

No. _____

ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Administrative Code of Allegheny County through the creation of a new Article 1300, entitled "Election Practices," and a new §5-1300.02, entitled "Election Facility Video Recording," in order to establish a uniform policy allowing for public review of all video taken within facilities used to store, maintain, or evaluate election equipment or conduct counts, audits, processing, or other activities relating to ballots cast in any election.

WHEREAS, Allegheny County currently projects video of activities taking place in the central facility in which election machines are stored and maintained and in which ballots are counted on monitors within that facility; and

WHEREAS, no provision of County law governs this process, provides for recording of that video, establishes a record retention process for any such recordings, or requires that such video be accessible to the general public; and

WHEREAS, it is the desire of Council to foster transparency in the election process within Allegheny County by providing clear statutory direction regarding video taken of election procedures; and

WHEREAS, it is the judgment of Council that such direction will inure to the benefit of the County's residents and voters by increasing public confidence in the election process;

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference as set forth in their entirety herein.

SECTION 2. Amendment of the Code.

The Administrative Code of Allegheny County, is hereby amended as follows:

ARTICLE 1300
Election Practices

§5-1300.02. Election facility video recording.

- A. Allegheny County shall provide for video recordings of all activities undertaken within any County-owned facility utilized for voting equipment, storage, maintenance, auditing, or testing and/or any County-owned facility utilized for storage, tabulation, re-counting, auditing, or any other processing or storage activities relating to ballots cast in any Primary or General Election. Such video feeds shall be provided without interruption from prior to the pre-canvassing and through certification of the election to which the video pertains by the Board of Elections, and shall be made available via live stream on the County website at no cost to the public.
- B. All recordings taken pursuant to the provisions of Subsection A shall be retained by the County for a period of at least five (5) years from the latter of:
1. The date on which the election to which they pertain is certified by the Board of Elections; or
 2. The date upon which the final audit of the election results to which they pertain is concluded.
- C. All recordings taken pursuant to the provisions of Subsection A shall be made available to the public pursuant to request and subject to redaction only to the extent permitted under the terms of the Commonwealth's Right to Know Law (65 P.S. §67.101, et. seq.).

SECTION 3. Effective Date.

The provisions of this Ordinance shall become effective immediately upon final approval.

SECTION 4. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.

SECTION 5. Repealer. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Resolution.*

Primary Sponsor: *COUNCIL MEMBER DeMARCO*

Co-Sponsor(s):

Enacted in Council, this _____ day of _____, 2021.

Council Agenda No. _____

Patrick Catena
President of Council

Attest: _____

Jared Barker
Chief Clerk of Council

Chief Executive Office _____, 2021

Approved: _____

Rich Fitzgerald
County Executive

Attest: _____

Sonya Dietz
Executive's Secretary