

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1240 Session of
2001

INTRODUCED BY PICCOLA, LEMMOND, CONTI, JUBELIRER, BRIGHTBILL,
THOMPSON, WENGER, HELFRICK, RHOADES, TOMLINSON, GREENLEAF,
GERLACH, M. WHITE, MURPHY, D. WHITE, MADIGAN, ERICKSON AND
HOLL, DECEMBER 6, 2001

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 15, 2002

AN ACT

1 ~~Amending the act of June 30, 1995 (P.L.170, No.25), entitled "An~~ <—
2 ~~act providing for voter registration, for registration~~
3 ~~commissions, for remedies and for absentee ballots; imposing~~
4 ~~penalties; making appropriations; and making repeals,"~~
5 ~~further providing for the definitions of "district register,"~~
6 ~~"general register," "qualified elector," "registrant,"~~
7 ~~"registration records" and "Statewide Uniform Registry of~~
8 ~~Electors" or "SURE system," for departmental~~
9 ~~responsibilities, for commissions, for legislative intent,~~
10 ~~for establishment of SURE system, for qualifications to~~
11 ~~register, for in person voter registration, for application~~
12 ~~with driver's license application, for application by mail,~~
13 ~~for time, for preparation and distribution of applications,~~
14 ~~for approval of registration applications, for general~~
15 ~~register, for district registers, for street lists, for~~
16 ~~public information lists, for retention of records, for~~
17 ~~removal notices, for transfer of registration, for court of~~
18 ~~common pleas, for registration, for votes, for official~~
19 ~~documents, for law enforcement assistance, for preventing~~
20 ~~registration, for approval of registration, for power of~~
21 ~~department, for removal of voters and for files; and~~
22 ~~providing for SURE system costs, for SURE registration number~~
23 ~~and for conversion of registration records.~~

24 AMENDING TITLE 25 (ELECTIONS) OF THE PENNSYLVANIA CONSOLIDATED <—
25 STATUTES, FURTHER PROVIDING FOR ADVISORY BOARD OF THE
26 STATEWIDE UNIFORM REGISTRY OF ELECTORS.

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

1 ~~Section 1. The definitions of "district register," "general~~ <—
2 ~~register," "qualified elector," "registrant," "registration~~
3 ~~records" and "Statewide Uniform Registry of Electors," or "SURE~~
4 ~~system" in section 102 of the act of June 30, 1995 (P.L.170,~~
5 ~~No.25), known as the Pennsylvania Voter Registration Act, added~~
6 ~~June 25, 2001 (P.L.674, No.61), are amended to read:~~

7 ~~Section 102. Definitions.~~

8 ~~The following words and phrases when used in this act shall~~
9 ~~have the meanings given to them in this section unless the~~
10 ~~context clearly indicates otherwise:~~

11 ~~* * *~~

12 ~~["District register." The registration cards or digitized~~
13 ~~signature list containing the list of qualified electors:~~

14 ~~(1) arranged, by election district, alphabetically by~~
15 ~~last name of the registrant; and~~

16 ~~(2) prepared by the commission under section 702.]~~

17 ~~"District register." The list of registered electors~~
18 ~~prepared by the commission under section 702.~~

19 ~~* * *~~

20 ~~["General register." The registration record of a county~~
21 ~~containing at a minimum all information required on a~~
22 ~~registration application and a registration card for all~~
23 ~~registered electors in the county.]~~

24 ~~"General register." The list of registered electors prepared~~
25 ~~by the commission under section 701.~~

26 ~~* * *~~

27 ~~"Qualified elector." An [individual] applicant who possesses~~
28 ~~all of the qualifications for voting prescribed by the~~
29 ~~Constitution of Pennsylvania and the laws of this Commonwealth~~
30 ~~or who, being otherwise qualified by continued residence in the~~

1 ~~election district, obtains such qualifications before the next~~
2 ~~ensuing election. The term does not include a military elector.~~

3 ~~["Registrant." An] "Registrant" or "registered elector." A~~
4 ~~qualified elector who is registered to vote in accordance with~~
5 ~~this act.~~

6 * * *

7 ~~"Registration records." The general register, district~~
8 ~~register and any other record of registration [of electors]~~
9 ~~maintained by a [county. If provided in regulations promulgated~~
10 ~~under this act, the] commission. The term [shall also refer to]~~
11 ~~includes any record maintained by the [county] commission on the~~
12 ~~Statewide Uniform Registry of Electors.~~

13 * * *

14 ~~"Statewide Uniform Registry of Electors" or "SURE system."~~
15 ~~The integrated voter registration system [containing a data~~
16 ~~base] of all registered electors in this Commonwealth~~
17 ~~established by Subchapter B of Chapter 3 of this act.~~

18 ~~Section 2. Section 301 of the act, amended June 25, 2001~~
19 ~~(P.L.674, No.61), is amended to read:~~

20 ~~Section 301. Departmental responsibilities.~~

21 ~~The department shall do all of the following:~~

22 ~~(1) Provide for applicants to submit their voter~~
23 ~~registration application to the commission, the Department of~~
24 ~~Transportation and other agencies designated in section 525.~~

25 ~~(2) Prescribe a procedure for the return of completed~~
26 ~~voter registration applications from the Department of~~
27 ~~Transportation, the Department of Public Welfare, armed~~
28 ~~forces recruitment centers, Offices of the Clerk of Orphan's~~
29 ~~Court and all other offices under this act to the secretary~~
30 ~~or the appropriate commission.~~

1 ~~(3) Develop [and establish], establish, implement and~~
2 ~~administer a Statewide Uniform Registry of Electors [subject~~
3 ~~to the requirements of section 321] in accordance with~~
4 ~~Subchapter B.~~

5 ~~(4) Promulgate regulations necessary to administer this~~
6 ~~act.~~

7 ~~Section 3. Section 303(a), (h) and (k) of the act, amended~~
8 ~~June 25, 2001 (P.L. 674, No. 61), are amended and the section is~~
9 ~~amended by adding a subsection to read:~~

10 ~~Section 303. Commissions.~~

11 ~~(a) Establishment. A [registration] commission is~~
12 ~~established in each county. The commission has jurisdiction over~~
13 ~~the registration of applicants, qualified electors and~~
14 ~~registered electors of the county under this act.~~

