



ACT 2022 – 88

Frequently Asked Questions

Date: August 5, 2022

Version: 1.0

ARCHIVED – Refer to Department of State website for current information

Q. Is the Election Integrity Grant Program (EIGP) funding allotted to the counties evenly (or otherwise split) between the November election and the primary occurring during the fiscal year?

No. The funding is an annual appropriation that a county can use for either or both elections.

Q. Is “payment of staff needed to pre-canvass and canvass mail-in ballots and absentee ballots” in the list of eligible uses include the payment of temporary staff?

Yes. The statute does not distinguish between full-time and temporary staff. Whether temporary or full-time, it is important to track the time staff members are working on the pre-canvass and canvass processes versus other assigned tasks.

Q. Is “secure preparation, transportation, storage and management of voting apparatuses, tabulation equipment, and required polling place materials” in the list of eligible uses include contracted vendor support costs?

Yes, but only if those costs are incurred during the preparation, storage, and management phases. For example, payments made to a local trucking company to facilitate the delivery of election equipment and supplies to polling places is eligible but using the funding to pay periodic maintenance fees on a standard ongoing support contract may not be eligible.

Q. Do counties have to file reports, even if they do not intend to apply for grants under the EIGP?

Yes, all counties – regardless of EIGP status – must complete the one-time certification requirement that must be submitted within 75 days of the effective date of Act 88 of 2022. This report is due by September 24, 2022. This report attests to the county’s compliance with various Election Code and voter registration law requirements. This report is discussed in detail starting on page 4 of the accompanying guidance document.

Q. Do counties have to submit any other reports?

Counties that accept EIGP grant funds must complete and submit a report no later than 90 days after each primary or November election. It is sent to the Department of Community and Economic Development (DCED) and to the chairpersons of the Pennsylvania General Assembly State Government Committees.

Q. Do requirements exist for the EIGP grants?

While the grant funds are allocated to each county based on a set formula, counties accepting the funds must agree in the grant agreement to undertake steps in the administration of elections. These are detailed starting on the bottom of page 3 of the accompanying guidance document.

Q. May the EIGP grant funds be used for any election- or voter-registration-related expense?

No, the expenditures must be for only an expense under one or more of the nine separate categories contained in Act 88. The 90-day post-election report must capture how the grant funds were used *and* must confirm that the expenditures were for the identified types of expenses. Some of the categories – such as payment of staff – must also track details, such as the number of staff hours and related details.

Q. What does the term “substantial compliance” mean with respect to clawbacks?

With respect to “substantial compliance” regarding eligible activities, if the DCED determines that an expense is ineligible, it will provide the county the opportunity to submit other eligible activities in place of the ineligible expenditures. If the county has no other eligible expenses, the county would be required to repay the portion of expenses that were deemed ineligible. With respect to the requirements specifically directed by Act 88 to be included in the grant agreement (pre-canvassing, canvassing, etc.) or with respect to reporting requirements, DCED expects counties to make a good faith effort to comply with those requirements.

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Version History:

Version	Date	Description	Author
1.0	8.5.2022	Initial document release	Bureau of Elections