

ELECTION RECORDS

ADDITIONAL RETENTION REQUIREMENTS

Currently, Federal election records (including all records and papers pertaining to any application, registration or other act requisite to voting) must be retained 22 months from the date of any general, special, or primary election for federal office under the Civil Rights Act of 1960, codified at Title 42, U.S. Code, Sections 1974 through 1974e inclusive.

RECORDS

EL-1 Absentee Ballot Records

Includes absentee ballots and all related lists, applications, envelopes and files pertaining thereto. Application usually shows personal identification information, reason for request, and elector's signature.

Retain 2 years. (25 P.S. § 3146.9)

EL-2 Ballot Box Documents - Miscellaneous

Consists of all official ballots, the contents of ballot boxes, tally papers, numbered list of voters and election officers' oaths placed in ballot box at polling place. (See also EL-24.)

Retain 4 months, unless notified of extension of retention by the county's District Attorney or a judge of a court of record, due to pending prosecution or litigation. (25 P.S. §§ 2649 and 3065(a)). For one year, the minority inspector is required to retain one set of tally papers, one voter list, and one set of election-officer-oaths. (25 P.S. § 3065(b)).

EL-3 Ballot Preparation Workpapers And Candidate Lists

Includes papers and lists of local candidates' names used to design ballot layout at the county level, based upon ballot position lottery for the primary election, and the primary election results and substitute nominations for the November election.

Retain 11 months. (25 P.S. § 2649).

EL-4 Campaign Expense Reports And Statements Filed By Candidates And Political Committees

Expense report shows name and address of candidate, committee, individual or lobbyist; office sought; summary of receipts and expenditures; signature of person swearing to accuracy of report; summary of contributions and receipts; itemized lists of contributions, receipts and expenditures; unpaid debts and obligations; and in-kind contributions. Statement includes name and address of candidate, committee or lobbyist; office sought; and certification of compliance with the Election Code.

Retain 5 years from date of filing. (25 P.S. § 3259(4)).

EL-5 Candidate Withdrawal Notices

Notification from candidates of their desire to withdraw from an election. Includes date, office, party, election date and candidate's signature.

Retain 11 months (Counties). (25 P.S. §§ 2649 and 2938).

EL-6 Candidates' Affidavits

Includes candidate's name and address, office sought, affidavit of eligibility, loyalty oath and ethics affidavit. May be part of nomination petition or separate form filed with petition.

Retain 11 months (Counties). (25 P.S. §§ 2649 and 2870).

EL-7 Challenge Affidavits

Consists of challenge affidavit of elector declaring eligibility to vote and supporting affidavit by another qualified elector of the district. Contains names, addresses, date and signatures of elector and supporting elector. Also signed by judge of elections.

Retain 11 months. (25 P.S. §§ 2649 and 3050(d)).

EL-8 County Board Canvass Workpapers

Preliminary tally compiled by the county board of elections showing candidates' names and vote totals.

Retain 11 months. (25 P.S. §§ 2649 and 3068).

EL-9 Election Certification Affidavits

Sent after the certification of the returns of any primary or election to the Department of State, Bureau of Elections. The form includes name of county, date, certification of official returns, signatures of county board and clerk of elections, and vote totals for each candidate.

Retain 11 months. (Counties). (25 P.S. §§ 2649 and 3158).

EL-10 Election Documents - Miscellaneous

Contains records pertaining to each election such as proof of publication forms and acceptance statements.

Retain 11 months. (Counties). (25 P.S. § 2649).

EL-11 Election Officers' Oaths

Consists of sworn statements signed by election officers including judges, inspectors, clerks, machine inspectors and overseers. Excludes oaths contained in ballot box.

Retain 11 months. (25 P.S. §§ 2649 and 2676 - 2680).

EL-12 Election Officials Index

Listing of district election board members showing names and terms of office.

Retain 11 months. (25 P.S. § 2649).

EL-13 Election Returns

Compiled by county board for general, municipal and primary elections. Returns generally indicate district number, office, candidates' names and party affiliations, votes received, certification of computation attesting to authenticity of vote, signatures of election officials and date. Also may contain results relating to special referendums and questions.

Retain permanently for administrative and historical purposes. (25 P.S. § 3158).

EL-14 Fiscal Records

Includes standard accounting and financial records relating to the funds of the Elections Office.

See Financial Records, Payroll Records, and Purchasing Records found in Section 2 for retention guidance.

EL-15 General Return Sheets

Prepared by district board, return shows number of votes cast for each candidate; total number of ballots received and cast, declared void, spoiled, cancelled and blank; signatures of election officers and clerks; and certification by overseers if applicable.

Retain 11 months. (25 P.S. §§ 2649 and 3154).

EL-16 Legal Memoranda

Includes legal memoranda respecting a variety of legal issues and matters relating to county elections.

Retain 11 months. (25 P.S. § 2649).

EL-17 Minutes Of The Board Of Elections

Record of the Board of Elections meeting including date, names of members present and absent, issues discussed, motions, reports and actions taken.

Retain permanently for administrative, legal and historical purposes.

EL-18 Local Option Petitions

Petition regarding local option question to be placed on the ballot. Shows issue or question and electors' signatures and addresses.

Retain 2 years. (25 P.S. § 2943).

EL-19 Nomination Certificates

Used to fill vacancies caused by death or withdrawal of candidate, certificate shows office and district, cause of vacancy, applicable rule, names of committee or caucus members as well as new candidate's name, residence and occupation. Signed by presiding officer and secretary of party committee or members of political body's committee.

Retain 2 years. (25 P.S. §§ 2943 and 2939(a)).

