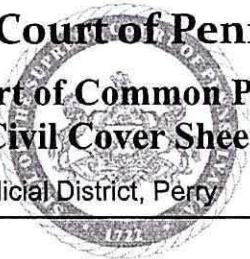


Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

41st Judicial District, Perry County



For Prothonotary Use Only:	TIME SLIP
Docket No: CV-2024-0930	

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:	
<input type="checkbox"/> Complaint	<input type="checkbox"/> Writ of Summons
<input type="checkbox"/> Transfer from Another Jurisdiction	<input checked="" type="checkbox"/> Petition
	<input type="checkbox"/> Declaration of Taking
Lead Plaintiff's Name: Perry County Board of Elections	Lead Defendant's Name: N/A
Are money damages requested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Dollar Amount Requested: (check one) <input type="checkbox"/> within arbitration limits <input type="checkbox"/> outside arbitration limits
Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: William R. Bunt, Esquire	
<input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

<p>TORT (do not include Mass Tort)</p> <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____ _____	<p>CONTRACT (do not include Judgments)</p> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____ _____	<p>CIVIL APPEALS</p> Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____ _____
<p>MASS TORT</p> <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____ _____	<p>REAL PROPERTY</p> <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____ _____	<p>MISCELLANEOUS</p> <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input checked="" type="checkbox"/> Other: Election issue re: provisional ballots _____
<p>PROFESSIONAL LIABILITY</p> <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____ _____		

FILED
 NOV 14 PM 12:08
 CLERK OF COURTS
 PERRY COUNTY, PA

IN RE: 2024 GENERAL ELECTION

IN THE COURT OF COMMON PLEAS
OF THE 41ST JUDICIAL DISTRICT
OF PENNSYLVANIA
PERRY COUNTY BRANCH

NO. CV-2024-0930

PETITION TO AUTHORIZE THE PERRY COUNTY BOARD OF ELECTIONS TO ISSUE A PROVISIONAL BALLOT UTILIZING THE DEPARTMENT OF STATE DESIGNATED AGENT FORM FOR ANY PERRY COUNTY REGISTERED VOTER WHO VOTED UTILIZING A MAIL-IN/ABSENTEE BALLOT WHO IS PRESENTLY DISABLED AND NOT ABLE TO TRAVEL TO HIS/HER POLLING PLACE ON NOVEMBER 5, 2024 WHO HAS BEEN NOTIFIED OR HAS REASON TO BELIEVE THAT HIS/HER MAIL-IN/ABSENTEE BALLOT MAY BE DETERMINED TO BE DEFECTIVE

AND NOW, comes Your Petitioner, the Perry County Board of Elections, by and through its attorney, William R. Bunt, Esq., and respectfully represents as follows:

1. That the Perry County Board of Elections is comprised of Brenda L. Watson, Chair, William G. Lyons, Vice-Chair and R. Franklin Campbell, Secretary.
2. That your Petitioner is charged with the responsibility of conducting the 2024 general election in the County of Perry, Pennsylvania.
3. That on or about October 23, 2024, the Supreme Court of Pennsylvania decided a case entitled *Faith Genser and Frank Matis vs. Butler County Board of Elections, et al.*
4. That the primary issue in said case concerned whether a person who has incorrectly completed a mail-in or absentee ballot has the right to vote a provisional ballot on election day at the polling place.
5. That in said case, the Pennsylvania Supreme Court affirmed the decision of the Commonwealth Court and stated that “. . . the county board of elections . . . shall count the [provisional] ballot.”

WILLIAM R. BUNT
ATTORNEY AT LAW

109 S. Carlisle Street
P.O. Box 336
New Bloomfield, Pa.
17068

Tel. (717) 582-8195
FAX (717) 582-7521

FILED

NOV 14 4 12:09 PM '24

PROthonARY
CLERK OF COURTS
PERRY COUNTY PA

RETRIVED FROM DEMOCRATIC DOCKET.COM

6. That as a result thereof, it is a requirement of law that voters with defective mail-in/absentee ballots must be afforded the opportunity to vote utilizing a provisional ballot.

