

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 271 Session of 2023

INTRODUCED BY WEBSTER, MADDEN, HILL-EVANS, GUENST, KINSEY,
ROZZI, SANCHEZ, CERRATO AND NEILSON, MARCH 10, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 10, 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 voting by qualified absentee electors, further
12 providing for applications for official absentee ballots;
13 and, in voting by qualified mail-in electors, further
14 providing for applications for official mail-in ballots.

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

17 Section 1. Section 1302(i) of the act of June 3, 1937
18 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
19 amended by adding a paragraph to read:

20 Section 1302. Applications for Official Absentee Ballots.--*

21 * *

22 (i) * * *

23 (1.1) No private organization or individual, other than the
24 Secretary of the Commonwealth, may send an application for an

1 absentee ballot to a qualified registered elector by mail or
2 electronic means.

3 * * *

4 Section 2. Section 1302-D(f) and (g) of the act are amended
5 to read:

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

7 * * *

8 (f) Form.--

9 (1) Application for an official mail-in ballot shall be
10 on physical and electronic forms prescribed by the Secretary
11 of the Commonwealth. The application shall state that a voter
12 who applies for a mail-in ballot under section 1301-D shall
13 not be eligible to vote at a polling place on election day
14 unless the elector brings the elector's mail-in ballot to the
15 elector's polling place, remits the ballot and the envelope
16 containing the declaration of the elector to the judge of
17 elections to be spoiled and signs a statement subject to the
18 penalties under 18 Pa.C.S. § 4904 (relating to unsworn
19 falsification to authorities) to the same effect.

20 (2) The physical application forms shall be made freely
21 available to the public at county board of elections,
22 municipal buildings and at other locations designated by the
23 Secretary of the Commonwealth. The electronic application
24 forms shall be made freely available to the public through
25 publicly accessible means. No written application or personal
26 request shall be necessary to receive or access the
27 application forms.

28 (3) No private organization or individual, other than
29 the Secretary of the Commonwealth, may send an application
30 for an official mail-in ballot to an elector by mail or

1 electronic means.

2 (4) Copies and records of all completed physical and
3 electronic applications for official mail-in ballots shall be
4 retained by the county board of elections.

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

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

23 (1.1) A qualified registered elector shall be removed
24 from the permanent mail-in voter list file upon the request
25 of the qualified registered elector.

26 (2) The Secretary of the Commonwealth may develop an
27 electronic system through which all qualified electors may
28 apply for a mail-in ballot and request permanent mail-in
29 voter status under this section, provided the system is able
30 to capture a digitized or electronic signature of the

1 applicant.

2 (2.1) A county board of elections shall treat an
3 application or request received through the electronic system
4 as if the application or request had been submitted on a
5 paper form or any other format used by the county.

6 [(3) The transfer of a qualified registered elector on a
7 permanent mail-in voting list from one county to another
8 county shall only be permitted upon the request of the
9 qualified registered elector.]

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