15 ~~* * *~~

16 ~~(h) Errors. A commission [has the power to] shall correct~~
17 ~~an error or irregularity in registration and [to] cancel the~~
18 ~~registration of an individual whom it finds to be improperly~~
19 ~~registered, subject only to this act. Written notice [must]~~
20 ~~shall be mailed or delivered to each individual whose~~
21 ~~registration is canceled. Whenever a registered elector's name~~
22 ~~is changed for any reason, [that] the registered elector's SURE~~
23 ~~registration number shall remain the same, and the file shall~~
24 ~~reflect the former name change to the new name. [A commission~~
25 ~~shall promptly update information contained in its registration~~
26 ~~records with regard to such errors or irregularities.]~~

27 ~~* * *~~

28 ~~(k) Correction of errors.—~~

29 ~~(1) A commission shall correct its registration records~~
30 ~~without requiring action of a registered elector in any of~~

1 ~~the following cases:~~

2 ~~(i) If the mailing address of the registered elector~~
3 ~~has been changed by the renaming of a street, the~~
4 ~~renumbering of a house or the changing of a post office.~~

5 ~~(ii) If the election district of the registered~~
6 ~~elector has been changed through a change in the~~
7 ~~boundaries of an election district.~~

8 ~~(2) Notice of action under paragraph (1) shall be mailed~~
9 ~~promptly to the affected registered elector.~~

10 ~~(1) Update. A commission shall promptly update information~~
11 ~~contained in its registration records.~~

12 ~~Section 4. Sections 321 and 322 of the act, added June 25,~~
13 ~~2001 (P.L.674, No.61), are amended to read:~~

14 ~~{Section 321. Legislative intent.~~

15 ~~It is the intent of the General Assembly that a Statewide~~
16 ~~system of voter registration be established in this Commonwealth~~
17 ~~to ensure the integrity and accuracy of voter registration~~
18 ~~records. All commissions shall be linked electronically to a~~
19 ~~data base containing information pertaining to all registered~~
20 ~~electors in this Commonwealth. The system shall be in a uniform~~
21 ~~format and shall be compatible, as far as practicable, with~~
22 ~~current technologies employed by the commissions with regard to~~
23 ~~voter registration. The system shall, as far as practicable,~~
24 ~~preserve the power of the commissions to make determinations as~~
25 ~~to the qualifications of electors. When commissions fail to~~
26 ~~perform the duties imposed by this act, the department shall be~~
27 ~~empowered to enforce compliance.}~~

28 ~~Section 322. [Establishment of] SURE system.~~

29 ~~(a) Establishment. The department shall develop and~~
30 ~~{implement} establish a Statewide Uniform Registry of Electors~~

1 ~~{containing a data base of all registered electors in this~~
2 ~~Commonwealth} to be known as the SURE system.~~

3 ~~(b) Advisory board.~~

4 ~~(1) The secretary shall form an advisory board to~~
5 ~~{assist the department in determining and identifying the~~ <—
6 ~~necessary elements and requirements of the SURE system.~~

7 ~~(2) The secretary shall appoint nine directors of~~
8 ~~elections, one from each class of counties, and shall appoint~~
9 ~~three county commissioners, each from a different class of~~
10 ~~counties from a list submitted by the County Commissioners~~
11 ~~Association of Pennsylvania. The advisory board shall also be~~
12 ~~comprised of four members of the General Assembly who have~~
13 ~~been appointed to the Joint Select Committee on Election~~
14 ~~Reform pursuant to House Resolution 14 of 2001 as follows:~~

15 ~~(i) Two members of the House of Representatives, one~~
16 ~~of whom shall be a member of the minority party~~
17 ~~recommended by the Minority Leader, appointed by the~~
18 ~~Speaker of the House of Representatives.~~

19 ~~(ii) Two members of the Senate, one of whom shall be~~
20 ~~a member of the minority party recommended by the~~
21 ~~Minority Leader, appointed by the President pro tempore~~
22 ~~of the Senate.~~

23 ~~(3) On or before October 15, 2001, the secretary shall~~
24 ~~make a report of the recommendations of the department with~~
25 ~~regard to the necessary elements and requirements of the SURE~~
26 ~~system. The report shall be submitted to the State Government~~
27 ~~Committee of the Senate and the State Government Committee of~~
28 ~~the House of Representatives. The recommendations shall~~
29 ~~include, but not necessarily be limited to, the following:~~

30 ~~(i) requirements for county participation in the~~

1 ~~SURE system;~~

2 ~~(ii) access to the SURE system for review and search~~
3 ~~capabilities;~~

4 ~~(iii) use of the SURE system as the general register~~
5 ~~of a county;~~

6 ~~(iv) use of signatures or other forms of voter~~
7 ~~registration identification;~~

8 ~~(v) accuracy, security and protection of all~~
9 ~~information in the SURE system and to ensure that~~
10 ~~unauthorized entry is not allowed; and~~

11 ~~(vi) usage and compatibility of the various~~
12 ~~equipment and technologies currently possessed by the~~
13 ~~counties.}]~~

14 ~~confer with the department regarding the SURE system.~~

15 ~~(2) The advisory board shall be comprised of four~~
16 ~~directors of elections who have been appointed as follows:~~

17 ~~(i) Two directors by the Senate, one appointed by~~
18 ~~the Minority Leader and one appointed by the President~~
19 ~~pro tempore of the Senate.~~

20 ~~(ii) Two directors by the House of Representatives,~~
21 ~~one appointed by the Minority Leader and one appointed by~~
22 ~~the Speaker of the House of Representatives.~~

23 ~~(c) Requirements. The SURE system shall be developed as a~~
24 ~~single, uniform integrated computer system. All commissions~~
25 ~~shall be connected electronically to the SURE system and shall~~
26 ~~maintain their registration records in the system. The SURE~~
27 ~~system shall, at a minimum, do all of the following:~~

28 ~~(1) Contain a data base of all registered electors in~~
29 ~~this Commonwealth.~~

30 ~~(2) Ensure the integrity and accuracy of all~~

1 ~~registration records in the system by prohibiting~~
2 ~~unauthorized entry, modification or deletion of registration~~
3 ~~records.~~

4 ~~(3) Assign a unique SURE registration number to each~~
5 ~~individual currently registered in this Commonwealth.~~

6 ~~(4) Permit the commissions to add, modify and delete~~
7 ~~information in the system as is necessary and appropriate.~~

8 ~~(5) Permit each commission and the department to have~~
9 ~~instant access to a commission's registration records~~
10 ~~maintained on the system.~~

11 ~~(6) Be the general register for a commission once the~~
12 ~~commission is connected to the SURE system.~~

13 ~~(7) Permit each commission and the department to review~~
14 ~~and search the system and to permit the sending of notices to~~
15 ~~the appropriate officials regarding death, change of address~~
16 ~~or other information which could affect the qualifications of~~
17 ~~an applicant or the registration of a registered elector.~~