7. That on or about October 28, 2024, the Perry County Board of Elections received a communication from DISABILITY RIGHTS PENNSYLVANIA informing said Election Board that some electors may not be physically able to travel to a polling place on election day and as a result thereof, would be disenfranchised if they could not vote by provisional ballot. A copy of said communication is attached hereto, incorporated herein by reference thereto, and marked as Exhibit "A."

8. That said letter recommends that a solution to the same would be to allow a disabled voter who cannot travel to a polling place on election day to utilize the Department of State designated agent form to allow someone else to travel to the election office to obtain and to return a provisional ballot for said disabled voter.

9. That upon receipt of the same, the Director of the Perry County Election Office has repeatedly attempted to seek guidance from the Department of State as to its recommendation as how to best address the issue raised by DISABILITY RIGHTS PENNSYLVANIA.

10. That regrettably, as of this date, no response has been received from the Department of State providing guidance and/or direction with regard to said issue.

11. That as a result thereof, the Perry County Board of Elections is recommending that the best way to ensure that a disabled voter who may have failed to properly complete his/her mail-in/absentee ballot is to allow the disabled voter an

WILLIAM R. BUNT
ATTORNEY AT LAW

109 S. Carlisle Street
P.O. Box 336
New Bloomfield, Pa.
17068

Tel. (717) 582-8195
FAX (717) 582-7521

opportunity to vote by provisional ballot with said provisional ballot being obtained and returned for said disabled voter by his/her designated agent.

12. That under date of October 24, 2024, the Department of State issued a revised directive regarding provisional ballots. A copy of said revised directive is attached hereto, incorporated herein by reference thereto, and marked as Exhibit "B."

13. That said Directive provides in part that a provisional ballot may be obtained by ". . . special court order."

14. That as result thereof, Your Petitioner is requesting a Court Order authorizing the issuance of a provisional ballot under the circumstances set forth above.

WHEREFORE, Your Petitioner prays Your Honorable Court authorize the Perry County Board of Elections to issue a provisional ballot utilizing the Department of State designated agent form to any disabled Perry County registered voter who alleges that he/she is presently not able to travel to the polling place and has voted utilizing a mail-in/absentee ballot that has been or may be determined to be defective.

Respectfully submitted,



William R. Bunt, Esq.
Supreme Court Id No. 21529
109 South Carlisle Street
New Bloomfield, PA 17068
717 582-8195 (ph.)
717 582-7521 (fax)
wrb@pa.net

WILLIAM R. BUNT
ATTORNEY AT LAW


109 S. Carlisle Street
P.O. Box 336
New Bloomfield, Pa.
17068

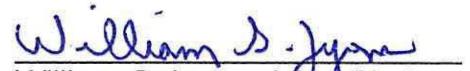
Tel. (717) 582-8195
FAX (717) 582-7521

VERIFICATION

I hereby verify that the information set forth in the foregoing document is true and correct to the best of my knowledge, information and belief. I understand that any false statements contained herein are subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Dated: Nov. 4, 2024


Brenda L. Watson, Chair


William G. Lyons, Vice-Chair


R. Franklin Campbell, Secretary

RETRIEVED FROM DEMOCRACYDOCKET.COM

WILLIAM R. BUNT
ATTORNEY AT LAW

109 S. Carlisle Street
P.O. Box 336
New Bloomfield, Pa.
17068

Tel. (717) 582-8195
FAX (717) 582-7521



DISABILITY RIGHTS PENNSYLVANIA

Disability Rights Pennsylvania
1800 John F. Kennedy Blvd., Suite 900
Philadelphia, PA 19103
(215) 238-8070 (Voice)
(877) 375-7139 (TDD)
www.disabilityrightspa.org

October 28, 2024

VIA EMAIL - sgeesaman@perryco.org

Sarah Geesaman, Director of Elections and Voter Registration
Perry County Voter Registration
P.O. Box# 37
New Bloomfield, PA 17068

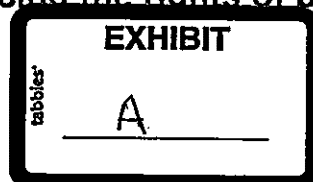
**RE: Voters with Disabilities Have the Right to an Accessible
Procedure When Voting Via Provisional Ballot**

Dear Ms. Geesaman:

Disability Rights Pennsylvania (DRP) is the federally mandated, state designated Protection and Advocacy system for persons with disabilities in Pennsylvania, and it has been providing legal and advocacy services to Pennsylvanians with disabilities for over 45 years. DRP receives federal funding under the Help America Vote Act (HAVA) "to ensure full participation in the electoral process for individuals with disabilities, including registering to vote, casting a vote and accessing polling places."