EL-20 Nomination Papers

Relating to nomination of independent candidates, paper usually indicates name of political body; county and electoral district; candidate's name, occupation, residence as well as office and district for which nominated; names of committee members authorized to fill vacancies; electors' signatures, addresses, occupations and date of signing; circulator's affidavit; and candidate's affidavit, loyalty oath and ethics affidavit.

Retain 2 years. (25 P.S. §§ 2943 and 2911(a)).

EL-21 Nomination Petitions

Usually shows electoral district and political party; candidate's name, address, and profession; election date and office sought; signatures, addresses and occupations of qualified electors and date of signing; circulator's affidavit; and sometimes candidate's affidavit, loyalty oath and ethics affidavit.

Retain 2 years. (25 P.S. §§ 2943 and 2867).

EL-22 Notices Of Nominations To Be Made

Used to assist county board in ascertaining offices to be filled, notices from municipalities and the Secretary of the Commonwealth; usually indicate name of office, number of candidates to be elected and number of years the officer shall serve.

Retain 11 months. (25 P.S. §§ 2649, 2864 and 2865).

EL-23 Numbered Lists Of Voters

Numerical list of voters used to determine the number who cast ballots in election. Excludes lists contained in ballot box.

Retain 11 months. (25 P.S. §§ 2649 and 3050(a.3)).

EL-24 Official Ballots

Consists of paper ballots and ballot labels used with voting machines and electronic voting equipment. Includes the following types of ballots:

- (1) Electronic and punch card write-in ballots.
- (2) Official ballot cards-punch card system.
- (3) Mechanical voting machine write-in paper rolls.
- (4) Spoiled and unused ballot cards-punch card system.
- (5) Spoiled and unused paper ballots.

Retain 4 months for all official ballots and the contents of ballot boxes, unless notified by the county's district attorney or a judge of a court of record that an extension of retention is required due to pending prosecution or litigation. (25 P.S. §§ 2649, 3031.13(a), 3031.16(a), 3063(a) and 3065(a)).

EL-25 Primary Ballot Position Lottery Workpapers

Used to draw lots for ballot position for primary elections. Papers relate to local candidates and usually include name, party and office sought.

Retain 11 months. (25 P.S. §§ 2649 and 2875).

EL-26 Proclamations Of Elections

Issued by county board. Usually lists date of election, offices and candidates, special referendums or questions, and locations of polling places.

Retain 11 months. (25 P.S. §§ 2649 and 3041).

EL-27 Records Of Assisted Voters

Compiled at polling place. Record indicates municipality, ward and district; date of election; name of voter and reason for assistance; name of person furnishing assistance; and signature of judge of election.

Retain 11 months. (25 P.S. §§ 2649 and 3058).

EL-28 Secretary Of The Commonwealth Ballot Certifications

Includes certifications of Statewide candidates' names to be printed on ballots for the primary and general elections. Sent to county boards by the Secretary and based upon a lottery conducted in Harrisburg.

Retain 11 months for counties. (25 P.S. §§ 2649 and 2876).

EL-29 Specimen Ballots, Specimen Ballot Labels And/Or Voting Machine Diagrams

Contains sample ballots and voting machine diagrams made available to candidates for campaigning purposes and to electors at polling places.

Retain 11 months. (25 P.S. §§ 2649 and 2968).

EL-30 Statements Of Financial Interests

Required by the State Ethics Commission. Shows name and address, office sought, occupation, names and occupations of spouse and minor dependent children, financial disclosure information and signature.

Retain 5 years. (65 Pa.C.S.A. § 1107(9)).

EL-31 Tally Papers

Prepared by district board, consists of tally of votes cast for each candidate. Excludes papers contained in ballot box.

Retain 11 months. (25 P.S. §§ 2649 and 3062).

EL-32 Voters' Certificates/Voting Check Lists

A few counties continue to use a separate Voter's Certificate, which is completed by a voter at the polling place. (However, most county boards of elections have incorporated the Voter's Certificate into the District Register (Poll Book), which must be kept for 5 years and is also addressed at Voter Registration Records entry # VR-8.) The Voters' Certificate, at 25 P.S. § 3043, is a form usually indicating at least the voter's name, address, signature and approval of an election officer. The Voters' Certificate is required by 25 P.S. § 3052 to be inserted into a binder known as the "Voting Check List," which shall constitute the official list of electors voting at each primary and election. 25 P.S. § 3050(a.3) requires the voter's signature on the Voter's Certificate to be compared with the voter's signature in the District Register to confirm eligibility to vote. With the passage of Act 3 of 2002, the District Register is required to be retained for 5 years at 25 Pa.C.S. § 1405(a). Because the Voter's Certificate is signed by the voter and is used in conjunction with the District Register, it should be retained for 5 years as well.

Retain 5 years. (25 P.S. §§ 3043, 3050(a) and (a.3), 3052 and 25 Pa.C.S. § 1405(a)).

EL-33 Voting Machine Lists And Certifications

Consists of inventory lists showing number of machines, storage locations and registration numbers. Certification form relates to preparation of machines for election and includes custodian's certification that counter is set at zero, that each protective counter has been recorded, and that each machine has been sealed and the seal number recorded. Also shows election, date, and signatures of custodian and deputies.

Retain 11 months. (25 P.S. §§ 2649 and 3011(d)).

EL-34 Voting Machine Proof Sheets

Relates to voting machines equipped to print paper proof sheets. Printed by district board before and after election and used to check vote totals on each machine.

Retain 11 months. (25 P.S. §§ 2649 and 3067(a)).