18 ~~(8) Provide for the electronic transfer of completed~~
19 ~~voter registration applications and changes of address in~~
20 ~~accordance with the act.~~

21 ~~(9) Preserve the power of the commissions to make~~
22 ~~determinations as to the qualifications of applicants.~~

23 ~~(10) Assign a unique SURE registration number to each~~
24 ~~qualified elector who becomes registered and record the~~
25 ~~registered elector in the general register of the appropriate~~
26 ~~commission.~~

27 ~~(11) Permit auditing of each registered elector's~~
28 ~~registration record from the day of its creation until the~~
29 ~~day it is canceled.~~

30 ~~(12) Permit the department to implement section~~

1 ~~1901(b)(1)(i)-~~

2 ~~(13) Permit the timely printing and transmission by~~
3 ~~commissions of district registers and all other information~~
4 ~~contained in the system as may be necessary for the operation~~
5 ~~of the polling places on election days.~~

6 ~~(14) Be designed with an emergency recovery system to~~
7 ~~insure that registration records are not lost in the case of~~
8 ~~an emergency, natural disaster or other such event that could~~
9 ~~cause the system to malfunction.~~

10 ~~(d) Records. Within 30 days of receiving notice from the~~
11 ~~department, each commission shall provide to the department, in~~
12 ~~the manner and form established by the department, an electronic~~
13 ~~copy of its registration records. Beginning 60 days after~~
14 ~~receiving notice in accordance with this subsection and~~
15 ~~continuing until the commission is connected to the SURE system,~~
16 ~~each commission shall provide monthly to the department, in the~~
17 ~~manner and form established by the department, an electronic~~
18 ~~copy of its general register. The provision of records in~~
19 ~~accordance with this subsection shall not be considered a part~~
20 ~~of the establishment or implementation of the SURE system.~~

21 ~~(e) Implementation. The department shall implement the SURE~~
22 ~~system as soon as possible. The department shall establish, by~~
23 ~~regulation, a schedule for each commission to be connected to~~
24 ~~the SURE system. Commissions shall be connected in an order~~
25 ~~which maximizes the accuracy, integrity and protection of~~
26 ~~registration records on a Statewide basis. Upon being connected,~~
27 ~~each commission shall be required to use the SURE system as its~~
28 ~~general register. Connection of the commissions shall commence~~
29 ~~no later than August 31, 2002, and shall be completed Statewide~~
30 ~~by January 1, 2005.~~

~~(f) Regulations. The secretary shall promulgate regulations necessary to establish, implement and administer the SURE system. Regulations shall include all of the following:~~

~~(1) Uniform procedures for the commissions relating to the SURE system, including the process and manner of entering information into the SURE system, the type and form of information to be entered, the process for identifying and removing duplicate registrations, the manner and time frame for updating information in the system and the manner and form of communications between commissions and between the department and a commission.~~

~~(2) Periodic training requirements for commissions and their employees.~~

~~(3) Such other regulations as are necessary to ensure that the SURE system shall comply with all other provisions of this act.~~

~~Section 5. The act is amended by adding a section to read:~~
~~Section 323. SURE system costs.~~

~~The cost of establishment, implementation and maintenance of the SURE system technology and its emergency recovery system shall be borne by the Commonwealth.~~

~~Section 6. Section 501(a) of the act, amended June 25, 2001 (P.L.674, No.61), is amended to read:~~

~~Section 501. Qualifications to register.~~

~~(a) Eligibility. [A qualified elector] An individual who will be at least 18 years of age on the day of the next election, who has been a citizen of the United States for at least one month prior to the next election and who has resided in this Commonwealth and the election district where the [qualified elector] individual offers to vote for at least 30~~

~~days prior to the next ensuing election and has not been
confined in a penal institution for a conviction of a felony
within the last five years shall be [entitled to be registered]
eligible to register as provided in this chapter. [If an
individual is qualified to vote in an election district prior to
removal of residence, the individual may, if a resident of this
Commonwealth, vote in the election district from which residence
was removed within the 30 days preceding the election.]~~

~~* * *~~

~~Section 7. Section 522(a) and (b) of the act are amended to
read:~~

~~Section 522. In person voter registration.~~

~~(a) General rule. Applications may be submitted to register
to vote or change party enrollment or name or address on current
registration record in person before the [registration]
commission or a commissioner, a registrar or a clerk at the
office of the commission or at a place designated by the
commission. The applicant shall be advised that any intentional
false statement on the application constitutes perjury and will
be punishable as such. The applicant shall provide the
information required on the registration application and sign
the registration declaration. The commission shall prepare and
provide voter registration applications for the purpose of
registering qualified electors in accordance with this section.
Notwithstanding any other provision of this act, the commission
may use a mail registration application for in person
registration. The commission shall mail the [voter's] qualified
elector an identification card in accordance with section
[527(a)(4)(v)] 528.~~

~~(b) Notice. The commission shall, within a reasonable time,~~

~~publicly announce the address of each place of registration, the address of each office of the commission established for the registration of qualified electors other than its main office and the days and hours when the place or office is open for the registration of qualified electors. The announcement shall be made by posting notice at the place or office and at the commission's main office and by other means as the commission deems advisable.~~

~~* * *~~

~~Section 8. Section 523(a), (b) and (c) of the act, amended June 25, 2001 (P.L. 674, No. 61), are amended to read:~~

~~Section 523. Application with driver's license application.~~

~~(a) General rule.—~~

~~(1) The Department of Transportation shall provide for simultaneous application for voter registration in conjunction with the process under 75 Pa.C.S. § 1510 (relating to issuance and content of driver's license). An application under this subsection shall serve as an application to register to vote unless the applicant fails to sign the voter registration application. The secretary has the primary responsibility for implementing and enforcing the driver's license voter registration system created under this section. The secretary, in consultation with the Secretary of Transportation, may promulgate regulations for implementing this section.~~

~~(2) An application for voter registration submitted to the Department of Transportation under this subsection shall be considered as updating any previous voter registration information by [the applicant] a registrant.~~

~~(3) Any change of address submitted to the Department of~~

1 ~~Transportation for the purposes of driver licensing shall~~
2 ~~serve as notification of change of address for voter~~
3 ~~registration for the registrant involved unless the~~
4 ~~registrant indicates that the change of address is not for~~
5 ~~voter registration purposes.~~

6 ~~(b) Process.—~~

7 ~~(1) The Department of Transportation shall provide for~~
8 ~~an application for voter registration as part of a driver's~~
9 ~~license application.~~

