

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

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 17, 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 AND FOR THE DELIVERY AND MAILING OF ←
13 BALLOTS.

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

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

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

22 * * *

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

2 * * *

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

6 * * *

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

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

14 * * *

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

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

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

1 * * *

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

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

5 * * *

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

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

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

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

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

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

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

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

28 * * *

29 SECTION 4. SECTION 1305(B) OF THE ACT, AMENDED AUGUST 13,
30 1963 (P.L.707, NO.379), IS AMENDED TO READ:

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1 SECTION 1305. DELIVERING OR MAILING BALLOTS.--

2 * * *

3 (B) THE COUNTY BOARD OF ELECTIONS UPON RECEIPT AND APPROVAL
4 OF AN APPLICATION FILED BY ANY ELECTOR QUALIFIED IN ACCORDANCE
5 WITH THE PROVISIONS OF SECTION 1301, SUBSECTIONS (I) TO [(L)]
6 (M), INCLUSIVE, SHALL COMMENCE TO DELIVER OR MAIL OFFICIAL
7 ABSENTEE BALLOTS ON THE SECOND TUESDAY PRIOR TO THE PRIMARY OR
8 ELECTION. AS ADDITIONAL APPLICATIONS ARE RECEIVED AND APPROVED,
9 THE BOARD SHALL DELIVER OR MAIL OFFICIAL ABSENTEE BALLOTS TO
10 SUCH ADDITIONAL ELECTORS WITHIN FORTY-EIGHT HOURS.

11 Section 4 5. This act shall take effect in 60 days.

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