the county board of election of the county in  
2 which the qualified elector's voting residence is located.

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

4 (1) The qualified elector's application shall contain  
5 the following information:

6 (i) Date of birth.

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

8 (iii) Voting district, if known.

9 (iv) Party choice in case of primary.

10 (v) Name.

11 (2) A qualified elector shall, in addition, specify the  
12 address to which the ballot is to be sent, the relationship  
13 where necessary and other information as may be determined by  
14 the Secretary of the Commonwealth.

15 (3) When an application is received by the Secretary of  
16 the Commonwealth it shall be forwarded to the proper county  
17 board of election.

18 (c) Signature required.--Except as provided in subsection  
19 (d), the application of a qualified elector under section 1301-D  
20 for an official mail-in ballot in any primary or election shall  
21 be signed by the applicant.

22 (d) Signature not required.--If any elector entitled to a  
23 mail-in ballot under this section is unable to sign the  
24 application because of illness or physical disability, the  
25 elector shall be excused from signing upon making a statement  
26 which shall be witnessed by one adult person in substantially  
27 the following form:

28 I hereby state that I am unable to sign my application  
29 for a mail-in ballot without assistance because I am  
30 unable to write by reason of my illness or physical



1 publicly accessible means. No written application or personal  
2 request shall be necessary to receive or access the application  
3 forms. Copies and records of all completed physical and  
4 electronic applications for official mail-in ballots shall be  
5 retained by the county board of elections.

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

7 (1) Any qualified registered elector may request to be  
8 placed on a permanent mail-in ballot list file at any time  
9 during the calendar year. A mail-in ballot application shall  
10 be mailed to every person otherwise eligible to receive a  
11 mail-in ballot application by the first Monday in February  
12 each year or within 48 hours of receipt of the request,  
13 whichever is later, so long as the person does not lose the  
14 person's voting rights by failure to vote as otherwise  
15 required by this act. A mail-in ballot application mailed to  
16 an elector under this section, which is completed and timely  
17 returned by the elector, shall serve as an application for  
18 any and all primary, general or special elections to be held  
19 in the remainder of that calendar year and for all special  
20 elections to be held before the third Monday in February of  
21 the succeeding year.

22 (2) The Secretary of the Commonwealth may develop an  
23 electronic system through which all qualified electors may  
24 apply for a mail-in ballot and request permanent mail-in  
25 voter status under this section, provided the system is able  
26 to capture a digitized or electronic signature of the  
27 applicant. A county board of elections shall treat an  
28 application or request received through the electronic system  
29 as if the application or request had been submitted on a  
30 paper form or any other format used by the county.

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

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

6 (a) General rule.--Applications for mail-in ballots shall be  
7 received in the office of the county board of elections not  
8 earlier than 50 days before the primary or election, except that  
9 if a county board of elections determines that it would be  
10 appropriate to the county board of elections' operational needs,  
11 any applications for mail-in ballots received more than 50 days  
12 before the primary or election may be processed before that  
13 time. Applications for mail-in ballots shall be processed if  
14 received not later than five o'clock P.M. of the first Tuesday  
15 prior to the day of any primary or election.

16 (b) Early applications.--In the case of an elector whose  
17 application for a mail-in ballot is received by the office of  
18 the county board of elections earlier than 50 days before the  
19 primary or election, the application shall be held and processed  
20 upon commencement of the 50-day period or at such earlier time  
21 as the county board of elections determines may be appropriate.

22 Section 1302.2-D. Approval of application for mail-in ballot.

23 (a) Approval process.--The county board of elections, upon  
24 receipt of any application of a qualified elector under section  
25 1301-D, shall determine the qualifications of the applicant by  
26 verifying the proof of identification and comparing the  
27 information provided on the application with the information  
28 contained on the applicant's permanent registration card. The  
29 following shall apply:

30 (1) If the board is satisfied that the applicant is

1 qualified to receive an official mail-in ballot, the  
2 application shall be marked "approved."

3 (2) The approval decision shall be final and binding,  
4 except that challenges may be made only on the grounds that  
5 the applicant was not a qualified elector.