10 ~~(2) The format of the driver's license/voter~~
11 ~~registration application shall be determined and prescribed~~
12 ~~by the secretary and the Secretary of Transportation.~~

13 ~~(3) The voter registration application portion of the~~
14 ~~application shall contain all the requirements of an official~~
15 ~~voter registration application specified in section 527. The~~
16 ~~voter registration portion of the application:~~

17 ~~(i) may not require any information that duplicates~~
18 ~~information required in the driver's license portion of~~
19 ~~the form, other than a second signature; and~~

20 ~~(ii) may require only the minimum amount of~~
21 ~~information necessary to prevent duplicate voter~~
22 ~~registration, to enable the [registration] commission to~~
23 ~~assess the eligibility of the applicant and to administer~~
24 ~~voter registration and other parts of the election~~
25 ~~process.~~

26 ~~(c) Transmission.—~~

27 ~~(1) The Department of Transportation shall forward~~
28 ~~completed applications or contents of the completed voter~~
29 ~~registration applications in machine readable format to the~~
30 ~~department by the close of registration for the ensuing~~

election.

~~(2) The department shall transmit the material to the appropriate commission within ten days after the date of its receipt by the Department of Transportation. If a voter registration application is received by the Department of Transportation within five days before the last day to register before an election, the application shall be transmitted to the appropriate commission not later than five days after the date of its receipt by the Department of Transportation.~~

~~(3) Upon receipt of the completed voter registration information from the department, the commission shall make a record of the date of the receipt of the application and process the application. No applicant shall be deemed eligible to vote until the commission has received and approved the application.~~

~~(3.1) After the Department of Transportation is connected to the SURE system and notwithstanding paragraphs (1), (2) and (3), the Department of Transportation shall transmit electronically the contents of a completed voter registration application within five days of receipt of the application. Upon receipt of the information from the Department of Transportation, a commission shall make a record of the date of the receipt of the application and process the application in accordance with section 528. If the commission of the county of residence has not been connected to the SURE system, the Department of Transportation shall forward the completed application or contents of the completed application to the department in accordance with paragraph (1). No applicant shall be deemed~~

~~eligible to vote until the commission has received and
approved an application in accordance with section 528.~~

~~(4) Changes of address shall comply with the following:~~

~~(i) [The] Before the Department of Transportation is
connected to the SURE system, the Department of
Transportation shall notify the [secretary] department of
changes of address received under subsection (a)(3). The
[secretary] department shall notify the commission of the
county of the registrant's [prior] former residence.~~

~~After the Department of Transportation is connected to
the SURE system, the Department of Transportation shall
notify the commission of the county of the registrant's
former residence. If the registrant has moved to an
address outside this Commonwealth, the commission shall
verify the address change in accordance with section
1901. Except as provided in subparagraph (ii), if the
registrant confirms in accordance with section 1901(d)
that he has moved [outside of the] to another county, the
commission shall cancel the registration and forward the
registrant's registration [card] information to the
commission of the registrant's new county of residence.
Except as provided in subparagraph (ii), if the
registrant has moved to an address within the
commission's jurisdiction, the commission shall promptly
update the registration record of the registrant in
accordance with section 528. All changes of address
received by the Department of Transportation under this
section at least 30 days before [a primary, general or
municipal] an election must be processed by the
commission for the ensuing election. For the purpose of~~

~~this paragraph, the term "registration information" means
the registration card and any other record of
registration maintained by a commission.~~

~~(ii) In the case of changes of address received by
the Department of Transportation which do not contain a
signature of the registrant, the commission receiving the
change of address notification shall mail a notice to the
registrant at the new residence address requesting
verification of the address change. If the change of
address is to a new residence outside the commission's
jurisdiction, the commission shall mail the following
notice:~~

~~Date.....~~

~~Office of the Registration Commission~~

~~..... County, Pennsylvania~~

~~..... (Address and Telephone No. of County)~~

~~We have been notified by the Department of Transportation
that you recently changed your address from
..... (old residence address) to
..... (new residence address) and that this
change of address is to serve as a change of address for
voter registration purposes. Unless you notify this
office within ten days from the date of this notice that
this information is not correct, your voter registration
will be transferred to County. You may notify
this office by writing your residence address, the date
and your signature on the bottom of this form and mailing
this notice to this office. You need not notify this
office if this information is correct.~~

~~.....~~

~~If the address change is within the commission's jurisdiction, the [county] commission shall mail a voter's identification card to the registrant at the new residence address.~~

~~(iii) If the registrant does not return the notice under subparagraph (ii) within the ten day period, the commission shall process the change of address according to subparagraph (i). If the registrant notifies the commission that the information is incorrect and the commission is satisfied with the registrant's explanation of the discrepancy, the address of the registrant's registration shall remain unchanged. If the verification notification or voter identification card is returned by the post office as undeliverable as addressed or with a forwarding address, the commission shall send a confirmation notice to the registrant's address of former residence in accordance with section 1901(d)(2).~~

~~(5) Upon notification and confirmation of any change of address, a commission shall promptly update information contained in its registration record.~~

~~* * *~~

~~Section 9. Sections 524, 526 and 527(a) and (b) of the act are amended to read:~~

~~Section 524. Application by mail.~~

~~(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 voter registration mail application in the manner set forth in this section. An application may be submitted by mail or by representative to the~~

~~{registration} commission on an official mail registration application, the form of which shall be determined and prescribed by the secretary or the Federal Election Commission pursuant to the National Voter Registration Act (Public Law 103-31, 42 U.S.C. § 1973gg et seq.). The applicant must complete the information required on the registration application and sign the registration declaration.~~

~~(b) Time. Registration under this section may be made at any time. If a registration application is received by a commission beyond the deadline for registration provided in section 526, the application shall be retained by the commission until the beginning of the next period during which registration can be made.~~

~~(c) Military electors.—~~

~~(1) A military elector may apply at any time for registration on an official registration application or any form prescribed by the Federal Government for such purpose.~~

~~(2) The status of a military elector to register under this section with respect to residence shall remain as the same home residence status from which the military elector is qualified to register. If, at the time of leaving that home address, the military elector had not resided in this Commonwealth or in a particular election district for a sufficient time to have been entitled to be registered but, by continued residence, would have become entitled to be registered, the military elector shall be entitled to be registered at the time the military elector would have been entitled to register had the military elector not left that home address but continued to reside there.~~

~~(3) The commission is authorized to consider a request~~

1 ~~for an absentee ballot as a request for an official~~
2 ~~registration application and to forward to the requester all~~
3 ~~of the following:~~

