

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 106 Session of 2021

INTRODUCED BY ARGALL, MARTIN, STEFANO, PHILLIPS-HILL, DiSANTO, BAKER, MASTRIANO, PITTMAN AND REGAN, JANUARY 22, 2021

AMENDMENTS TO HOUSE AMENDMENTS, IN SENATE, JULY 7, 2022

A JOINT RESOLUTION

1 Proposing separate and distinct amendments to the Constitution
2 of the Commonwealth of Pennsylvania, PROVIDING THAT THERE IS <--
3 NO CONSTITUTIONAL RIGHT TO TAXPAYER-FUNDED ABORTION OR OTHER
4 RIGHT RELATING TO ABORTION; further providing for action on
5 concurrent orders and resolutions and, for Lieutenant <--
6 Governor; providing for executive orders; further providing <--
7 AND for qualifications of electors; and providing for <--
8 election audits.

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

11 Section 1. The following separate and distinct amendments to
12 the Constitution of Pennsylvania are proposed in accordance with
13 Article XI:

14 (1) THAT ARTICLE I BE AMENDED BY ADDING A SECTION TO READ: <--
15 § 30. ABORTION.

16 THIS CONSTITUTION DOES NOT GRANT THE RIGHT TO TAXPAYER-FUNDED
17 ABORTION OR ANY OTHER RIGHT RELATING TO ABORTION.

18 (1) (2) That section 9 of Article III be amended to read: <--
19 § 9. Action on concurrent orders and resolutions.

20 Every order, resolution or vote, to which the concurrence of

1 both Houses may be necessary, except on the questions of
2 adjournment, disapproval of a regulation or termination or
3 extension of a disaster emergency declaration as declared by an
4 executive order or proclamation, or portion of a disaster
5 emergency declaration as declared by an executive order or
6 proclamation, shall be presented to the Governor and before it
7 shall take effect be approved by him, or being disapproved,
8 shall be repassed by two-thirds of both Houses according to the
9 rules and limitations prescribed in case of a bill.

10 ~~(2)~~ (3) That section 4 of Article IV be amended to read: <--

11 § 4. Lieutenant Governor.

12 A Lieutenant Governor shall be chosen jointly with the
13 Governor by the casting by each voter of a single vote
14 applicable to both offices, for the same term, and subject to
15 the same provisions as the Governor[; he]. Each candidate for
16 Governor, having been nominated under the laws of this
17 Commonwealth, shall, subject to the approval of the political
18 party or political body, if any, nominating such candidate,
19 select a candidate for Lieutenant Governor within such time
20 before the gubernatorial general election as the General
21 Assembly shall prescribe by law. A person may not seek election
22 to both offices simultaneously. The Lieutenant Governor shall be
23 President of the Senate. As such, [he] the Lieutenant Governor
24 may vote in case of a tie on any question except the final
25 passage of a bill or joint resolution, the adoption of a
26 conference report or the concurrence in amendments made by the
27 House of Representatives.

28 ~~(3) That Article IV be amended by adding a section to read: <--~~

29 ~~§ 21. Executive orders.~~

30 ~~An executive order or proclamation by the Governor or an~~

~~1 executive agency with the force and effect of law may not be in
2 effect for more than 21 days, unless otherwise extended in whole
3 or in part by concurrent resolution of the General Assembly.~~

~~4 (4) That section 1 of Article VII be amended to read:~~

~~5 § 1. Qualifications of electors.~~

~~6 [Every citizen 21] Only citizens 18 years of age or older,
7 possessing the following qualifications, shall be entitled to
8 vote at all elections subject, however, to such laws requiring
9 and regulating the registration of electors as the General
10 Assembly may enact.~~

~~11 1. He or she shall have been a citizen of the United States
12 at least one month.~~

~~13 2. He or she shall have resided in the State [90] 30 days
14 immediately preceding the election.~~

~~15 3. He or she shall have resided in the election district
16 where he or she shall offer to vote at least [60] 30 days
17 immediately preceding the election, except that if qualified to
18 vote in an election district prior to removal of residence, he
19 or she may, if a resident of Pennsylvania, vote in the election
20 district from which he or she removed his or her residence
21 within [60] 30 days preceding the election.~~

~~22 4. He or she shall present valid identification prior to
23 voting, regardless of voting method. If an elector does not
24 possess valid identification, he or she shall, upon request, be
25 furnished with a government issued identification at no cost to
26 the elector. For purposes of this paragraph, the term "valid
27 identification" shall mean any unexpired government issued
28 identification, unless otherwise authorized by statute.~~

~~29 (4) THAT SECTION 1 OF ARTICLE VII BE AMENDED TO READ:~~ <--

~~30 § 1. QUALIFICATIONS OF ELECTORS.~~

1 (A) EVERY CITIZEN 21 YEARS OF AGE, POSSESSING THE FOLLOWING
2 QUALIFICATIONS, SHALL BE ENTITLED TO VOTE AT ALL ELECTIONS
3 SUBJECT, HOWEVER, TO SUCH LAWS REQUIRING AND REGULATING THE
4 REGISTRATION OF ELECTORS AS THE GENERAL ASSEMBLY MAY ENACT.

5 1. HE OR SHE SHALL HAVE BEEN A CITIZEN OF THE UNITED STATES
6 AT LEAST ONE MONTH.

7 2. HE OR SHE SHALL HAVE RESIDED IN THE STATE 90 DAYS
8 IMMEDIATELY PRECEDING THE ELECTION.