We write to share concerns that Perry County may disenfranchise voters with disabilities who previously attempted to vote via a mail-in or absentee ballot but had a defect in their ballot and who cannot go to the polls to vote via provisional ballot on Election Day. Perry County has an obligation under federal law to accommodate voters with disabilities and provide them with equal access to the voting process, including the process of voting via provisional ballot. We ask that the County immediately establish an accessible option for voters who cannot go to the polls on Election Day by reason of their disability, as required by federal law.

Protecting and advancing the rights of people with disabilities.



Sarah Geesaman, Director of Elections and Voter Registration
October 28, 2024
Page 2 of 4

The Need for Adopting an Accessible Provisional Ballot Voting Procedure for Voters with Disabilities Who Submit Defective Mail-in Ballots

Under the Pennsylvania Election Code, counties cannot count mail-in ballots that: 1) lack a handwritten date on the outer envelope; 2) are incorrectly dated (*i.e.*, include a date that is outside of the applicable voting period); 3) lack a signature; or 4) do not have a secrecy envelope. Voters with disabilities are much more likely to face barriers and issues when exercising their right to vote.

In counties like Perry, that do not provide the option to cure a defective mail-in ballot, a voter's only option to exercise the franchise in the event their mail-in ballot is defective is to go in person to the polls on Election Day, and vote via provisional ballot. Recently, the Pennsylvania Supreme Court ruled that all voters with defective mail-in ballots *must* be allowed to vote provisionally, lest they be disenfranchised.
<https://www.spotlightpa.org/news/2024/10/pennsylvania-election-mail-ballot-provisional-supreme-court/>. Therefore, Perry County must ensure this process is accessible to *all* voters.

Voting provisionally at the polls is inaccessible to some people with disabilities, such as those voters who are physically unable to go to the polls. Others cannot vote via a hand marked provisional paper ballot, such as those who are blind or who cannot hold a pen, and who had originally used an accessible remote ballot to vote through the mail.

Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that people with disabilities have a full and equal opportunity to vote. Title II of the ADA applies to state and local government programs and services, including elections. 42 U.S.C. § 12131(1). Title II requires that election officials offer accessible provisional ballot voting systems and procedures. *See, e.g., Drenth v. Boockvar*, No. 1:20-CV-00829, 2020 WL 2745729, at *5 (M.D. Pa. May 27, 2020) (ordering the implementation of an accessible vote by mail option on the grounds that “[p]laintiffs have also been denied the benefits of a public program—in this case the ability to vote privately and independently without

Sarah Geesaman, Director of Elections and Voter Registration
October 28, 2024
Page 3 of 4

being physically present at a polling location—because of their disability.”). Section 504 of the Rehabilitation Act (Section 504), which preceded the ADA, similarly prohibits programs or activities which receive federal funding from discriminating against qualified individuals with disabilities, and it applies to county boards of elections and voting. 29 U.S.C. § 794(a); see *Drenth*, 2020 WL 2745729, at *4. Voters with disabilities *must* have access to the County’s provisional ballot voting program that is equal to that of voters without disabilities.

An accessible provisional voting option needs to accommodate voters with disabilities who cannot effectuate the process of picking up or returning their own provisional ballots by reason of their disability. Many voters become aware of defects with their ballots too close in time to Election Day to receive or return a provisional ballot through the mail. This means their ballots *must* be picked up and returned in person to the county election office if they are to be timely received and counted.

