

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 461 Session of 2023

INTRODUCED BY KINSEY, CEPEDA-FREYTIZ, MADDEN, SANCHEZ, SIEGEL, HANBIDGE, PROBST, HILL-EVANS, FREEMAN, KINKEAD, SHUSTERMAN, N. NELSON AND HOWARD, MARCH 16, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 16, 2023

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 penalties, providing for civil action, damages
 12 and attorney fees.

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 1856. Civil Action, Damages and Attorney Fees.--A
 19 person aggrieved by an individual convicted of a violation of
 20 section 1807, 1808, 1827, 1828, 1839 or 1847 of this act may
 21 initiate civil action against that person and shall be entitled
 22 to recover punitive damages, reasonable attorney fees and other

1 reasonably related litigation costs incurred relating to the
2 civil action.

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