

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1050 Session of 2024

INTRODUCED BY BROOKS, DUSH, HUTCHINSON, BARTOLOTTA, STEFANO AND PENNYCUICK, APRIL 22, 2024

REFERRED TO STATE GOVERNMENT, APRIL 22, 2024

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated  
 2 Statutes, in penalties, providing for the offense of  
 3 distribution of unofficial mail-in form; and imposing a  
 4 penalty.

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

7 Section 1. Title 25 of the Pennsylvania Consolidated  
 8 Statutes is amended by adding a section to read:

9 § 1715. Distribution of unofficial mail-in form.

10 (a) Offense defined.--A person may not distribute an  
 11 unofficial mail-in form to a qualified elector.

12 (b) Exceptions.--Subsection (a) does not apply to a document  
 13 that:

14 (1) is designed for the purpose of providing information  
 15 on how to obtain an application for an absentee ballot, mail-  
 16 in ballot or application for an absentee ballot or mail-in  
 17 ballot;

18 (2) does not include a return mailing address;

19 (3) clearly and conspicuously states at the top of the

1 document that the document is an unofficial document;

2 (4) identifies the person distributing the document; and

3 (5) does not use stationery mimicking that of an elected  
4 official, the department or county election board, or an  
5 authorized agent of the department or county election board.

6 (c) Penalty.--A violation of subsection (a) is a misdemeanor  
7 of the third degree and shall, upon conviction, be subject to  
8 pay a fine of not less than \$500 nor more than \$2,500.

9 (d) Definition.--As used in this section, the term  
10 "unofficial mail-in form" means any of the following:

11 (1) An application for an absentee ballot or mail-in  
12 ballot for use by an elector in a general election, primary  
13 election or special election in this Commonwealth that has  
14 not been issued under law by the department or a county  
15 election board, or an authorized agent of the department or  
16 county election board.

17 (2) An absentee ballot or mail-in ballot for use by an  
18 elector in a general election, primary election or special  
19 election in this Commonwealth that has not been issued under  
20 law by the department or a county election board, or an  
21 authorized agent of the department or county election board.

22 (3) An application for an absentee ballot or mail-in  
23 ballot, or an absentee ballot or mail-in ballot, printed on  
24 stationery mimicking that of an elected official, the  
25 department or a county election board, or an authorized agent  
26 of the department or county election board.

27 (4) An application for an absentee ballot or mail-in  
28 ballot, or an absentee ballot or mail-in ballot, mailed in an  
29 envelope mimicking that of an elected official, the  
30 department or a county election board, or an authorized agent

1 of the department or county election board.

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