THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1505 Session of 2013

INTRODUCED BY WHITE, FRANKEL, ROZZI, KORTZ, YOUNGBLOOD, PAINTER, McGEEHAN, SCHLOSSBERG, D. COSTA, O'BRIEN, THOMAS, TRUITT, GIBBONS, PASHINSKI, BIZZARRO, MULLERY, GOODMAN, V. BROWN AND KIM, JUNE 10, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 10, 2013

AN ACT

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

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

Section 1. Section 1321 of Title 25 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read:

§ 1321. Methods of voter registration. An individual qualified to register to vote under section 1301(a) (relating to qualifications to register) may apply to register as follows:

* * *

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

Section 2. Title 25 is amended by adding a section to read:
§ 1325.1. Electronic voter registration application.

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

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

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

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

§ 1327. Preparation and distribution of applications.

(a) Form.--

   * * *

   (3) Any person who assists in the completion of the registration application shall sign or, in the case of registration under section 1325.1 (relating to electronic voter registration application), electronically sign the application and indicate the person's address. In the case of those registering under sections 1323 (relating to application with driver's license application) and 1325...
(relating to government agencies), the person providing
assistance shall insert the person's initials or employee or
agent identification number on a separate or detachable
portion of the application or computer data file.

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

   (i) Notice that a registered elector does not need
to reregister unless the registered elector has moved.
   (ii) Instructions on how to fill out and submit the
application and notification of when the application must
be submitted to a voter registration office or, for
registration under section 1325.1, electronically in
order to be registered for the ensuing election.
   (iii) Notice that the applicant must be a citizen of
the United States for at least one month prior to the
next election and a resident of this Commonwealth and the
election district for at least 30 days and must be at
least 18 years of age by the day of the next ensuing
election and has not been confined in a penal institution
for a conviction of a felony within the last five years.
The notice required in this subparagraph shall be in
print identical to the declaration under subsection (b).

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

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

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

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

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

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

(x) Notice that, if an individual does register to vote, the office at which the individual submits a voter registration application will remain confidential and
will be used for voter registration purposes only. The
notices required in this subparagraph shall be in print
identical to the declaration in subsection (b).

* * *

(b) Registration declaration.--

* * *

(3) The registration declaration shall contain the
printed name [and signature of the applicant and the date of
signing], date of signing and, except for applicants
submitting a registration under section 1325.1, the signature
of the applicant. An applicant unable to sign the voter
registration application shall make a mark before a person of
the applicant's choice other than the applicant's employer or
an agent of the applicant's union. The person shall insert
the person's name, address and telephone number. If the
person is an employee or agent of the Department of
Transportation or another agency as provided under section
1325 and is assisting the applicant in an official capacity,
the employee or agent shall insert the initials and
identification number of the employee or agent. In the case
of applicants registering under section 1323 or 1325, the
person providing assistance shall insert initials or employee
or agent identification number on a separate or detachable
portion of the application or computer data file. In the case
of an applicant registering under section 1325.1, the
applicant shall be required to verify the applicant's
identity by providing the last four digits of the applicant's
Social Security number, the applicant's driver's license
number or the applicant's identification number issued by the
Department of Transportation under 75 Pa.C.S. § 1510(b)
(relating to issuance and content of driver's license). In the case of an applicant submitting an electronic voter registration application to change party enrollment or name or address on a current registration, the applicant may also verify identity by providing the applicant's voter identification number issued by the Department of Transportation under section 206(b) of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

* * *

§ 1503. Change of enrollment of political party.

By the deadline for registration, a registered elector who desires to change the enrollment of political designation or who, although registered, has not previously enrolled as a member of a party may appear before a commissioner, registrar or clerk or may submit an application by mail under section 1324 (relating to application by mail) [and state in a signed] or electronically under section 1325.1 (relating to electronic voter registration application). The elector may state in a signed or, in the case of an application submitted under section 1325.1, verified writing the political party in which the registered elector desires to be enrolled. If the signature or verification information of the elector is verified by comparison with the registered elector's signature or verification information as it appears on file with the commission, the commissioner, registrar or clerk shall make the change in its registration records. [If] In cases other than submission of an application under section 1325.1, if supported by other evidence of identity, a mark may be made in lieu of a signature by a registered elector who is unable to write. The
mark must be made in the presence of a witness who must sign the
registration application. For applications submitted under
section 1325.1, an elector may verify identity by providing the
last four digits of the elector's Social Security number, the
elector's driver's license number, the elector's identification
number issued by the Department of Transportation under 75
Pa.C.S. § 1510(b) (relating to issuance and content of driver's
license) or the applicant's voter identification number issued
by the Department of Transportation under section 206(b) of the
act of June 3, 1937 (P.L.1333, No.320), known as the
Pennsylvania Election Code.

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