
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 37 Session of
2013

INTRODUCED BY SMUCKER, PILEGGI, FARNESE, BAKER, ALLOWAY,
ERICKSON, TEPLITZ, FONTANA, WASHINGTON, WILLIAMS, SMITH,
FERLO, LEACH AND SCHWANK, JANUARY 4, 2013

REFERRED TO STATE GOVERNMENT, JANUARY 4, 2013

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in voter registration, further providing for
3 methods of voter registration, providing for electronic voter
4 registration application and further providing for
5 preparation and distribution of applications; in changes in
6 records, further providing for change of enrollment of
7 political party; and conferring powers and imposing duties on
8 the Department of State.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 1321 of Title 25 of the Pennsylvania
12 Consolidated Statutes is amended by adding a paragraph to read:
13 § 1321. Methods of voter registration.

14 An individual qualified to register to vote under section
15 1301(a) (relating to qualifications to register) may apply to
16 register as follows:

17 * * *

18 (5) Under section 1325.1 (relating to electronic voter
19 registration application).

20 Section 2. Title 25 is amended by adding a section to read:

1 § 1325.1. Electronic voter registration application.

2 (a) General rule.--An application to register to vote or to
3 change party enrollment or name or address on a current
4 registration may be submitted by electronic voter registration
5 application in the manner provided under this section.

6 (b) Establishment.--An electronic voter application shall be
7 established and implemented by the department within 90 days of
8 the effective date of this section. The electronic voter
9 registration application shall comply with the requirements
10 under section 1327 (relating to preparation and distribution of
11 applications). The secretary shall promulgate regulations
12 necessary to establish, implement and administer the electronic
13 voter registration application.

14 (c) Time.--Registration under this section may be made at
15 any time. If an electronic voter registration application is
16 submitted later than 30 days before the election, the
17 application shall be retained until the beginning of the next
18 period during which registration can be made.

19 Section 3. Sections 1327(a) (3) and (4) and (b) (3) and 1503
20 of Title 25 are amended to read:

21 § 1327. Preparation and distribution of applications.

22 (a) Form.--

23 * * *

24 (3) Any person who assists in the completion of the
25 registration application shall sign or, in the case of
26 registration under section 1325.1 (relating to electronic
27 voter registration application), electronically sign the
28 application and indicate the person's address. In the case of
29 those registering under sections 1323 (relating to
30 application with driver's license application) and 1325

1 (relating to government agencies), the person providing
2 assistance shall insert the person's initials or employee or
3 agent identification number on a separate or detachable
4 portion of the application or computer data file.

5 (4) A voter registration application, except a
6 registration application under section 1325.1, shall be
7 printed on stock of good quality and shall be of suitable
8 uniform size. [Nothing in this part shall prohibit the design
9 and use of an electronic voter registration application which
10 includes the applicant's digitized or electronic signature.]
11 The registration application, including a registration
12 application under section 1325.1, shall contain the following
13 information; however, the information may be provided on a
14 separate form for voter registration made under section 1323
15 or 1325:

16 (i) Notice that a registered elector does not need
17 to reregister unless the registered elector has moved.

18 (ii) Instructions on how to fill out and submit the
19 application and notification of when the application must
20 be submitted to a voter registration office or, for
21 registration under section 1325.1, electronically in
22 order to be registered for the ensuing election.

23 (iii) Notice that the applicant must be a citizen of
24 the United States for at least one month prior to the
25 next election and a resident of this Commonwealth and the
26 election district for at least 30 days and must be at
27 least 18 years of age by the day of the next ensuing
28 election and has not been confined in a penal institution
29 for a conviction of a felony within the last five years.

30 The notice required in this subparagraph shall be in

1 print identical to the declaration under subsection (b).

2 (iv) Notice that political party enrollment is
3 mandatory to vote in a primary election of a political
4 party.

5 (v) Notice that the commission will mail by
6 nonforwardable mail to the applicant a voter's
7 identification card upon acceptance of the application
8 and that the applicant should contact the commission if
9 the identification card is not received within 14 days
10 from the date the application is sent to the registration
11 office.

