

No. 301

AN ACT

SB 1523

Amending the act of June 3, 1937 (P.L.1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further providing for disabled absentee electors and providing for a chronically disabled absentee ballot voting list file for persons chronically disabled and for automatic mailing of absentee ballots to such persons under certain circumstances.

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

Section 1. Subsection (k) of section 1301, act of June 3, 1937 (P.L.1333), known as the "Pennsylvania Election Code," added August 13, 1963 (P.L.707), is amended to read:

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

* * *

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

* * *

Section 2. Section 1302 of the act is amended by adding a subsection to read:

Section 1302. Applications for Official Absentee Ballots.— * * *

(e.1) Any qualified registered elector, including any qualified bedridden or hospitalized veteran, who is unable because of illness or physical disability to attend his polling place on the day of any primary or election or operate a voting machine and state distinctly and audibly that he is unable to do so as required by section 1218 of this act may, with the certification by his attending physician that he is permanently disabled, and physically unable to attend the polls or operate a voting machine and make the distinct and audible statement required by section 1218 appended to the application hereinbefore required, be placed on a permanently disabled absentee ballot list file. An absentee ballot application shall be mailed to every such person for each primary or election so long as he does not lose his voting rights by failure to vote as otherwise required by this act. Such person shall not

be required to file a physician's certificate of disability with each application as required in subsection (e) of this section but must file a physician's certificate of permanent disability every two years in order to maintain his eligibility to vote under the provisions of this subsection. Should any such person lose his disability he shall inform the county board of elections of the county of his residence.

* * *

APPROVED—The 6th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 301.

A handwritten signature in black ink, reading "C. McLaughlin Tusk". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

Secretary of the Commonwealth