6 (3) Challenges must be made to the county board of  
7 elections prior to five o'clock p.m. on the Friday prior to  
8 the election: Provided, however, That a challenge to an  
9 application for a mail-in ballot shall not be permitted on  
10 the grounds that the elector used an application for a mail-  
11 in ballot instead of an application for an absentee ballot or  
12 on the grounds that the elector used an application for an  
13 absentee ballot instead of an application for a mail-in  
14 ballot.

15 (4) When approved, the registration commission shall  
16 cause a mail-in voter's record to be inserted in the district  
17 register as prescribed by the Secretary of the Commonwealth.

18 (b) Duties of county boards of elections and registration  
19 commissions.--The duties of the county boards of elections and  
20 the registration commissions with respect to the insertion of  
21 the mail-in voter's record shall include only the applications  
22 as are received on or before the first Tuesday prior to the  
23 primary or election.

24 (c) Notice.--In the event that an application for an  
25 official mail-in ballot is not approved by the county board of  
26 elections, the elector shall be notified immediately with a  
27 statement by the county board of the reasons for the  
28 disapproval. For applicants whose proof of identification was  
29 not provided with the application or could not be verified by  
30 the board, the board shall send notice to the elector with the



1 mail-in ballot requiring the elector to provide proof of  
2 identification with the mail-in ballot or the ballot will not be  
3 counted.]

4 Section 12. Sections 1305-D, 1306-D(a) and (b), 1307-D(a)  
5 and (b), 1623 and 1626(i) of the act are amended to read:

6 Section 1305-D. Delivering or mailing ballots.

7 The county board of elections[, upon receipt and approval of  
8 an application filed by a qualified elector under section 1301-  
9 D,] shall commence to deliver or mail official mail-in ballots  
10 [as soon as a ballot is certified and the ballots are available]  
11 60 days prior to the scheduled primary or election. While any  
12 proceeding is pending in a Federal or State court which would  
13 affect the contents of any ballot, the county board of elections  
14 may await a resolution of that proceeding but in any event,  
15 shall commence to deliver or mail official mail-in ballots not  
16 later than the second Tuesday prior to the primary or election.  
17 [For applicants whose proof of identification was not provided  
18 with the application or could not be verified by the board, the  
19 board shall send the notice required under section 1302.2-D(c)  
20 with the mail-in ballot. As additional applications are received  
21 and approved, the board shall deliver or mail official mail-in  
22 ballots to the additional electors within 48 hours.]

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

24 (a) General rule.--At any time after receiving an official  
25 mail-in ballot, but on or before eight o'clock P.M. the day of  
26 the primary or election, the mail-in elector shall, in secret,  
27 proceed to mark the ballot only in black lead pencil, indelible  
28 pencil or blue, black or blue-black ink, in fountain pen or ball  
29 point pen, and then fold the ballot, enclose and securely seal  
30 the same in the envelope on which is printed, stamped or

1 endorsed "Official Election Ballot." This envelope shall then be  
2 placed in the second one, on which is printed the form of  
3 declaration of the elector, and the address of the elector's  
4 county board of election and the local election district of the  
5 elector. The elector shall then fill out, date and sign the  
6 declaration printed on such envelope. Such envelope shall then  
7 be securely sealed and the elector [shall send same by mail,  
8 postage prepaid, except where franked, or deliver it in person  
9 to said county board of election.] may:

10 (1) send the envelope by mail, except where franked;

11 (2) deliver the envelope in person to the county board  
12 of elections or to the elector's polling place on election  
13 day; or

14 (3) as provided under subsection (b), vote in person at  
15 the elector's polling place on election day after remitting  
16 the ballot and the envelope containing the declaration of the  
17 elector to the judge of elections at the elector's polling  
18 place on election day to be spoiled.

