

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2473 Session of 2024

INTRODUCED BY SANCHEZ AND GROVE, JULY 1, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JULY 1, 2024

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 returns of primaries and elections, further  
12 providing for appeals to court from decisions of the county  
13 board and for Secretary of the Commonwealth to tabulate,  
14 compute and canvass returns; and, in recounts and contests,  
15 further providing for entry and effect of decision and  
16 providing for appeal.

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

19 Section 1. Section 1407 of the act of June 3, 1937  
20 (P.L.1333, No.320), known as the Pennsylvania Election Code, is  
21 amended by adding a subsection to read:

22 Section 1407. Appeals to Court from Decisions of the County  
23 Board.--

24 \* \* \*

25 (c) The court on an appeal shall proceed without delay to

1 hear the appeal, shall give the appeal precedence over other  
2 business before it and shall finally determine the appeal as  
3 expeditiously as possible but no later than seven (7) days after  
4 the date the appeal was filed.

5 Section 2. Sections 1409 and 1732 of the act are amended to  
6 read:

7 Section 1409. Secretary of the Commonwealth to Tabulate,  
8 Compute and Canvass Returns.--(a) Upon receiving the certified  
9 returns of any primary [or election] from the various county  
10 boards, the Secretary of the Commonwealth shall forthwith  
11 proceed to tabulate, compute and canvass the votes cast for all  
12 candidates enumerated in section 1408, and upon all questions  
13 voted for by the electors of the State at large, and shall  
14 thereupon certify and file in his office the tabulation thereof.

15 (b) Upon receiving the certified returns of any general,  
16 municipal or special election from the various county boards,  
17 the Secretary of the Commonwealth shall forthwith proceed to  
18 tabulate, compute and canvass the votes cast for all candidates  
19 enumerated in section 1408, and upon all questions voted for by  
20 the electors of the State at large, and shall thereupon certify  
21 and file in his office the tabulation thereof no later than the  
22 fifth Tuesday after election day.

23 (c) (1) If the Secretary of the Commonwealth has reason to  
24 believe that the tabulation under subsection (b) will not be  
25 certified and filed by the time specified, the Secretary of the  
26 Commonwealth shall, no later than seven (7) days before the  
27 fifth Tuesday after election day, provide a notice to the  
28 following:

29 (i) The President pro tempore of the Senate.

30 (ii) The Speaker of the House of Representatives.

1 (iii) The chairperson and minority chairperson of the State  
2 Government Committee of the Senate.

3 (iv) The chairperson and minority chairperson of the State  
4 Government Committee of the House of Representatives.

5 (2) The notice under clause (1) shall include detailed  
6 information regarding the concerns and potential barriers to  
7 timely certification.

8 Section 1732. Entry and Effect of Decision.--After the  
9 hearing of the said case, the said judges shall, [without  
10 unnecessary delay] as expeditiously as possible but no later  
11 than seven (7) days after the petition's filing, decide which of  
12 the candidates voted for received the greatest number of legal  
13 votes, and is entitled to the nomination or office which  
14 decision shall be entered of record to the case in the said  
15 court, and a certified copy thereof shall, within five (5) days  
16 from the rendering thereof, be delivered to the Secretary of the  
17 Commonwealth, whereupon the person who, by the decision of the  
18 court, shall appear to have received the largest number of  
19 votes, shall be entitled to the nomination or to the office, and  
20 be commissioned accordingly.

21 Section 3. The act is amended by adding a section to read:

22 Section 1733. Appeal.--A party aggrieved by the judge's  
23 decision under section 1732 may appeal the decision to the  
24 Supreme Court within one (1) day of the rendering of the  
25 decision. The Supreme Court, within six (6) days of the appeal's  
26 filing, but no later than seven (7) days before the date for the  
27 meeting of presidential electors specified under 3 U.S.C. § 7  
28 (relating to meeting and vote of electors), whichever is  
29 earlier, shall issue its determination of the appeal.

30 Section 4. This act shall take effect immediately.