12 (vi) Notice that registration is not complete until
13 the application is processed and accepted by the
14 commission.

15 (vii) A warning to the applicant that making a false
16 registration or furnishing false information is perjury.
17 The notice required in this subparagraph shall be in
18 print identical to the declaration under subsection (b).

19 (viii) Instructions to Federal or State employees
20 who wish to retain voting residence in county of last
21 residence to so indicate on the application.

22 (ix) Notice that, if an individual declines to
23 register to vote, the fact that the individual has
24 declined to register will remain confidential and will be
25 used only for voter registration purposes. The notice
26 required in this subparagraph shall be in print identical
27 to the declaration under subsection (b).

28 (x) Notice that, if an individual does register to
29 vote, the office at which the individual submits a voter
30 registration application will remain confidential and

1 will be used for voter registration purposes only. The
2 notices required in this subparagraph shall be in print
3 identical to the declaration in subsection (b).

4 * * *

5 (b) Registration declaration.--

6 * * *

7 (3) The registration declaration shall contain the
8 printed name [and signature of the applicant and the date of
9 signing], date of signing and, except for applicants
10 submitting a registration under section 1325.1, the signature
11 of the applicant. An applicant unable to sign the voter
12 registration application shall make a mark before a person of
13 the applicant's choice other than the applicant's employer or
14 an agent of the applicant's union. The person shall insert
15 the person's name, address and telephone number. If the
16 person is an employee or agent of the Department of
17 Transportation or another agency as provided under section
18 1325 and is assisting the applicant in an official capacity,
19 the employee or agent shall insert the initials and
20 identification number of the employee or agent. In the case
21 of applicants registering under section 1323 or 1325, the
22 person providing assistance shall insert initials or employee
23 or agent identification number on a separate or detachable
24 portion of the application or computer data file. In the case
25 of an applicant registering under section 1325.1, the
26 applicant shall be required to verify the applicant's
27 identity by providing the last four digits of the applicant's
28 Social Security number, the applicant's driver's license
29 number or the applicant's identification number issued by the
30 Department of Transportation under 75 Pa.C.S. § 1510(b)

1 (relating to issuance and content of driver's license). In
2 the case of an applicant submitting an electronic voter
3 registration application to change party enrollment or name
4 or address on a current registration, the applicant may also
5 verify identity by providing the applicant's voter
6 identification number issued by the Department of
7 Transportation under section 206(b) of the act of June 3,
8 1937 (P.L.1333, No.320), known as the Pennsylvania Election
9 Code.

10 * * *

11 § 1503. Change of enrollment of political party.

12 By the deadline for registration, a registered elector who
13 desires to change the enrollment of political designation or
14 who, although registered, has not previously enrolled as a
15 member of a party may appear before a commissioner, registrar or
16 clerk or may submit an application by mail under section 1324
17 (relating to application by mail) [and state in a signed] or
18 electronically under section 1325.1 (relating to electronic
19 voter registration application). The elector may state in a
20 signed or, in the case of an application submitted under section
21 1325.1, verified writing the political party in which the
22 registered elector desires to be enrolled. If the signature or
23 verification information of the elector is verified by
24 comparison with the registered elector's signature or
25 verification information as it appears on file with the
26 commission, the commissioner, registrar or clerk shall make the
27 change in its registration records. [If] In cases other than
28 submission of an application under section 1325.1, if supported
29 by other evidence of identity, a mark may be made in lieu of a
30 signature by a registered elector who is unable to write. The

1 mark must be made in the presence of a witness who must sign the
2 registration application. For applications submitted under
3 section 1325.1, an elector may verify identity by providing the
4 last four digits of the elector's Social Security number, the
5 elector's driver's license number, the elector's identification
6 number issued by the Department of Transportation under 75
7 Pa.C.S. § 1510(b) (relating to issuance and content of driver's
8 license) or the applicant's voter identification number issued
9 by the Department of Transportation under section 206(b) of the
10 act of June 3, 1937 (P.L.1333, No.320), known as the
11 Pennsylvania Election Code.

12 Section 4. This act shall take effect in 60 days.