
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 902

Session of
1983

INTRODUCED BY ITKIN, McVERRY, DAWIDA, COWELL, PISTELLA,
VAN HORNE, MARKOSEK, TRELLO, OLASZ, DeLUCA AND PRESTON,
MAY 2, 1983

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 2, 1983

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," further providing for absentee ballots for
12 certain county employees.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 102(w) of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
17 amended by adding a subclause to read:

18 Section 102. Definitions.--The following words, when used in
19 this act, shall have the following meanings, unless otherwise
20 clearly apparent from the context:

21 * * *

22 (w) The words "qualified absentee elector" shall mean:

1 * * *

2 (13) Any qualified, registered and enrolled elector who is a
3 county employee and whose duties in connection with election day
4 prevent him from voting.

5 * * *

6 Section 2. Section 1301(k) and (l) of the act, (k) amended
7 December 6, 1972 (P.L.1405, No.301), are amended and a clause is
8 added to read:

9 Section 1301. Qualified Absentee Electors.--The following
10 persons shall be entitled to vote by an official absentee ballot
11 in any primary or election held in this Commonwealth in the
12 manner hereinafter provided:

13 * * *

14 (k) Any qualified registered and enrolled elector who because
15 of illness or physical disability is unable to attend his
16 polling place or operate a voting machine and secure assistance
17 by distinct and audible statement as required in section 1218 of
18 this act; or

19 (l) Any qualified registered and enrolled elector who is a
20 spouse or dependent accompanying a person employed in the
21 service of this Commonwealth or in the service of the Federal
22 Government within the territorial limits of the several States
23 of the United States and the District of Columbia in the event
24 the duties, profession or occupation of such person require him
25 to be absent from the Commonwealth or county of his
26 residence[:]; or

27 (m) Any qualified registered and enrolled elector who is a
28 county employe and whose duties in connection with election day
29 prevent him from voting:

30 * * *

1 Section 3. Section 1302(e) of the act, amended May 7, 1982
2 (P.L.393, No.114), is amended to read:

3 Section 1302. Applications for Official Absentee Ballots.---

4 * * *

5 (e) (1) Any qualified bedridden or hospitalized veteran
6 absent from the State or county of his residence and unable to
7 attend his polling place because of such illness or physical
8 disability, regardless of whether he is registered or enrolled,
9 may apply at any time before any primary or election for an
10 official absentee ballot on any official county board of
11 election form addressed to the Secretary of the Commonwealth of
12 Pennsylvania or the county board of elections of the county in
13 which his voting residence is located.

14 (2) The application shall contain the following information:
15 Residence at the time of becoming bedridden or hospitalized,
16 length of time a citizen, length of residence in Pennsylvania,
17 date of birth, length of time a resident in voting district,
18 voting district if known, party choice in case of primary, name
19 and address of present residence or hospital at which
20 hospitalized. When such application is received by the Secretary
21 of the Commonwealth, it shall be forwarded to the proper county
22 board of elections.

23 (3) The application for an official absentee ballot for any
24 primary or election shall be made on information supplied over
25 the signature of the bedridden or hospitalized veteran as
26 required in the preceding subsection. Any qualified registered
27 elector, including a spouse or dependent referred to in
28 subsection (1) of section 1301, who expects to be or is absent
29 from the Commonwealth or county of his residence because his
30 duties, occupation or business require him to be elsewhere on

1 the day of any primary or election and any qualified registered
2 elector who is unable to attend his polling place on the day of
3 any primary or election because of illness or physical
4 disability, or is prevented from voting because of election day
5 duties, in the case of a county employe, and any qualified
6 registered bedridden or hospitalized veteran in the county of
7 residence, may apply to the county board of elections of the
8 county in which his voting residence is located for an Official
9 Absentee Ballot. Such application shall be made upon an official
10 application form supplied by the county board of elections. Such
11 official application form shall be determined and prescribed by
12 the Secretary of the Commonwealth of Pennsylvania.

13 [(1)] (4) The application of any qualified registered
14 elector, including spouse or dependent referred to in subsection
15 (1) of section 1301, who expects to be or is absent from the
16 Commonwealth or county of his residence because his duties,
17 occupation or business require him to be elsewhere on the day of
18 any primary or election, or who can not vote because of election
19 day duties, in the case of a county employe, shall be signed by
20 the applicant and shall include the surname and christian name
21 or names of the applicant, his occupation, date of birth, length
22 of time a resident in voting district, voting district if known,
23 place of residence, post office address to which ballot is to be
24 mailed, the reason for his absence, and such other information
25 as shall make clear to the county board of elections the
26 applicant's right to an official absentee ballot.

27 [(2)] (5) The application of any qualified registered
28 elector who is unable to attend his polling place on the day of
29 any primary or election because of illness or physical
30 disability and the application of any qualified registered

1 bedridden or hospitalized veteran in the county of residence
2 shall be signed by the applicant and shall include surname and
3 christian name or names of the applicant, his occupation, date
4 of birth, residence at the time of becoming bedridden or
5 hospitalized, length of time a resident in voting district,
6 voting district if known, place of residence, post office
7 address to which ballot is to be mailed, and such other
8 information as shall make clear to the county board of elections
9 the applicant's right to an official ballot. In addition, the
10 application of such electors shall include a declaration stating
11 the nature of their disability or illness, and the name, office
12 address and office telephone number of their attending
13 physician: Provided, however, That in the event any elector
14 entitled to an absentee ballot under this subsection be unable
15 to sign his application because of illness or physical
16 disability, he shall be excused from signing upon making a
17 statement which shall be witnessed by one adult person in
18 substantially the following form: I hereby state that I am
19 unable to sign my application for an absentee ballot without
20 assistance because I am unable to write by reason of my illness
21 or physical disability. I have made or have received assistance
22 in making my mark in lieu of my signature.

23 (Mark)
24 (Date)
25
26 (Complete Address of Witness) (Signature of Witness)

27 * * *

28 Section 4. This act shall take effect in 60 days.