

**DEPARTMENT OF STATE
BUREAU OF ELECTION SERVICES AND NOTARIES**

**Administration of Elections
Statutory Reference Guide**

Absentee Voting (Generally)

- Approval of application – 25 P.S. § 3146.2b
- Deadlines to apply for absentee ballot – 25 P.S. § 3146.2a
- Delivery of absentee ballots – 25 P.S. § 3146.5
- Duties, occupation or business defined – 25 P.S. § 2602(z.3)
- Method for voting by absentee ballot – 25 P.S. § 3146.6
- Qualified absentee electors defined – 25 P.S. §§ 2602(w) and 3146.1

Absentee Voting (Military and Overseas Voters)

- Deadlines for delivery of absentee ballots to “military” and “overseas” voters – 25 P.S. § 3146.5
- Qualified “military” and “overseas” absentee voters – 25 P.S. §§ 3146.1(a) - 3146.1(h)
- Federal Uniformed and Overseas Citizens Absentee Voting Act – 52 U.S.C. §§ 20301-20311
- Pennsylvania Uniform Military and Overseas Voters Act – 25 Pa.C.S. §§ 3501-3519

Assistance in Voting

- Assistance in voting absentee ballot – 25 P.S. § 3146.6a
- Assistance in voting at polling place – 25 P.S. § 3058

Ballots (Form of Official Ballots and Preparation of Official Ballots)

- Electronic voting system ballots – 25 P.S. § 3031.16
- Form of official election ballot – 25 P.S. § 2963
- Form of official primary ballot – 25 P.S. § 2962
- Number of ballots to be printed – 25 P.S. § 2967
- Specimen ballots – 25 P.S. § 2967
- Posting of ballots to county board of election’s website – 25 P.S. § 2968(a)

Canvass of Absentee and Mail-In Ballots

- Canvass defined – 25 P.S. § 2602(a.1)
- Conduct of pre-canvass and canvass – 25 P.S. § 3146.8

County Board of Elections

- Employees of county board of elections – 25 P.S. §§ 2643 and 2647
- Powers and duties of county board of elections – 25 P.S. § 2642

County Solicitor

- Duties of county solicitor (generally) – 25 P.S. § 2646
- Duties of county solicitor (Election Day) – 25 P.S. § 3046.1

Electronic Voting Systems

- Election Day procedures – 25 P.S. § 3031.12
- Instruction of voters on use of voting systems – 25 P.S. § 3031.11
- Post-election procedures – 25 P.S. § 3031.13
- Preparation of voting systems by county board of elections – 25 P.S. §§ 3031.10(a) – 3031.10(f)
- Preparation of voting systems by local board of elections prior to opening polls – 25 P.S. § 3031.10(g)
- Requirements of electronic voting systems – 25 P.S. § 3031.7
- Storage of electronic voting systems – 25 P.S. § 3031.21

“Fail-safe” Voting

- Procedure for voting if voter has not yet filed a removal notice – 25 Pa.C.S. § 1501(b)
- Procedure for voting following failure to return address verification notification card – 25 Pa.C.S. § 1902

Identification

- “First-time” voter in State election – 25 P.S. §§ 3050(a)-(a.3)¹
- “First-time” voter in Federal election, who registered by mail – 52 U.S.C. § 21083(b)

¹ NOTE: In *Applewhite v. Commonwealth*, 2014 WL 184988, the Commonwealth Court held the provision in this section requiring all voters to present ID prior to voting to be unconstitutional. Accordingly, the only voters who are required to present ID at the polling place prior to voting are voters voting for the first time in the election district.

Local Election Board

- Oaths of local election officers – 25 P.S. §§ 2677-2680
- Pre-election duties of local election board (generally) – 25 P.S. §§ 3048 and 3049
- Pre-election duties of local election board (electronic voting systems) – 25 P.S. § 3031.10
- Qualifications of local election officers – 25 P.S. § 2672

Mail-In Voting

- Approval of application – 25 P.S. § 3150.12b
- Deadline to apply for mail-in ballot – 25 P.S. § 3150.12a
- Delivery of mail-in ballots – 25 P.S. § 3150.15
- Method for voting by mail-in ballot – 25 P.S. § 3150.16
- Qualified mail-in electors defined – 25 P.S. §§ 2602(z.6) and 3150.11

Nomination Papers

- Affidavit of candidate – 25 P.S. § 2911(e)
- Statement of circulator – 25 P.S. § 2911(d)
- Contents of nomination papers – 25 P.S. § 2912
- Examination of nomination papers – 25 P.S. § 2936
- Filing fees – 25 P.S. § 2914
- Manner of signing nomination papers – 25 P.S. § 2911(c)
- Nominations by minor political parties – 25 P.S. § 2872.2
- Nominations by political bodies – 25 P.S. § 2911(a)
- Number of signatures required – 25 P.S. § 2911(b)²
- Objections to nomination papers – 25 P.S. § 2937

