



General Assembly of the Commonwealth of Pennsylvania  
**Joint State Government Commission**  
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*Short summary in response to Act 12 of 2020*

## **Mail-in Ballots: An Interim Report of the Election Law Advisory Board**

During 2021 and 2022, the Election Law Advisory Board (ELAB) studied several of the more problematic issues surrounding the use of mail-in ballots in Pennsylvania. This report contains five recommended amendments to the Pennsylvania Election Code that are designed to eliminate confusion and litigation with regard to these parts of the elections process.

**RECOMMENDATION #1:** Permanent Mailing Lists. The term “permanent,” when used to refer to mailing lists for absentee and mail-in ballots should be changed to “annual” to more accurately reflect their operation and purpose.

**RECOMMENDATION #2:** Deadline to Apply for a Mail-in Ballot. The deadline to apply for a mail-in or absentee ballot by mail or online should be changed from the current deadline of seven days prior to Election Day to between 12 and 15 days prior to Election Day. This move would grant more time for the postal service to deliver ballots to voters and return them to the county elections office in a timely manner. The deadline to apply in person for a mail-in or absentee ballot should remain the current seven days, as less mail-time would be involved and would still permit voters who wait to closer to election day to vote the opportunity to still vote by mail. For purposes of this draft proposal, the mail/online deadline is set at 12 days, which has been reported to be the most common deadline among the states.

**RECOMMENDATION #3:** Use of Secrecy Envelopes. Secrecy envelopes should be provided to all mail-in and absentee voters, but it should be in their discretion if they choose to use them or not. This continues to bolster the constitutionally mandated privacy of an individual’s vote but leaves the voter the choice to waive that extra precaution by not using the envelope.

**RECOMMENDATION #4:** Dating the Ballot. The requirement that an absentee or mail-in ballot be signed and dated by the voter should be amended to clarify that the date required is the date of the signature. Further, failure to date the ballot should not be the sole grounds to disqualify the ballot.

**RECOMMENDATION #5:** Use of Drop Boxes. The authority of counties to use drop boxes should be statutorily provided. The use of drop boxes should be at the discretion of the county. If drop boxes are used, minimum requirements should be established.

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