19 \* \* \*

20 (b) Eligibility.--

21 (1) Any elector who receives and votes a mail-in ballot  
22 under [section 1301-D] this article shall not be eligible to  
23 vote at a polling place on election day. The district  
24 register at each polling place shall clearly identify  
25 electors who have received and voted mail-in ballots as  
26 ineligible to vote at the polling place, and district  
27 election officers shall not permit electors who voted a mail-  
28 in ballot to vote at the polling place.

29 (2) An elector who [requests] receives a mail-in ballot  
30 and who is not shown on the district register as having voted

1 may vote by provisional ballot under section 1210(a.4) (1).

2 (3) Notwithstanding paragraph (2), an elector who  
3 [requests] receives a mail-in ballot and who is not shown on  
4 the district register as having voted the ballot may vote at  
5 the polling place if the elector remits the ballot and the  
6 envelope containing the declaration of the elector to the  
7 judge of elections to be spoiled and the elector signs a  
8 statement subject to the penalties of 18 Pa.C.S. § 4904  
9 (relating to unsworn falsification to authorities) which  
10 shall be in substantially the following form:

11 I hereby declare that I am a qualified registered elector  
12 who has obtained an absentee ballot or mail-in ballot. I  
13 further declare that I have not cast my absentee ballot or  
14 mail-in ballot, and that instead I remitted my absentee  
15 ballot or mail-in ballot to the judge of elections at my  
16 polling place to be spoiled and therefore request that my  
17 absentee ballot or mail-in ballot be voided.

18 (Date)

19 (Signature of Elector).....(Address of Elector)

20 (Local Judge of Elections)

21 \* \* \*

22 Section 1307-D. Public records.

23 (a) General rule.--All official mail-in ballots, files[,  
24 applications for ballots] and envelopes on which the executed  
25 declarations appear and all information and lists are designated  
26 and declared to be public records and shall be safely kept for a  
27 period of two years, except that no proof of identification  
28 shall be made public, nor shall information concerning a  
29 military elector be made public which is expressly forbidden by  
30 the Department of Defense because of military security.

1 (b) Record.--For each election, the county board shall  
2 maintain a record of the following information, if applicable,  
3 for each elector who makes application for a mail-in ballot:

4 (1) The elector's name and voter registration address.

5 [(2) The date on which the elector's application is  
6 received by the county board.]

7 [(3) The date on which the elector's application is  
8 approved or rejected by the county board.]

9 (4) The date on which the county board mails or delivers  
10 the mail-in ballot to the elector.

11 (5) The date on which the elector's completed mail-in  
12 ballot is received by the county board.

13 \* \* \*

14 Section 1623. Authorization of Political Committee.--No  
15 treasurer of a nonpartisan candidate or of any political  
16 committee shall receive any money on behalf of a candidate until  
17 such treasurer or political committee shall have been so  
18 authorized in writing by the candidate on a form designed by the  
19 Secretary of the Commonwealth. A copy of such written  
20 authorization shall be filed with the appropriate supervisor;  
21 however the treasurer of any state, county, city, borough,  
22 township, ward or other regularly constituted party committee of  
23 any political party or political body is hereby authorized to  
24 receive money on behalf of the candidates of such political  
25 party or political body in a general, municipal or special  
26 election, without special written authorization from such  
27 candidate.

28 Section 1626. Reporting by Candidate and Political  
29 Committees and other Persons.--

30 \* \* \*

1 (i) An expenditure from a nonpartisan candidate's treasurer  
2 or candidate's political committee to another political  
3 committee shall be reported as a contribution by the political  
4 committee receiving the contribution but need not be reported by  
5 the contributing nonpartisan candidate's treasurer or  
6 candidate's political committee until the time required by law  
7 for that nonpartisan candidate's treasurer or candidate's  
8 political committee to report: Provided, however, That if the  
9 amount of the contribution exceeds two hundred fifty dollars  
10 (\$250) to a single political committee or one thousand dollars  
11 (\$1,000) in aggregate contributions to more than one political  
12 committee for any primary, general or special election, then  
13 receipts and expenditures shall be reported by the contributing  
14 committee at the same time as required by law for the committee  
15 receiving same.

16 \* \* \*

17 Section 13. This act shall take effect in 60 days.