Nomination Petitions

- Affidavit of candidate – 25 P.S. § 2870
- Statement of circulator – 25 P.S. § 2869
- Examination of nomination petitions – 25 P.S. § 2936
- Filing fees – 25 P.S. § 2873
- Manner of signing nomination petitions – 25 P.S. § 2868
- Number of signatures required – 25 P.S. § 2872.1
- Objections to nomination petitions – 25 P.S. § 2937

² NOTE: In *Constitution Party v. Cortés*, No. 12-2726, the District Court for the Eastern District of Pennsylvania held these signature requirements to be unconstitutional. Accordingly, please refer to [this page](#) on the Department's site for up-to-date information on the number of signatures required for nomination papers.

Overseers

- Appointment of overseers upon petition of registered electors – 25 P.S. § 2685
- Driving away overseers – 25 P.S. § 2686

Pre-Canvass of Absentee and Mail-In Ballots

- Pre-canvass defined – 25 P.S. § 2602(q.1)
- Conduct of pre-canvass and canvass – 25 P.S. § 3146.8

Provisional Voting

- Federal provisional voting requirements – 52 U.S.C. § 21082(a)
- State provisional voting requirements – 25 P.S. § 3050(a.4)

Publication of Notices

- Publication of notices (generally) – 25 P.S. § 2606
- Computation and canvass of election returns – 25 P.S. § 3153(a)
- Explanation of ballot questions – 25 P.S. § 2621.1
- Notice of November elections – 25 P.S. § 3041
- Officers to be nominated and elected – 25 P.S. § 2866
- Time when and place where central tabulating equipment will be tested – 25 P.S. § 3031.14

Polling Places

- Definition of “enclosed space” – 25 P.S. § 2730(a)
- Definition of “polling place” – 25 P.S. § 2602(q)
- Preparation of polling places (generally) – 25 P.S. § 2730
- Preparation of polling places (electronic voting systems) – 25 P.S. § 3031.10
- Regulations in force at polling places – 25 P.S. § 3060
- Selection of polling places – 25 P.S. § 2727
- Temporary polling places – 25 P.S. § 2728

Retention of Records

- Absentee-related records – 25 P.S. § 3146.9
- Mail-In-related records – 25 P.S. § 3150.17
- County election records (generally) – 25 P.S. § 2649
- Copies of district records retained by minority inspector – 25 P.S. § 3065(b)
- Federal election records retention – 52 U.S.C. §§ 20701-20706
- Preservation of nomination petitions, certificates and papers – 25 P.S. § 2943
- Preservation of campaign finance reports – 25 P.S. § 3259(4)
- Record of ballots – 25 P.S. § 2971
- Voter Registration Records (generally) – 25 Pa.C.S. § 1405; 4 Pa. Code § 183.12

- Voter Registration Records (cancelled voters) – 25 Pa.C.S. § 1904(a)

Returns of Elections

- Appeals from decisions of county board relating to computation and canvass of returns – 25 P.S. § 3157
- Computation of unofficial election night returns – 25 P.S. § 3151
- Dissemination and reporting of unofficial election night returns – 25 P.S. § 3152
- Official computation and certification of election returns – 25 P.S. § 3154
- Reporting of certified election returns to the Secretary of the Commonwealth – 25 P.S. § 3158
- Statistical sample (audit) of votes cast on electronic voting systems – 25 P.S. § 3031.17

Vacancies

- Filling of certain vacancies via nomination certificates – 25 P.S. § 2953
- Substitute nominations to fill vacancies in nomination (parties) – 25 P.S. § 2939
- Substitute nominations to fill vacancies in nomination (political bodies) – 25 P.S. § 2940
- Vacancies in local election boards – 25 P.S. § 2675

Voter Registration

- Appeals from denial of voter registration application – 25 P.S. §§ 3072 and 3073
- Approval of registration applications – 25 Pa.C.S. § 1328
- Challenges to registration – 25 Pa.C.S. § 1329
- Qualifications to register – 25 Pa.C.S. § 1301
- Street lists and public information lists – 25 Pa.C.S. §§ 1403 and 1404
- Voter removal programs – 52 U.S.C. § 20507; 25 Pa.C.S. § 1901

Watchers

- Appointment of poll watchers – 25 P.S. § 2687
- Watchers permitted to be in polling place outside of the “enclosed space” – 25 P.S. § 2687(b)

Write-in Votes

- Manner of computing write-in votes – 25 P.S. § 3155
- Canvass of write-in votes at polling place (electronic voting systems) – 25 P.S. §§ 3031.13(b) and 3031.13(c)
- Canvass of write-in votes at polling place (paper ballots) – 25 P.S. § 3062(c)
- Write-in voting on electronic voting systems – 25 P.S. § 3031.12(3)