4 ~~(i) An absentee ballot and balloting material.~~

5 ~~(ii) An official registration application.~~

6 ~~(4) The military elector must complete and file these~~
7 ~~documents in accordance with the applicable provisions of the~~
8 ~~act of June 3, 1937 (P.L.1333, No.320), known as the~~
9 ~~Pennsylvania Election Code.~~

10 ~~(5) The right to be registered pursuant to this~~
11 ~~subsection shall not be subject to challenge for any reason~~
12 ~~other than failure to have furnished the commission a~~
13 ~~properly completed registration application.~~

14 ~~Section 526.—Time.~~

15 ~~(a) General rule.—Except as provided in subsection (b),~~
16 ~~each [registration] commission, commissioners and registrars or~~
17 ~~clerks appointed by the commission shall receive, during~~
18 ~~ordinary business hours and during additional hours as the~~
19 ~~commission prescribes, at the office of the commission and at~~
20 ~~additional places as the commission designates, applications~~
21 ~~from individuals who appear and claim that they are entitled to~~
22 ~~be registered as electors of a municipality.~~

23 ~~(b) Deadlines.—In the administration of voter registration,~~
24 ~~each commission shall ensure that any [eligible] applicant who~~
25 ~~is a qualified elector is registered to vote in an election when~~
26 ~~the applicant has met any of the following conditions:~~

27 ~~(1) In the case of voter registration with a motor~~
28 ~~vehicle driver's license application under section 523, if~~
29 ~~the valid voter registration application is submitted to the~~
30 ~~appropriate Department of Transportation office not later~~

1 ~~than 30 days before the date of the election.~~

2 ~~(2) In the case of registration by mail under section~~
3 ~~524, if the valid voter registration mail application is~~
4 ~~postmarked not later than the deadline to register for the~~
5 ~~ensuing election or, in the case of an illegible or missing~~
6 ~~postmark, it is received not later than five days after the~~
7 ~~deadline to register for the ensuing election.~~

8 ~~(3) In the case of voter registration at a voter~~
9 ~~registration agency under section 525, if the valid voter~~
10 ~~registration application is accepted at the voter~~
11 ~~registration agency not later than 30 days before the date of~~
12 ~~the election.~~

13 ~~(4) In any other case, if the valid voter registration~~
14 ~~application of the applicant is received by the appropriate~~
15 ~~commission not later than 30 days before the election.~~

16 ~~(c) Special rules.—~~

17 ~~(1) In the case of a special election within a~~
18 ~~congressional, senatorial or representative district held on~~
19 ~~a day other than the day of a primary, general or municipal~~
20 ~~election, the registration application forms shall not be~~
21 ~~processed in the wards and election districts comprising the~~
22 ~~district for the 30 days prior to the special election for~~
23 ~~such election.~~

24 ~~(2) No applications shall be received as follows:~~

25 ~~(i) On Sundays.~~

26 ~~(ii) On holidays.~~

27 ~~(iii) On the day of the election.~~

28 ~~(iv) During the 30 days next preceding each~~
29 ~~general, municipal and primary election, except as~~
30 ~~provided in subsection (b).~~

~~Section 527. Preparation and distribution of applications.~~

~~(a) Form.~~

~~(1) The secretary shall prescribe the form of official voter registration application. The official voter registration application shall provide space for the following information about the applicant:~~

~~(i) Full name.~~

~~(ii) Address of residence. If the residence is a portion only of the house, the location or number of the room, apartment or floor which is occupied.~~

~~(iii) Mailing address if different than address of residence.~~

~~(iv) Name and residence address on previous registration and the year of that registration.~~

~~(v) Designation of political party, for the purpose of voting at a primary election.~~

~~(vi) Date of birth.~~

~~(vii) Telephone number. An application shall not be rejected because of noncompliance with this subparagraph.~~

~~(viii) Race. An application shall not be rejected because of noncompliance with this subparagraph.~~

~~(2) Data required on the voter registration application shall not be more nor less than the minimum data elements permissible for Federal voter registration.~~

~~(3) Any person who assists in the completion of the registration application shall sign the application and indicate the person's address. In the case of those registering under sections 523 and 525, the person providing assistance shall insert the person's initials or employee or agent identification number on a separate or detachable~~

1 ~~portion of the application or computer data file.~~

2 ~~(4) A voter registration application shall be printed on~~
3 ~~stock of good quality and shall be of suitable uniform size.~~
4 ~~Nothing in this act shall prohibit the design and use of an~~
5 ~~electronic voter registration application which includes the~~
6 ~~applicant's digitized or electronic signature. The~~
7 ~~registration application shall contain the following~~
8 ~~information; however, the information may be provided on a~~
9 ~~separate form for voter registration made under section 523~~
10 ~~or 525:~~

11 ~~(i) Notice that [an individual currently] a~~
12 ~~registered elector does not need to reregister unless the~~
13 ~~[individual] registered elector has moved.~~

14 ~~(ii) Instructions on how to fill out and submit the~~
15 ~~application and notification of when the application must~~
16 ~~be submitted to a voter registration office in order to~~
17 ~~be registered for the ensuing election.~~

18 ~~(iii) Notice that the [registrant] applicant must be~~
19 ~~a citizen of the United States for at least one month~~
20 ~~prior to the next election and a resident of this~~
21 ~~Commonwealth and the election district for at least 30~~
22 ~~days and must be at least 18 years of age by the day of~~
23 ~~the next ensuing election and has not been confined in a~~
24 ~~penal institution for a conviction of a felony within the~~
25 ~~last five years. The notice required in this subparagraph~~
26 ~~shall be in print identical to the declaration under~~
27 ~~subsection (b).~~

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

1 ~~(v) Notice that the commission will mail by~~
2 ~~nonforwardable mail to the applicant a voter's~~
3 ~~identification card upon acceptance of the application~~
4 ~~and that the [registrant] applicant should contact the~~
5 ~~commission if the identification card is not received~~
6 ~~within 14 days from the date the application is sent to~~
7 ~~the registration office.~~

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

11 ~~(vii) A warning to the [registrant] applicant that~~
12 ~~making a false registration or furnishing false~~
13 ~~information is perjury. The notice required in this~~
14 ~~subparagraph shall be in print identical to the~~
15 ~~declaration under subsection (b).~~

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

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

26 ~~(x) Notice that, if an [applicant] individual does~~
27 ~~register to vote, the office at which the [applicant]~~
28 ~~individual submits a voter registration application will~~
29 ~~remain confidential and will be used for voter~~
30 ~~registration purposes only. The notices required in this~~

