
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2881

Session of
2000

INTRODUCED BY JAMES, McILHINNEY, OLIVER, WASHINGTON, HANNA,
WATERS, CALTAGIRONE, BEBKO-JONES, FRANKEL, LEVDANSKY, RAMOS,
JOSEPHS, KIRKLAND, ROEBUCK, THOMAS, EVANS, YOUNGBLOOD AND
MYERS, NOVEMBER 22, 2000

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 22, 2000

AN ACT

1 Providing for election day registration; and providing
2 penalties.

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5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 CHAPTER 1

8 PRELIMINARY PROVISIONS

9 Section 101. Short title.

10 This act shall be known and may be cited as the Election Day
11 Registration Act.

12 Section 102. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "County board." The county board of elections.

17 "Department." The Department of State of the Commonwealth.

18 CHAPTER 3

19 ELECTION DAY REGISTRATION

20 Section 301. Election day registration.

21 (a) General rule.--An individual otherwise eligible to vote
22 may register to vote on the day of any primary, municipal or
23 general election by appearing in person at the polling place for
24 the election district in which the individual maintains
25 residence, completing a registration card, making an oath in the
26 form prescribed by the department and providing proof of
27 residence.

28 (b) Proof of residence.--An individual may prove residence
29 by any of the following methods:

30 (1) By displaying a valid driver's license.

1 (2) By showing any document approved by the department.

2 (3) By the written statement of an elector registered to
3 vote in that election district, sworn to in the presence of a
4 judge of elections, stating to the effect that the elector
5 personally knows that the individual is a resident of the
6 election district. An individual who has been vouched for on
7 election day may not sign a proof of residence oath vouching
8 for any other individual on that election day.

9 Section 302. Procedure.

10 (a) Judges of elections.--Voter registration under this act
11 shall be conducted by judges of elections. A judge who registers
12 an individual voter may not process that voter's ballot at any
13 time prior to opening of the ballot box after the voting ends.

14 (b) Registration cards.--Registration cards and forms for
15 oaths shall be available at each polling place. If an individual
16 who registers on election day proves residence under section
17 301(b)(3), the form containing that statement shall be attached
18 to the individual's registration card. Registration cards
19 completed on election day shall be forwarded to the appropriate
20 county board, which shall add the name of each voter to the
21 registration rolls unless the information forwarded is
22 substantially deficient. Each judge of elections registering a
23 person on election day shall initial the voter registration card
24 of that individual.

25 (c) Deficient registration.--A county board which finds an
26 election day registration substantially deficient shall mail
27 written notice of same to the individual. An election day
28 registration shall not be found deficient solely because the
29 individual who provided proof of residence was ineligible to do
30 so.

1 Section 303. Maps.

2 The county board shall provide each polling place with a
3 detailed map showing election districts in order to assist
4 judges of elections in determining whether an address is located
5 in that district.

6 Section 304. Record of attempted registrations.

7 The judge of elections responsible for election day
8 registration at each polling place shall keep a record of the
9 number of individuals who attempt to register on election day
10 but who cannot provide proof of residence as required by this
11 act. This record shall be forwarded to the county board with the
12 election returns for that election district.

13 Section 305. Verification by mail.

14 Within ten days of an election, each county board shall send
15 a notice to a random sampling of no less than 25% of individuals
16 registered on election day. The random sampling shall be
17 determined in accordance with the rules of the department. As
18 soon as practicable after the election, the county board shall
19 mail registration verification notices to all individuals
20 registered on election day. If a notice is returned as not
21 deliverable, the county board shall attempt to determine the
22 reason for the return. A county board which does not receive or
23 obtain satisfactory proof of an individual's eligibility to vote
24 shall immediately notify the district attorney and the
25 department.

26 CHAPTER 5

27 ENFORCEMENT AND PENALTIES

28 Section 501. Prohibited acts.

29 (a) General.--A person may not do any of the following:

30 (1) Cause an individual's name to be registered in any

1 election district if that individual is not eligible to vote.

2 (2) Cause an individual's name to be registered for the
3 purpose of voting in more than one election district or in
4 any election district in which the individual does not
5 maintain residence.

6 (3) Misrepresent an individual's identity when
7 attempting to register to vote.

8 (4) Aid, abet, counsel or procure any other individual
9 to violate this act.

10 (b) Judge of elections.--A judge of elections may not allow
11 an unregistered voter to vote in any election.

12 (c) Grading.--A violation of this section constitutes a
13 misdemeanor of the second degree.

14 Section 502. Enforcement.

15 Prosecution for violations of this act shall be brought by
16 the district attorney, upon information supplied by the
17 department, a county election officer or any person.

18 CHAPTER 11

19 MISCELLANEOUS PROVISIONS

20 Section 1101. Construction of act.

21 This act shall be construed as providing a procedure for
22 registration in addition to those methods as are now provided by
23 law.

24 Section 1102. Regulations.

25 The department may promulgate regulations necessary to carry
26 out this act.

27 Section 1103. Repeals.

28 All acts and parts of acts are repealed insofar as they are
29 inconsistent with this act.

30 Section 1104. Applicability.

1 This act shall apply to the municipal or general election
2 occurring in the year next following the year of final enactment
3 of this act, and to each primary, municipal and general election
4 thereafter.

5 Section 1105. Effective date.

6 This act shall take effect immediately.