

# PENNSYLVANIA'S 2023 ELECTION INTEGRITY BILLS REVIEWED

(S.B. 1, 127, 130, 193)

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**THE VOTER INTEGRITY PROJECT**

## Summaries of Bills

In 2023, Pennsylvania's state Republican senators introduced several new laws pertaining to strengthening voter integrity.

S.B. 1, the strongest bill of the pack, includes a constitutional amendment for voter identification in Pennsylvania.

Other bills like S.B. 193 clean the voter rolls of bloat before an election and minimize mail-in vulnerabilities. This bill increases the speed of removing dead voters from the rolls to a week instead of two months to remove someone.

S.B. 130, an amendment to protect election audits, makes sure funding for audits continues.

S.B. 127, a bill to empower local and county election boards to protect minority parties and ensure representation in audits, makes sure that one party or group does not dominate in the elections. This particularly matters in urban areas which have one-party control and tend to be locations of vote audit centers.

## Summary of S.B. 193

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in changes in records, further providing for death of registrant:

“A commission shall cancel the registration of a registered elector reported dead by the Department of Health. The Department of Health shall, within [60] seven days of receiving notice of the death of an individual 18 years of age or older, send the name and address of residence of that individual to a commission in a manner and on a form prescribed by the department. The commission shall promptly update information contained in its registration records.”<sup>1</sup>

## Analysis of S.B. 193

This bill has some overlap with LAA's election integrity policy objective #2 in regards to the Social Security Death Index (SSDI) and Master Death File (MDF). Although it could incorporate the SSDI and MDF to be more accurate and thorough, the bill certainly improves the current situation by expediting the Department of Health's notification of death from two-months down to a week in order to remove a dead voter from the rolls.

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<sup>1</sup> <https://fastdemocracy.com/bill-search/pa/2023-2024/bills/PAB00027113/>

## Summary of S.B. 130

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for election audits.

“The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That Article VII be amended by adding a section to read: § 15. Election audits. The General Assembly shall by statute provide for the auditing of elections and election results by the Auditor General. In years when the Auditor General stands for election to any office, an Independent Auditor shall conduct the audit.

Section 2. The following procedure applies to the proposed constitutional amendment in this joint resolution:

(1) Upon the first passage by the General Assembly of the amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania.

(2) Upon the second passage by the General Assembly of the amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania. The Secretary of the Commonwealth shall submit the amendment to the qualified electors of this Commonwealth at the first primary, general or municipal election which meets the requirements of section 1 of Article XI of the Constitution of Pennsylvania.”<sup>2</sup>

## Analysis of S.B. 130

Pennsylvania currently has two post-election audits designed to check the accuracy of vote counting election machines, and are insufficient from an election security standpoint. This constitutional amendment would require the General Assembly to provide funding for the auditing of elections to protect additional audits passed by the General Assembly beyond the two currently in place. In other words, two audits may not be enough to get to the bottom of a discrepancy, but the current system only allows for two; the amendment provides opportunity for more election audits and funds them in order to provide clarity and thoroughness on elections. Having discovered the issues in Pennsylvania in our report during 2020, this seems like an absolutely necessary amendment to clear up discrepancies that were discovered.<sup>3</sup>

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<sup>2</sup> <https://fastdemocracy.com/bill-search/pa/2023-2024/bills/PAB00027048/>

<sup>3</sup> <https://lookaheadamerica.org/pennsylvania/>

## Summary of S.B. 127

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, in county boards of elections, further providing for county boards of elections and membership.

### Section 301. County Boards of Elections; Membership. —

(a) There shall be a county board of elections in and for each county of this Commonwealth, which shall have jurisdiction over the conduct of primaries and elections in such county, in accordance with the provisions of this act.

(b) In each county of the Commonwealth, the county board of elections shall consist of the county commissioners of such county ex officio, or any officials or board who are performing or may perform the duties of the county commissioners, who shall serve without additional compensation as such. Except in counties of the first class, in counties which have adopted home rule charters or optional plans the board of elections shall consist of the members of the county body which performs legislative functions unless the county charter or optional plan provides for the appointment of the board of elections. In either case, there shall be minority representation on the board. The county body which performs legislative functions shall in the case where the board does not contain minority representation appoint such representation from a list submitted by the county chairman of the minority party. A member of the county board of elections may not serve as a State party officer.

