

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2542 Session of 2026

INTRODUCED BY ORTITAY, SANCHEZ AND VENKAT, MAY 27, 2026

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 27, 2026

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 returns of primaries and elections, further
 12 providing for appeals to court from decisions of the county
 13 board and for Secretary of the Commonwealth to tabulate,
 14 compute and canvass returns; and, in recounts and contests,
 15 further providing for entry and effect of decision and
 16 providing for appeal.

17 The General Assembly of the Commonwealth of Pennsylvania
 18 hereby enacts as follows:

19 Section 1. Section 1407 of the act of June 3, 1937
 20 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
 21 amended by adding a subsection to read:

22 Section 1407. Appeals to Court from Decisions of the County
 23 Board.--

24 * * *

25 (c) The court on an appeal shall proceed without delay to

1 hear the appeal, shall give the appeal precedence over other
2 business before it and shall finally determine the appeal as
3 expeditiously as possible but no later than seven days after the
4 date the appeal was filed.

5 Section 2. Sections 1409 and 1732 of the act are amended to
6 read:

7 Section 1409. Secretary of the Commonwealth to Tabulate,
8 Compute and Canvass Returns.--(a) Upon receiving the certified
9 returns of any primary [or election] from the various county
10 boards, the Secretary of the Commonwealth shall forthwith
11 proceed to tabulate, compute and canvass the votes cast for all
12 candidates enumerated in section 1408, and upon all questions
13 voted for by the electors of the State at large, and shall
14 thereupon certify and file in his office the tabulation thereof.

15 (b) Upon receiving the certified returns of any general,
16 municipal or special election from the various county boards,
17 the Secretary of the Commonwealth shall forthwith proceed to
18 tabulate, compute and canvass the votes cast for all candidates
19 enumerated in section 1408, and upon all questions voted for by
20 the electors of the State at large, and shall thereupon certify
21 and file in his office the tabulation thereof no later than the
22 fifth Tuesday after election day.

23 (c) (1) If the Secretary of the Commonwealth has reason to
24 believe that the tabulation under subsection (b) will not be
25 certified and filed by the time specified, the Secretary of the
26 Commonwealth shall, no later than seven days before the fifth
27 Tuesday after election day, provide a notice to the following:

28 (i) The President pro tempore of the Senate.

29 (ii) The Speaker of the House of Representatives.

30 (iii) The chairperson and minority chairperson of the State

1 Government Committee of the Senate.

2 (iv) The chairperson and minority chairperson of the State
3 Government Committee of the House of Representatives.

4 (2) The notice under clause (1) shall include detailed
5 information regarding the concerns and potential barriers to
6 timely certification.

7 Section 1732. Entry and Effect of Decision.--After the
8 hearing of the said case, the said judges shall, [without
9 unnecessary delay] as expeditiously as possible but no later
10 than seven (7) days after the petition's filing, decide which of
11 the candidates voted for received the greatest number of legal
12 votes, and is entitled to the nomination or office which
13 decision shall be entered of record to the case in the said
14 court, and a certified copy thereof shall, within five (5) days
15 from the rendering thereof, be delivered to the Secretary of the
16 Commonwealth, whereupon the person who, by the decision of the
17 court, shall appear to have received the largest number of
18 votes, shall be entitled to the nomination or to the office, and
19 be commissioned accordingly.

20 Section 3. The act is amended by adding a section to read:

21 Section 1733. Appeal.--A party aggrieved by the judge's
22 decision under section 1732 may appeal the decision to the
23 Supreme Court within one (1) day of the rendering of the
24 decision. The Supreme Court, within six (6) days of the appeal's
25 filing, but no later than seven (7) days before the date for the
26 meeting of presidential electors specified under 3 U.S.C. § 7
27 (relating to meeting and vote of electors), whichever is
28 earlier, shall issue its determination of the appeal.

29 Section 4. This act shall take effect immediately.