

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 34 Session of  
2021

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INTRODUCED BY DAY, R. BROWN, HAMM, MOUL, ZIMMERMAN, JONES AND  
TWARDZIK, JUNE 22, 2021

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SENATOR ARGALL, STATE GOVERNMENT, IN SENATE, AS AMENDED,  
OCTOBER 18, 2022

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## 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 preparation for and conduct of primaries and  
12 elections, providing for ballot securement.

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

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

18 Section 1234. Ballot Securement.--(a) Each county board  
19 shall adopt ballot security procedures, in accordance with this  
20 section, to ensure that ballots cast in an election are not  
21 tampered with or counted erroneously.

22 (b) Ballots cast in an election shall be secured in a

1 transportation container during any point in which the ballots  
2 are not at a ~~voting precinct~~ POLLING PLACE or county board of <--  
3 elections, unless in custody of the United States Postal  
4 Service. The transportation container shall possess a numbered  
5 security tag that seals the transportation container and  
6 includes an individually identifiable number.

7 (c) The following apply to a bill of lading for ballots  
8 outside of a ~~voting precinct~~ POLLING PLACE or county board of <--  
9 elections:

10 (1) The ballot security procedure under this section shall  
11 ~~include~~ REQUIRE THE INCLUSION OF a bill of lading sealed within <--  
12 each transportation container described in subsection (b), which  
13 shall accompany the ballots cast in the election:

14 (i) at the location that the ballots are initially  
15 collected; AND <--

16 (ii) while the ballots are in ~~transit;~~ and TRANSIT. <--

17 ~~(iii) at any storage location for the ballots until the~~ <--  
18 ~~ballots are prec canvassed or canvassed.~~

19 (2) THE BILL OF LADING SHALL REMAIN WITH THE BALLOTS AT ANY <--  
20 STORAGE LOCATION FOR THE BALLOTS UNTIL THE BALLOTS ARE SORTED AT  
21 A POLLING PLACE OR COUNTY BOARD OF ELECTIONS.

22 ~~(2)~~ (3) The bill of lading shall include the location, date <--  
23 and time that the ballots cast in the election were collected,  
24 along with the numbered security tag number.

25 ~~(3)~~ (4) Any bills of lading that are not sealed in a <--  
26 transportation or storage container shall be kept in accordance  
27 with the county's ballot security procedures and shall be  
28 available for inspection by a poll watcher.

29 (d) If the numbered security tag is broken, it should be  
30 stored with the bill of lading and the bill of lading shall be

1 marked with the:

2 (1) location, date and time regarding the incident;

3 (2) reason for the incident;

4 (3) broken numbered security tag number; and

5 (4) newly affixed numbered security tag number.

6 (e) If a transportation container containing ballots is

7 moved, documentation shall be kept with the container, including

8 the name of the individual who handled or had custody of the

9 transportation container. The individual shall record the

10 location, date, time and numbered security tag number regarding

11 the ballots cast in the election. Storage and maintenance of

12 chain of custody of documents shall be prescribed in the

13 county's ballot security procedures.

14 (f) A poll watcher shall be entitled to know the number of

15 transportation and storage containers containing ballots in a

16 given election, which are waiting to be precanvassed, canvassed

17 or stored after counting.

18 Section 2. This act shall take effect in 60 days.