~~subparagraph shall be in print identical to the
declaration in subsection (b).~~

~~(5) The official voter registration application may be
designed in a manner to be inserted in the district register
or for transfer to a registration card to be placed in the
district register.~~

~~(6) In jurisdictions where there is a single language
minority, the secretary may print a bilingual application.~~

~~(7) In jurisdictions where a single language minority
exceeds 5% of the population, the secretary shall:~~

~~(i) print a bilingual application; and~~

~~(ii) conduct a public educational program among that
language group alerting both organizations and
individuals of that group of the availability of the
bilingual application and encouraging [unregistered
voters] individuals to register.~~

~~(8) To implement section 524, the secretary shall print
an official voter registration mail application designed to
preserve the confidentiality of the information required to
be submitted. The application shall contain information
required by this section and shall include the name of each
county seat, its post office mailing address and zip code and
its telephone number. Voter registration mail applications
shall contain information indicating whether the application
is a new registration, change of party enrollment, change of
address or change of name.~~

~~(9) Nothing in this act shall prohibit a private
organization or individual from printing blank voter
registration applications or shall prohibit the use of such
applications by any other individual, provided that the form,~~

~~content and paper quality of such voter registration application complies with department regulations for the forms or has received prior approval from the secretary.~~

~~(b) Registration declaration.—~~

~~(1) The official voter registration application shall contain a registration declaration. On the declaration, the applicant shall state all of the following:~~

~~(i) The applicant has been a citizen of the United States for at least one month prior to the next election.~~

~~(ii) On the day of the next ensuing election, the applicant shall be at least 18 years of age.~~

~~(iii) On the day of the next ensuing election, the applicant shall have resided in this Commonwealth and in the election district for at least 30 days.~~

~~(iv) The applicant has not been confined in a penal institution for a conviction of a felony within the last five years.~~

~~(v) The applicant is legally qualified to vote.~~

~~(2) The applicant shall affirm all of the following:~~

~~(i) The information provided in the registration declaration is true.~~

~~(ii) The applicant understands that:~~

~~(A) the registration declaration will be accepted for all purposes as the equivalent of an affidavit; and~~

~~(B) if the registration contains a material false statement, the applicant shall be subject to penalties for perjury.~~

~~(3) The registration declaration shall contain the printed name and signature of the applicant and the date of~~

1 signing. An applicant unable to sign the voter registration
2 application shall make a mark before a person of the
3 applicant's choice other than the applicant's employer or an
4 agent of the applicant's union. [Such] The person shall
5 insert the person's name, address and telephone number. If
6 [such] the person is an employee or agent of the Department
7 of Transportation or another agency, as provided under
8 section 525, and is assisting the applicant in an official
9 capacity, [such] the employee or agent shall insert the
10 initials and identification number of the employee or agent.
11 In the case of applicants registering under section 523 or
12 525, the person providing assistance shall insert initials or
13 employee or agent identification number on a separate or
14 detachable portion of the application or computer data file.

15 (4) ~~The official registration application shall contain~~
16 ~~a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The~~
17 ~~notice shall advise the applicant that, if a person signs an~~
18 ~~official registration application knowing a statement~~
19 ~~declared in the application to be false, the person commits~~
20 ~~perjury. The notice shall specify the penalty for perjury.~~

21 * * *

22 Section 10. ~~Section 528 of the act, amended June 25, 2001~~
23 ~~(P.L.674, No.61), is amended to read:~~

24 Section 528. ~~Approval of registration applications.~~

25 ~~[(a) Examination.—~~

26 ~~(1) Official registration applications submitted to a~~
27 ~~registration commission shall be examined by the commissioner~~
28 ~~or a clerk or registrar upon receipt.~~

29 ~~(2) If the official voter registration application~~
30 ~~submission is in person, the application shall be attested~~

1 ~~and dated by the commissioner, clerk or registrar.~~

2 ~~(3) Upon receipt of any other voter registration~~
3 ~~application, the commission shall make an entry of the date~~
4 ~~received on the application. If the applicant does not reside~~
5 ~~within the commission's county but resides elsewhere in this~~
6 ~~Commonwealth, the commission shall forward the application~~
7 ~~card to the proper commission and make a record of the~~
8 ~~forwarding.~~

9 ~~(b) Decision.—~~

10 ~~(1) If the commission finds the official registration~~
11 ~~application not properly completed, the application shall be~~
12 ~~rejected. The commission should make reasonable efforts to~~
13 ~~complete the registration before rejecting it for omissions~~
14 ~~and inconsistencies. If the commission rejects an application~~
15 ~~under this paragraph, it shall indicate "REJECTED" on the~~
16 ~~application and state there the reason for rejection and~~
17 ~~notify the applicant by first class nonforwardable mail,~~
18 ~~return postage guaranteed.~~

19 ~~(2) If the official registration application contains~~
20 ~~the required information indicating that the applicant is~~
21 ~~legally qualified to register as stated in the application,~~
22 ~~the commission shall mail to the applicant a voter's~~
23 ~~identification card in accordance with subsection (d)(1).~~

24 ~~(3) For an application for a transfer of registration or~~
25 ~~a change in address or name, if the application contains the~~
26 ~~required information and the applicant is legally qualified~~
27 ~~to transfer registration or change name or address as stated~~
28 ~~in the application, the commission shall make the transfer or~~
29 ~~change. If the commission suspects that the applicant is not~~
30 ~~entitled to transfer registration or to change name or~~

~~address, the commission may investigate. If the commission finds that the applicant is not entitled to the transfer or change, the application shall be rejected. The applicant shall be notified of the rejection and the reason for it. Rejection shall be made no later than ten days before the election succeeding the filing of the application.~~

~~(c) Result. If an application is designed to serve as a registration card, the accepted application of an elector may serve as the elector's official registration card, if it was so designed, and shall be filed in the office of the commission in accordance with Chapter 7. If the application is not designed to serve as a registration card, the information contained on the application, including the elector's signature, shall be transferred to the registration card. If a commission utilizes a signature digitization list, it shall transfer all information contained on the application, including the signature, to the registry or, until the registry is established, to a computer file. Applicants for registration shall be challenged under section 529.~~

~~(d) Disposition.~~

~~(1) When the registration of an elector has been processed under subsection (b)(2), the commission shall transmit to the applicant by first class nonforwardable mail a wallet sized voter's identification card, which shall serve as notice to the applicant of the disposition of the application. The card shall contain all of the following:~~