This in-person pick up and return can be difficult or even impossible for voters with disabilities. Some county election offices are inaccessible. Some voters cannot leave their homes by reason of their disability. Voters who cannot pick up or return their own provisional ballot because of disability are entitled to a reasonable accommodation under Title II of the ADA and Section 504. 42 U.S.C. § 12132; 29 U.S.C. § 794(a); see also *DiPietrae v. City of Philadelphia*, 666 A.2d 1132, 1135 (Commonwealth Ct. 1995), *aff’d* 673 A.2d 905 (Pa. 1996) (citing 42 U.S.C. § 12132 and 52 U.S.C. § 10508). The use of designated agents, which are already used by voters with disabilities to carry out the “regular” vote by mail process, is a simple way for counties to accommodate voters with disabilities and meet their obligations under federal law.

As you are likely aware, voters with disabilities who need assistance applying for, picking up, or returning a mail-in or absentee ballot may use a “designated agent” to help them do so. A designated agent is someone who goes to the county election office on the voter’s behalf to effectuate the process of applying for, picking up, or returning the ballot. Anyone with a disability that prevents him from applying for, obtaining, or returning a mail-in or absentee ballot is entitled to use a designated agent. The Department of State already has a form and established process by which voters can

Sarah Geesaman, Director of Elections and Voter Registration
October 28, 2024
Page 4 of 4

appoint an agent. Perry County should already have its own processes in place for how voters and agents submit their designated agent forms, and request and return ballots on another's behalf. Thus, to comply with federal law, the County must allow voters with disabilities who need assistance picking up or returning a provisional ballot to use a designated agent.

We know that the County shares our goal of robust participation in the upcoming elections, and believes, as we do, that all eligible voters who wish to have their voices heard should be able to vote. Thus, we ask that the County immediately create an accessible procedure by which voters can vote via provisional ballot and ensure that this procedure encompasses the use of designated agents.

Please advise me by October 31, 2024, how Perry County intends to provide voters with disabilities with an accessible means to vote via a provisional ballot. If the County fails to do so, we are prepared to take further action on behalf of the voters with disabilities who stand to be disenfranchised.

Sincerely,



Alexandra Hermann
Staff Attorney

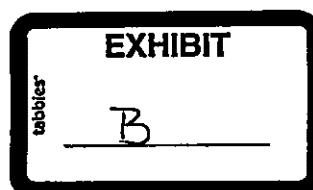
RETRIEVED FROM DEMOCRACYHEAT.COM



Pennsylvania Provisional Voting Guidance

Date: October 24, 2024

Version: 2.2



Background

This revised guidance addresses the issuance, voting, and examination of provisional ballots under the Election Code. Provisional ballots were originally mandated by section 302 of the Help America Vote Act of 2002 (HAVA).

Generally, under the applicable statutes, if a voter is not eligible to be issued a regular ballot, that voter is entitled to submit a provisional ballot at the polling place. Provisional ballots may be issued at the polling place until the close of polls on Election Day absent a court order extending voting hours.

Using Provisional Ballots

Provisional ballots are utilized when a voter believes that they are eligible to vote, but the poll worker is unable to confirm the voter's eligibility. Provisional ballots permit the voter to submit a ballot, although the ballot is initially segregated from the regular ballots returned by voters whose eligibility was confirmed at the polls on Election Day. After Election Day, the county board of elections must adjudicate the provisional ballot voter's eligibility to vote. If the board determines that the voter is eligible and did not already vote in that election, then the provisional ballot is counted or partially counted, if applicable.

Voters are entitled to a provisional ballot when their eligibility to vote is uncertain. A poll worker must inform voters that they have a right to use a provisional ballot if their eligibility is uncertain. The circumstances which would create a situation where a voter may be issued a provisional ballot include, but are not necessarily limited to:

- Voter's name was not in the poll book or supplemental poll book.
 - For example, the voter reported to the wrong precinct, or
 - The voter did not report a recent change in residence to the county election office.
- Voter is required to show ID but cannot do so.
- Voter eligibility was challenged by an election official.
- Voter was issued an absentee or mail-in ballot but believes that they did not successfully vote the ballot, and the ballot and outer return envelope were not surrendered at the polling place to be spoiled.
- Voter returned a completed absentee or mail-in ballot that will be rejected by the county board of elections, and the voter believes they are eligible to vote.
- A special court order was issued with respect to the voter's status.
- A special court order was issued related to extending the hours of voting.

