

### [PA Act 77 of 2019](#)

#### APPLICABILITY

- Applies to elections held on or after the April 28, 2020 primary election
- Disapproval/decertification of voting apparatuses takes effect in 180 days
- Signer of a nomination petition takes effect in 60 days
- Remainder of the legislation would take effect immediately

#### VOTING OPTIONS

##### Vote by Mail and Absentee Voting

- **Mail-in voter definition:** A qualified elector who is not entitled to vote an absentee ballot would be eligible to vote by an official "mail-in ballot." A qualified mail-in elector is added to the definition of "proof of identification" and would fall in the same category as civilian absentee voters.
- **Applications:** Must be made available to the public on paper or electronically. Voters may apply at any time before any primary or election for an official mail-in ballot in person or on any official county Board of Election form as far out as 50 days from an election. Any qualified elector may request to be placed on a permanent mail-in voting list file. Applications for absentee and mail-in ballots will remain in effect for the calendar year and any special election that occurs before the first primary of the following year.
- **Deadlines:** Extends the deadline for receiving absentee ballots to **8 p.m. on Election Day**. Completed ballots must be received in the county election office on or before election day, regardless of postmark.

##### Straight party voting

Eliminates straight-party voting option.

#### VOTER REGISTRATION

Changes the voter registration deadline from 30 days to 15 days.

#### VOTING MACHINE DECERTIFICATION

If the Commonwealth intends to disapprove or decertify voting apparatuses in 50% or more counties, the Department of State must submit a written plan to the General Assembly at least 180 days prior to the effective date of replacement, containing the following:

- The reason for disapproval or decertification
- The estimated cost to replace the disapproved or decertified voting apparatuses and the plan for how funding is anticipated to be obtained
- A plan for replacing the disapproved or decertified voting apparatuses
- The effective date of replacement voting apparatus

#### APPROPRIATIONS

- **Voting machines:** \$90 million bond to fund voting machine upgrades that provide a verifiable paper trail. Counties will be eligible to receive 60% of the costs incurred in securing their voting systems.
- **Census outreach:** \$4 million for the communication, administration and assistance within each county of the Commonwealth for the purposes of ensuring a complete and accurate census count of the Commonwealth in the 2020 Federal decennial census.
- **Compensation of District Election Officers:** An election officer shall be compensated at least \$75 and not more than \$200 and receive additional compensation, as fixed by the county board of elections.

## NOMINATION PETITIONS

### Signatories

The legislation adds language clarifying that each signatory of a nomination petition shall include the address where the voter is registered.

### Circulators

Petition circulators will fill out a circulator's statement, rather than a notarized affidavit.

## BALLOTS

### Sample Ballots

The legislation would require the posting of all sample ballot information on each county's website no later than the Thursday preceding the election.

### Paper Ballots

The legislation reduces the number of paper ballots that applicable counties are required to print to a number equal to at least 10% more (at least 15% more for presidential years) than the highest number of ballots cast in the previous three comparable primaries or elections. (Original requirement was one book of 50 official ballots of each party for every 45 registered and enrolled electors).

## CAMPAIGN FINANCE

Codification of the process to request campaign finance information to conform with section [1622\(c\)](#) ([25 P.S. § 3242](#)): Vouchers or copies of vouchers for all sums expended amounting to more than twenty-five dollars (\$25) shall be retained by the candidate or the political committee treasurer for a period of three (3) years as required under section 1622(c) and shall be available for public inspection and copying.

## ELECTION DISTRICT REDISTRICTING

Prohibits a county Board of Elections from establishing, abolishing, dividing, consolidating or altering in any manner an election district during the period from December 31, 2019, through November 30, 2022 or resolution of all judicial appeals to the 2022 Congressional Redistricting Plan, whichever occurs later.

However, a county board of elections would be able to combine election districts if the boundary of each resulting district is composed entirely of portions of the original boundaries of the election districts which were combined.

## JURISDICTION

The Pennsylvania Supreme Court will have exclusive jurisdiction to hear challenges to provisions concerning the elimination of straight party voting, absentee voting and mail-in voting. Provisions of the legislation are non-severable.

### Absentee and Early Voting in the States

[NCSL \(updated 7/30/2019\)](#)

**Absentee voting:** All states will mail an absentee ballot to certain voters who request one. The voter may return the ballot by mail or in person.

- In 19 states, an excuse is required
  - In 11 of those states, early voting is not available (and an excuse is required to request an absentee ballot).
- 31 states and D.C. offer "no-excuse" absentee voting (including the three states with all-mail voting), permitting any qualified voter to vote absentee without offering an excuse.

**Early voting:** 39 states (including 3 that mail ballots to all voters) and the District of Columbia, any qualified voter may cast a ballot in person during a designated period prior to Election Day. No excuse or justification is required.

## Straight Ticket Voting States

[NCSL \(updated 12/3/2018\)](#)

A total of **9 states** allow or offer straight-ticket voting option (STVO). With a few exceptions, the straight-ticket option is available in all general elections, and applies to all partisan offices on the ticket, including federal, state and local races.

The states with STV are:

Alabama	Pennsylvania
Indiana*	South Carolina
Michigan	Texas**
Kentucky	Utah
Oklahoma	

\*[Senate bill 61](#) in 2016 abolished straight ticket voting for at-large races only

\*\*The Texas legislature eliminated STV in May 2017, but the law does not go into effect until 2020.