9 3. HE OR SHE SHALL HAVE RESIDED IN THE ELECTION DISTRICT
10 WHERE HE OR SHE SHALL OFFER TO VOTE AT LEAST 60 DAYS IMMEDIATELY
11 PRECEDING THE ELECTION, EXCEPT THAT IF QUALIFIED TO VOTE IN AN
12 ELECTION DISTRICT PRIOR TO REMOVAL OF RESIDENCE, HE OR SHE MAY,
13 IF A RESIDENT OF PENNSYLVANIA, VOTE IN THE ELECTION DISTRICT
14 FROM WHICH HE OR SHE REMOVED HIS OR HER RESIDENCE WITHIN 60 DAYS
15 PRECEDING THE ELECTION.

16 (B) IN ADDITION TO THE QUALIFICATIONS UNDER SUBSECTION (A)
17 OF THIS SECTION, A QUALIFIED ELECTOR SHALL PROVIDE A VALID
18 IDENTIFICATION AT EACH ELECTION IN ACCORDANCE WITH THE
19 FOLLOWING:

20 1. WHEN VOTING IN PERSON, THE QUALIFIED ELECTOR SHALL
21 PRESENT A VALID IDENTIFICATION BEFORE RECEIVING A BALLOT TO VOTE
22 IN PERSON.

23 2. WHEN NOT VOTING IN PERSON, THE QUALIFIED ELECTOR SHALL
24 PROVIDE PROOF OF A VALID IDENTIFICATION WITH HIS OR HER BALLOT.

25 (C) IF A QUALIFIED ELECTOR DOES NOT POSSESS A VALID
26 IDENTIFICATION, HE OR SHE SHALL, UPON REQUEST AND CONFIRMATION
27 OF IDENTITY, BE FURNISHED WITH A GOVERNMENT-ISSUED
28 IDENTIFICATION AT NO COST TO THE QUALIFIED ELECTOR.

29 (D) FOR PURPOSES OF THIS SECTION, THE TERM "VALID
30 IDENTIFICATION" MEANS AN UNEXPIRED GOVERNMENT-ISSUED

1 IDENTIFICATION, UNLESS OTHERWISE PROVIDED FOR BY LAW.

2 (5) That Article VII be amended by adding a section to read:

3 § 15. Election audits.

4 The General Assembly shall by statute provide for the

5 auditing of elections, including the administration of <--

6 elections, certification of election machines, the accuracy of

7 the list of registered voters, the administration of voter

8 registration and election results. Election audits shall be <--

9 conducted by the Auditor General. In years when the Auditor

10 General stands for election to any office, an Independent

11 Auditor shall conduct the audit.

12 Section 2. (a) Upon the first passage by the General
13 Assembly of these proposed constitutional amendments, the
14 Secretary of the Commonwealth shall proceed immediately to
15 comply with the advertising requirements of section 1 of Article
16 XI of the Constitution of Pennsylvania and shall transmit the
17 required advertisements to two newspapers in every county in
18 which such newspapers are published in sufficient time after
19 passage of these proposed constitutional amendments.

20 (b) Upon the second passage by the General Assembly of these
21 proposed constitutional amendments, the Secretary of the
22 Commonwealth shall proceed immediately to comply with the
23 advertising requirements of section 1 of Article XI of the
24 Constitution of Pennsylvania and shall transmit the required
25 advertisements to two newspapers in every county in which such
26 newspapers are published in sufficient time after passage of
27 these proposed constitutional amendments. The Secretary of the
28 Commonwealth shall:

29 (1) Submit the proposed constitutional amendment under
30 section 1(1) of this resolution to the qualified electors of

1 this Commonwealth as a separate ballot question at the first
2 primary, general or municipal election which meets the
3 requirements of and is in conformance with section 1 of
4 Article XI of the Constitution of Pennsylvania and which
5 occurs at least three months after the proposed
6 constitutional amendment is passed by the General Assembly.

7 (2) Submit the proposed constitutional amendment under
8 section 1(2) of this resolution to the qualified electors of
9 this Commonwealth as a separate ballot question at the first
10 primary, general or municipal election which meets the
11 requirements of and is in conformance with section 1 of
12 Article XI of the Constitution of Pennsylvania and which
13 occurs at least three months after the proposed
14 constitutional amendment is passed by the General Assembly.

15 (3) Submit the proposed constitutional amendment under
16 section 1(3) of this resolution to the qualified electors of
17 this Commonwealth as a separate ballot question at the first
18 primary, general or municipal election which meets the
19 requirements of and is in conformance with section 1 of
20 Article XI of the Constitution of Pennsylvania and which
21 occurs at least three months after the proposed
22 constitutional amendment is passed by the General Assembly.

23 (4) Submit the proposed constitutional amendment under
24 section 1(4) of this resolution to the qualified electors of
25 this Commonwealth as a separate ballot question at the first
26 primary, general or municipal election which meets the
27 requirements of and is in conformance with section 1 of
28 Article XI of the Constitution of Pennsylvania and which
29 occurs at least three months after the proposed
30 constitutional amendment is passed by the General Assembly.

1 (5) Submit the proposed constitutional amendment under
2 section 1(5) of this resolution to the qualified electors of
3 this Commonwealth as a separate ballot question at the first
4 primary, general or municipal election which meets the
5 requirements of and is in conformance with section 1 of
6 Article XI of the Constitution of Pennsylvania and which
7 occurs at least three months after the proposed
8 constitutional amendment is passed by the General Assembly.