

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 283 Session of 2023

INTRODUCED BY WEBSTER, MADDEN, HANBIDGE, SIEGEL, PROBST, SANCHEZ, CERRATO, OTTEN AND O'MARA, MARCH 10, 2023

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 28, 2023

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in the Secretary of the Commonwealth, further <--
12 providing for explanation of ballot question PROVIDING FOR <--
13 PUBLIC MEETINGS ON PROPOSED BALLOT QUESTIONS.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 201.1 of the act of June 3, 1937 <--
17 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
18 amended to read:

19 Section 201.1. Explanation of Ballot Question. (a)
20 Whenever a proposed constitutional amendment or other State wide
21 ballot question shall be submitted to the electors of the
22 Commonwealth in referendum, the Attorney General shall prepare a
23 statement in plain English which indicates the purpose,

1 ~~limitations and effects of the ballot question on the people of~~  
2 ~~the Commonwealth. The Secretary of the Commonwealth shall~~  
3 ~~include such statement in his publication of a proposed~~  
4 ~~constitutional amendment as required by Article XI of the~~  
5 ~~Constitution of Pennsylvania. The Secretary of the Commonwealth~~  
6 ~~shall certify such statement to the county boards of elections~~  
7 ~~who shall publish such statement as a part of the notice of~~  
8 ~~elections required by section 1201 or any other provision of~~  
9 ~~this act. The county board of elections shall also require that~~  
10 ~~at least three copies of such statement be posted in or about~~  
11 ~~the voting room outside the enclosed space with the specimen~~  
12 ~~ballots and other instructions and notices of penalties. In~~  
13 ~~election questions which affect only one county or portion~~  
14 ~~thereof, the county board of elections shall fulfill these~~  
15 ~~requirements in the place of the Attorney General and the~~  
16 ~~Secretary of the Commonwealth.~~

17 ~~(b) Each member of the General Assembly shall hold a public~~  
18 ~~meeting within the member's respective legislative district for~~  
19 ~~the purpose of receiving public comment on a proposed~~  
20 ~~constitutional amendment or other State wide ballot question.~~

21 ~~The public meeting shall:~~

22 ~~(1) be held after the preparation of the statement of plain~~  
23 ~~English under subsection (a), but before the submission of the~~  
24 ~~proposed constitutional amendment or other State wide ballot~~  
25 ~~question to the electors of the Commonwealth in referendum; and~~

26 ~~(2) comply with 65 Pa.C.S. Ch. 7 (relating to open~~  
27 ~~meetings).~~

28 SECTION 1. THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN <--  
29 AS THE PENNSYLVANIA ELECTION CODE, IS AMENDED BY ADDING A  
30 SECTION TO READ:

1       SECTION 201.2. PUBLIC MEETINGS ON PROPOSED BALLOT  
2 QUESTIONS.--EACH MEMBER OF THE GENERAL ASSEMBLY SHALL CONDUCT A  
3 PUBLIC MEETING WITHIN THE MEMBER'S RESPECTIVE LEGISLATIVE  
4 DISTRICT FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON A  
5 PROPOSED CONSTITUTIONAL AMENDMENT OR OTHER STATEWIDE BALLOT  
6 QUESTION. THE PUBLIC MEETING SHALL COMPLY WITH THE FOLLOWING:

7       (1) FOR A BALLOT QUESTION PROPOSING A CONSTITUTIONAL  
8 AMENDMENT, THE PUBLIC MEETING SHALL BE HELD WITHIN EIGHT MONTHS  
9 AFTER THE PUBLICATION OF THE NOTICE REQUIRED UNDER ARTICLE XI OF  
10 THE CONSTITUTION OF PENNSYLVANIA FOLLOWING THE FIRST PASSAGE OF  
11 THE PROPOSED CONSTITUTIONAL AMENDMENT BY THE GENERAL ASSEMBLY.

12       (2) FOR ANY OTHER STATEWIDE BALLOT QUESTION, THE PUBLIC  
13 MEETING SHALL BE HELD AFTER THE PREPARATION OF THE STATEMENT OF  
14 PLAIN ENGLISH UNDER SECTION 201.1, BUT BEFORE THE SUBMISSION OF  
15 THE STATEWIDE BALLOT QUESTION TO THE ELECTORS OF THE  
16 COMMONWEALTH IN REFERENDUM.

17       (3) THE PUBLIC MEETING SHALL BE CONDUCTED IN ACCORDANCE WITH  
18 65 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

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