

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1630 Session of 2009

INTRODUCED BY SAYLOR, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, ROAE, PAYNE, SCHRODER, MARSHALL, BARRAR, GRELL, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, BAKER, BEAR, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HICKERNELL, M. KELLER, KNOWLES, KRIEGER, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PICKETT, READSHAW, REED, ROHRER, SCAVELLO, SONNEY, STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON AND HARHART, JUNE 23, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 23, 2009

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," providing for requirements relating to voter  
12 identification; and further providing for manner of applying  
13 to vote.

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

16 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known  
17 as the Pennsylvania Election Code, is amended by adding a  
18 section to read:

19 Section 206. Requirements Relating to Voter

1 Identification.--(a) The Secretary of the Commonwealth shall  
2 prepare and disseminate information to the public regarding the  
3 identification requirements established under section 1210.

4 (b) Notwithstanding the provisions of 75 Pa.C.S. § 1510(b)  
5 (relating to issuance and content of driver's license) to the  
6 contrary, the Department of Transportation shall issue an  
7 identification card described in 75 Pa.C.S. § 1510(b) at no cost  
8 to any registered elector who has made application therefor and  
9 has included with the completed application a signed affidavit  
10 stating that the elector is unable to obtain another form of  
11 photo identification, including a driver's license, that the  
12 elector is unable to pay the required fee for the identification  
13 card and that the elector is a registered elector as defined in  
14 25 Pa.C.S. § 1102 (relating to definitions). In the case of an  
15 elector who is a member of a recognized religious sect or  
16 community whose tenets forbid or discourage the taking of  
17 photographs of members of the sect or community, the Department  
18 of Transportation shall issue a valid-without-photo  
19 identification card containing the elector's name, address, date  
20 of birth and signature.

21 (c) The Secretary of the Commonwealth shall prepare the form  
22 of the affidavit described in subsection (b) and shall  
23 distribute the form to the counties and the Department of  
24 Transportation. The Secretary of the Commonwealth, the Secretary  
25 of Transportation and the county boards of election shall  
26 disseminate information to the public regarding the availability  
27 of identification cards under subsection (b).

28 Section 2. Section 1210(a) and (a.1), amended October 8,  
29 2004 (P.L.807, No.97), are amended to read:

30 Section 1210. Manner of Applying to Vote; Persons Entitled

1 to Vote; Voter's Certificates; Entries to Be Made in District  
2 Register; Numbered Lists of Voters; Challenges.--(a) At every  
3 primary and election each elector [who appears to vote in that  
4 election district for the first time and] who desires to vote  
5 shall first present to an election officer the original of one  
6 of the following forms of photo identification:

7 (1) a valid driver's license or identification card issued  
8 by the Department of Transportation;

9 (2) a valid identification card issued by any other  
10 executive agency of the Commonwealth as defined by 62 Pa.C.S. §  
11 103 (relating to definitions);

12 (3) [a valid identification card issued by the United States  
13 Government;

14 (4)] a valid United States passport;

15 [(5) a valid student identification card;

16 (6) a valid employe identification card;] or

17 [(7)] (4) a valid armed forces of the United States  
18 identification card.

19 The election officer shall examine the identification presented  
20 by the elector and sign an affidavit stating that this has been  
21 done.

22 [(a.1) Where the elector does not have a photo  
23 identification as provided for in subsection (a), the elector  
24 shall present for examination one of the following forms of  
25 identification that shows the name and address of the elector:

26 (1) nonphoto identification issued by the Commonwealth, or  
27 any agency thereof;

28 (2) nonphoto identification issued by the United States  
29 Government, or agency thereof;

30 (3) a firearm permit;

- 1       (4)   a current utility bill;
- 2       (5)   a current bank statement;
- 3       (6)   a paycheck;
- 4       (7)   a government check.

5   The election officer shall examine the identification presented  
6   by the elector and sign an affidavit stating that this has been  
7   done.]

8       \* \* \*

9       Section 3.   This act shall take effect in 60 days.