~~(i) Name and address of the elector.~~

~~(ii) Name of municipality.~~

~~(iii) Identification of elector's ward and district.~~

~~(iv) Effective date of registration.~~

~~(v) Designation of party enrollment and date of enrollment.~~

~~(vi) A space for the elector's signature or mark.~~

~~(vii) A statement that the card relates only to the time of issuance of the card and is not of itself evidence or proof of the qualifications of the elector to vote at an election or proof of identification for purposes of applying for or receiving general assistance and that it is not necessary to present the card when voting. The statements required by this subparagraph shall be placed on the reverse side of the card from where all of the other information required by this paragraph is placed.~~

~~(viii) A statement that the elector must notify the commission within ten days if any information on the card is incorrect; otherwise the information shall be deemed correct for voter registration purposes.~~

~~(2) The carrier envelope in which the identification card is enclosed shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given.~~

~~(3) No registration application shall be deemed to be accepted until ten days after the voter's identification card has been mailed. Upon return by the post office of an identification card under paragraph (2) which the post office is unable to deliver at the given address, the commission shall investigate. If the commission finds that the applicant is not qualified to register from such address, the commission shall reject the application of the applicant and shall notify the applicant by first class forwardable mail of~~

~~this action.~~

~~(4) If the applicant discloses that the elector's last residence address upon registration was a location within another county, the commission of the county of the elector's new residence shall direct a cancellation notice to the commission of the county of the elector's last residence. This cancellation notice shall be in a form approved by the secretary in substantially the following form:~~

Date

~~Office of the Registration Commission~~

..... County, Pennsylvania

~~Cancellation of Previous Registration~~

Name, whose date of birth is, has now registered as an elector in..... County, Pennsylvania. Our records indicate that this registrant was previously registered in the County of, Pennsylvania, at the following address

~~Chief Clerk~~

~~(5) Upon receipt of the notice in paragraph (4), the commission of the county of the elector's last residence shall transfer a copy of the elector's canceled registration record to the commission of the county of the elector's new residence and retain a record of the transfer. The commissions of both counties shall promptly update information contained in their registration records.]~~

~~(a) Examination. Upon receiving a voter registration application, a commissioner, clerk or registrar of a commission~~

~~shall do all of the following:~~

~~(1) Initial and date the receipt of the application.~~

~~(2) Examine the application to determine all of the following:~~

~~(i) Whether the application is complete.~~

~~(ii) Whether the applicant is a qualified elector.~~

~~(iii) Whether the applicant has an existing registration record. After the commission is connected to the SURE system, the commissioner, clerk or registrar shall search the SURE system on a Statewide basis to determine if the applicant has an existing registration record.~~

~~(iv) Whether the applicant is entitled or qualified to receive the requested transfer or change, if applicable.~~

~~(b) Decision. A commission shall do one of the following:~~

~~(1) Forward application. Record and forward a voter registration application to the proper commission if the commission finds during its examination under subsection (a) that the applicant does not reside within the commission's county but resides elsewhere in this Commonwealth.~~

~~(2) Reject application. Reject a voter registration application, indicate the rejection and the reasons for the rejection on the application and notify the applicant by first class nonforwardable mail, return postage guaranteed of the rejection and the reason if the commission finds during its examination under subsection (a) any of the following:~~

~~(i) The application was not properly completed and after reasonable efforts by the commission to ascertain the necessary information, the application remains~~

~~incomplete or inconsistent.~~

~~(ii) The applicant is not a qualified elector.~~

~~(iii) The applicant is not entitled to a transfer of
registration or a change of address.~~

~~(iv) The applicant is not legally qualified to a
change of name.~~

~~A rejection shall be made no later than ten days before the
election succeeding the filing of the application.~~

~~(3) New applicant registration. Process a voter
registration application in accordance with subsection (c) if
the commission finds during its examination under subsection
(a) all of the following:~~

~~(i) The application requests registration.~~

~~(ii) The application contains the required
information indicating that the applicant is qualified
elector of the county.~~

~~(4) Update existing registration. Process a voter
registration application in accordance with subsection (c)
and update its registration records if the commission finds
during its examination under subsection (a) all of the
following:~~

~~(i) The application requests registration.~~

~~(ii) The application contains the required
information indicating that the applicant is a qualified
elector of the county.~~

~~(iii) The applicant is currently a registered
elector of the county.~~

~~(5) Transfer existing registration. Process a voter
registration application in accordance with subsection (c)
and request transfer of registration records in accordance~~

~~with subsection (d) if the commission finds during its
examination under subsection (a) all of the following:~~

~~(i) The application requests registration.~~

~~(ii) The application contains the required
information indicating that the applicant is a qualified
elector of the county.~~

~~(iii) The applicant is currently a registered
elector of another county.~~

~~(6) Transfer request. Process a voter registration
application in accordance with subsection (c) and request
transfer of registration records in accordance with
subsection (d) if the commission finds during its examination
under subsection (a) all of the following:~~

~~(i) The application requests a transfer of
registration.~~

~~(ii) The application contains the required
information indicating that the applicant is a qualified
elector of the county.~~

~~(iii) The applicant is currently a registered
elector of another county.~~

~~(7) Change of address request. Process a voter
registration application in accordance with subsection (c)
and update its registration if the commission finds during
its examination under subsection (a) all of the following:~~

~~(i) The application requests a change of address.~~

~~(ii) The application contains the required
information indicating that the applicant is a qualified
elector of the county.~~

~~(iii) The applicant is currently a registered
elector of the county.~~

~~(8) Change of name request. Process a voter registration application in accordance with subsection (c) and update its registration records if the commission finds during its examination under subsection (a) all of the following:~~

~~(i) The application requests a change of name.~~

~~(ii) The applicant is legally qualified to a change of name.~~

~~(iii) The application contains the required information indicating that the applicant is a qualified elector of the county.~~

~~(iv) The applicant is currently a registered elector of the county.~~

~~(c) Processing of voter registration.~~

~~(1) When a commission has accepted a voter registration application under subsection (b)(3), the commission shall assign each applicant a unique identification number in the SURE system. The commission shall mail a wallet sized voter's identification card to the individual by first class nonforwardable mail, return postage guaranteed, which shall serve as notice of the acceptance of the application. The card shall contain all of the following:~~

~~(i) Name and address of the individual.~~

~~(ii) Name of municipality of residence.~~

~~(iii) Identification of the individual's ward and district.~~

~~(iv) The effective date of registration.~~

~~(v) Designation of party enrollment and date of enrollment.~~

~~(vi) A space for the individual's signature or mark.~~

~~(vii) The unique identification number of the individual.~~

~~(viii) A statement that the individual must notify the commission within ten days from the date it was mailed if any information on the card is incorrect; otherwise the information shall be deemed correct for voter registration purposes.~~