(c) Whenever a member of the board of county commissioners is a candidate for nomination or election to any public office, the President Judge of the Court of Common Pleas shall appoint a judge or an elector of the county to serve in his stead. Whenever there appears on the ballot a question relating to the adoption of a Home Rule Charter for the county or amendments to an existing county Home Rule Charter, the President Judge of the Court of Common Pleas shall appoint judges or electors of the county to serve in the stead of the county commissioners. Appointees who are not currently elected office holders shall receive compensation for such service as determined by the salary board plus mileage as specified by the county for expenses incurred when performing election board business. An appointee may not serve as a State party officer.

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise: "State party officer." An individual elected by the members of the State committee of a political party to serve as an officer or in a leadership role.

Section 2. This act shall take effect in 60 days<sup>4</sup>

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<sup>4</sup> <https://fastdemocracy.com/bill-search/pa/2023-2024/bills/PAB00027104/>

## Analysis of S.B. 127

This bill effectively empowers local counties to oversee election boards and that those election boards must contain minority party members (providing the county party leader the power to appoint board members when the respective party has no representative). This aligns with LAA's election integrity policy objective #4 by providing minority party oversight in the board of elections, particularly in those areas dominated by one party.

## Summary of S.B. 1

This bill is a joint compromise in order to enact a constitutional amendment:

The first part of the bill provides survivors of childhood sexual abuse another two years to sue authorities that participated in and covered up said abuse (churches, governments, etc.) currently limited by statutes of limitations. Pennsylvania House Speaker (D) Mark Rozzi agreed that if this clause were in the bill, then he would endorse the second part involving a constitutional amendment regarding voter ID.

The second half of the bill would require valid photo identification whenever voting in person or by mail. Should a qualified person lack valid identification, they may upon request and confirmation receive government-issued identification at no cost to them. This item would then be on the May 2023 ballot for voters to vote on if it passed both chambers.<sup>5</sup>

## Analysis of S.B. 1

The idea that voter identification is controversial and opposed by minorities is a myth. The University of Georgia released a post-election survey regarding Georgia voters in 2022 in which it asked for Georgia voters' opinions on recently passed voting integrity laws in Georgia. The Biden administration characterized these laws as "Jim Crow 2.0," and yet zero percent of black and non-white voters described their experiences as "poor."<sup>6</sup> In short, everyone supports laws that provide increased security to restore faith in the protection of elections.

Additionally, the bill provides free identification to those who request and qualify for it leaving no excuses for anybody to not provide identification while voting. It has bipartisan support, and we certainly hope that Pennsylvanians vote to pass voter ID into law as a state amendment.

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<sup>5</sup><https://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=S&billTyp=B&billNbr=0001&pn=0026>

<sup>6</sup> <https://www.documentcloud.org/documents/23584107-spia-poll>

## LAA's Six Election Integrity Public Policy Objectives

1. Thumbprint Authentication of Absentee Ballots.
2. Mandated and Public Voter List Hygiene.
3. Ban on the Use of "Black Box" Voting Equipment.
4. Appointment of a Citizens Elections Supervisory Committee.
5. Creation and Funding of a Dedicated Voter Fraud Investigation Division within the State's Attorney General's Office.
6. Equitable Distribution of Private Contributions to Election Operations.

These objectives inform our analysis of these bills and other election integrity reform efforts.

You can find additional information at <https://LookAheadAmerica.org/integrity>.

## Acknowledgements

Many thanks go to our researchers, especially Cheryl Tinsley and Brendan Byrne for providing us with the bills and for proofreading this document.

## How to Help

Volunteer with Look Ahead America at <https://LookAheadAmerica.org/volunteer>.

Support LAA by making a financial contribution at <https://LookAheadAmerica.org/donate> or by using Amazon Smile at <https://smile.amazon.com/ch/82-1645970>.

Join our Guided community server at <https://guilded.gg/Look-Ahead-America> and learn how to use Guided at <https://LookAheadAmerica.org/Guided>.