- Voter claims they are registered in a political party with which they are not affiliated (for primary elections only).

Process for the Voter

Any voter who intends to submit a provisional ballot shall follow these steps:

- 1) Before receiving a provisional ballot, the voter must complete the sections on the provisional ballot envelope labeled Voter Information, Voter Affidavit for Provisional Ballot, and Current Address in front of election officials.
- 2) Upon completion of the above sections of the provisional ballot envelope, the voter must mark their provisional ballot.
- 3) After the voter marks their provisional ballot, they must seal their ballot in the secrecy envelope and then place the secrecy envelope in the provisional ballot envelope.
- 4) The voter must fill out the Voter Signature Section on the provisional ballot envelope in front of the Judge of Elections and the Minority Inspector.
- 5) The voter must sign **both the Voter Affidavit for Provisional Ballot and** the front of the provisional ballot envelope.
- 6) The Judge of Elections and the Minority Inspector will then sign the affidavit after noting the reason for the provisional ballot.

Voters can check the status of their provisional ballot after the election by calling their county board of elections, checking the PA Voter Services website, or calling the PA Department of State. *Note: The online provisional ballot search will return results only for the active election and cannot be used to search provisional ballots from previous elections.* Voters will need to provide their provisional ballot number or their full name and date of birth to check the status of their provisional ballot.

- Voters can find the phone number for their county election office online at vote.pa.gov/county.
- The website for PA Voter Services is vote.pa.gov/provisional.
- The phone number for the PA Department of State is 1-877-VOTESPA (1-877-868-3772), option 6.

Process for Poll Workers

Voters who requested an absentee or mail-in ballot may arrive at their polling place on Election Day seeking to vote. Poll workers should follow the instructions below for these voters.

1. For voters who were issued an absentee or mail-in ballot but **did not** successfully return their ballot to the board of elections:
 - These voters' names will be found in section 1 of the poll book, and the signature line will say either "Remit Absentee Ballot or Vote Provisionally" or "Remit Mail-in Ballot or Vote Provisionally."
 - Option A. If the voter has their unvoted absentee or mail-in ballot and outer envelope with them, the poll worker shall permit the voter to surrender their mail ballot and envelope and sign the Elector's Declaration to Surrender their Mail Ballot form (see **Appendix A**). After the voter does this, the poll worker shall allow the voter to vote by regular ballot the same as any other voter.
 - Option B. If the voter is designated in the poll book as having been issued an absentee or mail-in ballot but the voter does not have their absentee or mail-in ballot and outer envelope with them, the voter may submit only a provisional ballot, and the poll worker shall offer them this option.
2. For voters who **did** successfully return their absentee or mail-in ballot:
 - If a voter was issued an absentee or mail-in ballot and successfully returned their ballot, their name will be found in section 2 of the poll book, and the signature line will say either "Absentee – Ballot Cast/Not Eligible" or "Mail-in – Ballot Cast/Not Eligible."
 - If a voter listed in section 2 of the poll book believes that they have not successfully voted their absentee or mail-in ballot or otherwise contests their ballot status, the poll worker must provide the voter a provisional ballot.

For **everyone** receiving a provisional ballot, poll workers must ensure that, before the provisional ballot is issued, the Voter Information, Voter Affidavit for Provisional Ballot, and Current Address sections on the provisional ballot envelope are completed by the voter. Again, the voter must sign **both** the Voter Affidavit for Provisional Ballot **and** the front of the provisional ballot envelope.

Poll workers must ensure that the voter signs their name in the presence of both the Judge of Elections and the Minority Inspector. Poll workers must also ensure that both the Judge of Elections and Minority Inspector sign the affidavit.

If polling place hours are extended beyond 8:00 p.m. on Election Day by court order, all votes submitted after 8:00 p.m. shall be submitted via provisional ballot only.

Process for County Elections Officials

Within seven days after the election, the county board of elections must review and make a determination for each provisional ballot cast on Election Day.

Counties should notify parties and the public a week in advance of the date that election officials will meet to examine and reconcile provisional ballots during the post-election official count. Under no circumstance should the county board of elections schedule the meeting without providing the notice required by the Sunshine Act¹ for public meetings.

Parameters for canvassing provisional ballots:

- When determining whether to count a provisional ballot, the county board of elections must reconcile provisional ballots with ballots cast in person on Election Day and with returned absentee and mail-in ballots. If a voter cast an Election Day ballot or successfully voted an absentee or mail-in ballot, the provisional ballot shall not be counted.
- A county board of elections can approve a provisional ballot for counting only if the voter is qualified and eligible to vote in the election.
- When researching provisional ballots during the canvassing period, the county election staff should enter the voter's provisional voting information from the provisional envelope into the SURE system to maintain an accounting of the number of provisional ballots issued for the election.
- If a voter's mail-in or absentee ballot was rejected for a reason unrelated to the voter's qualifications, and the voter submitted a provisional ballot and meets other provisional ballot requirements, the provisional ballot shall be counted if the county determines that the voter is eligible to vote.²
- Counties are prohibited from counting a provisional ballot submitted by a qualified registered voter of another county.
- During the canvass, the county board of elections must determine, for each provisional ballot, whether:
 - The provisional ballot should be counted in full (i.e., all contests on the ballot are counted);
 - The provisional ballot should be partially counted (i.e., some contests but not all contests on the ballot are counted) and the reason(s) for the partial counting;

¹ 65 Pa.C.S. § 701, *et seq.*

² See *Genser v. Butler County*, Nos. 26 and 27 WAP 2024 (Pa. Oct. 23, 2024).

- The provisional ballot is invalid because the voter successfully submitted another ballot; or
- The provisional ballot should be rejected for another reason(s) and the reason(s) for the rejection.

Hearings for provisional ballots challenged during the canvass:

If a provisional ballot is challenged during the canvass, the county board of elections must schedule a hearing within seven days of the challenge to consider the challenge and determine the disposition of the ballot. Additionally, notice shall be given where possible to the challenged provisional voter and to the attorney, watcher, or candidate who made the challenge.

- It is recommended that counties notify parties and the public of the hearing a week in advance of the date, noting that election officials will meet to examine and reconcile provisional ballots during the post-election official count. Under no circumstance should the county board of elections schedule the meeting without providing the notice required by the Sunshine Act³ for public meetings.
- During the hearing, the county board of elections must decide whether to uphold or dismiss the challenge. The county board is not bound by the Pennsylvania Rules of Evidence. Any testimony presented must be stenographically recorded.

###

³ 65 Pa.C.S. § 701, *et seq.*

Version	Date	Description
1.0	3.5.2020	Initial document release
1.1	10.21.2020	Updated per Act 12 of 2020
2.0	10.12.2023	Updated to reflect judicial guidance
2.1	3.11.2024	Updated to implement clarifying edits and modified affidavit form.
2.2	10.24.2024	Updated to note new legal authority.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Elector's Declaration to Surrender Their Mail Ballot**For the Voter:**

I hereby declare that I am a qualified registered elector who was issued an absentee or mail-in ballot for this election, but that I have not mailed or cast an absentee or mail-in ballot in this election. Instead, I am hereby remitting my absentee or mail-in ballot and its declaration envelope to the judge of elections at my polling place to be spoiled. I request that my absentee or mail-in ballot be voided, and that I be permitted to sign the poll book and vote a regular ballot.

I verify that the statements made in this declaration are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the criminal penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

(Printed Name of Elector)

(Signature of Elector)

(Address of Elector)

For Election Officials Only:

I hereby declare I have received the voter's ballot and envelope containing the voter's declaration from the voter and I am spoiling it and permitting the voter to sign the poll book and vote a regular ballot.

(Printed Name of Judge of Elections)

(Judge of Elections Signature)

(Precinct)

Instructions after completion: This form should be attached to the voter's surrendered balloting material and returned in the [container] [bag] designated for spoiled ballots. Do not forget to check the "BALLOT REMITTED?" option next to the voter's name in the poll book.