~~(2) When a commission has accepted a voter registration application under subsection (b)(4), (5), (6), (7) or (8), the commission shall mail a wallet sized voter's identification card to the individual by first class nonforwardable mail, return postage guaranteed, which shall serve as notice of the acceptance of the application. The card shall contain all of the following:~~

~~(i) Name and address of the individual.~~

~~(ii) Name of municipality of residence.~~

~~(iii) Identification of the individual's ward and district.~~

~~(iv) The effective date of registration.~~

~~(v) Designation of party enrollment and date of enrollment.~~

~~(vi) A space for the individual's signature or mark.~~

~~(vii) The SURE registration number of the individual.~~

~~(viii) A statement that the individual must notify the commission within ten days from the date it was mailed if any information on the card is incorrect; otherwise the information shall be deemed correct for voter registration purposes.~~

~~(3) An envelope containing a voter identification card~~

1 ~~shall be marked on the outside with a request to the~~
2 ~~postmaster to return it within five days if it cannot be~~
3 ~~delivered to the addressee at the address given.~~

4 ~~(4) (i) If an envelope containing a voter~~
5 ~~identification card has been mailed in accordance with~~
6 ~~paragraphs (1) and (3) and has not been returned to the~~
7 ~~commission by the postmaster within ten days from the~~
8 ~~date it was mailed, the individual shall be deemed a~~
9 ~~registered elector of the county and the commission shall~~
10 ~~enter the individual's registration information in the~~
11 ~~general register. The unique identification number shall~~
12 ~~be entered as the registered elector's SURE registration~~
13 ~~number. No person shall be deemed a registered elector of~~
14 ~~the county until ten days after the voter identification~~
15 ~~card has been mailed.~~

16 ~~(ii) If an envelope containing a voter~~
17 ~~identification card has been mailed in accordance with~~
18 ~~paragraphs (2) and (3) and has not been returned to the~~
19 ~~commission by the postmaster within ten days from the~~
20 ~~date it was mailed, the individual shall be deemed a~~
21 ~~registered elector of the county and the commission shall~~
22 ~~enter the individual's registration information in the~~
23 ~~general register. No person shall be deemed a registered~~
24 ~~elector of the county until ten days after the voter~~
25 ~~identification card has been mailed.~~

26 ~~(5) If an envelope containing a voter identification~~
27 ~~card is returned by the postmaster because the envelope is~~
28 ~~undeliverable at the given address, the commission shall~~
29 ~~investigate. If the commission finds that the individual is~~
30 ~~not qualified to register from the address, the commission~~

~~shall reject the application and shall notify the individual by first class forwardable mail of this action.~~

~~(d) Transfer of registration records.~~

~~(1) If during application an individual discloses that the individual is a registered elector of another county, the commission of the individual's new county of residence shall direct a cancellation notice to the commission of the individual's former county of residence in accordance with regulations promulgated under this act.~~

~~(2) Upon receipt of a notice transmitted in accordance with paragraph (1), the commission of the individual's former county of residence shall investigate. If the commission finds that the individual is a registered elector of the county, the commission shall verify the address change with the registered elector in accordance with this act. Upon verifying that the registered elector has moved to another county of residence, the commission shall cancel the registered elector's registration, transfer a copy of the canceled registration record to the commission of the registered elector's new county of residence and retain a record of the transfer. The commission of both counties shall promptly update information contained in their registration records.~~

~~(c) Challenges. All challenges to applications for registration shall be made as provided in section 529.~~

~~Section 11. The act is amended by adding a section to read:~~
~~Section 528.1. SURE registration number.~~

~~Each registered elector shall be assigned a single and unique SURE registration number in accordance with sections 528 and 913. Once assigned, a SURE registration number shall not be~~

~~changed, modified or altered.~~

~~Section 12. Section 701 of the act is amended to read:~~

~~Section 701. General register.~~

~~(a) General rule. The general register shall contain all of the following for each registered elector of the county:~~

~~(1) The ward and election district of residence.~~

~~(2) The registered elector's street address.~~

~~(3) Data required to be given upon removal from the registered elector's residence.~~

~~(4) The date of each election at which the registered elector votes.~~

~~(5) The digitized or electronic signature of the registered elector.~~

~~(6) The SURE registration number.~~

~~(7) Whether the registered elector needs assistance to vote and, if so, the nature of the disability.~~

~~(b) District register. The general register shall be used by the commission to prepare the district register.~~

~~(c) SURE system. After a commission is connected to the SURE system, the general register of the commission shall consist of the registration information contained on the SURE system as maintained by the commission.~~

~~{(a) Original registration cards. If}~~

~~(d) Registration cards. Before a commission is connected to the SURE system, if a commission uses the original registration cards for registered electors in the county as the district register, the duplicate registration cards or photocopies of the original registration cards shall be placed in exact alphabetical order by last name of the registrant, shall be indexed and shall be kept at the office of the registration~~

1 ~~commission in a manner as to be properly safeguarded. These~~
2 ~~cards constitute the general register of the county. They may~~
3 ~~not be removed from the office of the commission except upon~~
4 ~~order of a court of record. Nothing in this act shall preclude~~
5 ~~the use of duplicate registration cards from applications~~
6 ~~provided under the act of March 30, 1937 (P.L.115, No.40), known~~
7 ~~as The First Class City Permanent Registration Act, or the act~~
8 ~~of April 29, 1937 (P.L.487, No.115), known as The Permanent~~
9 ~~Registration Act for Cities of the Second Class, Cities of the~~
10 ~~Second Class A, Cities of the Third Class, Boroughs, Towns, and~~
11 ~~Townships.~~

12 ~~[(b)] (c) Digitized signature lists. [If] Before a~~
13 ~~commission is connected to the SURE system, if a commission uses~~
14 ~~digitized signature lists as the district register, the original~~
15 ~~registration cards shall be placed in exact alphabetical order~~
16 ~~by last name of the registrant, indexed and kept at the office~~
17 ~~of the commission in a manner as to be properly safeguarded.~~
18 ~~These original cards constitute the general register of the~~
19 ~~county. They may not be removed from the office of the~~
20 ~~commission except upon order of a court of record. The~~
21 ~~commission shall safely retain all registration cards used in~~
22 ~~the registration of electors or in conducting an election. If a~~
23 ~~commission has the capability to accept an electronic~~
24 ~~application, the secretary may require the commission to produce~~
25 ~~a computer generated card to file in the general register. If~~
26 ~~the commission finds a record for a registrant on the computer~~
27 ~~data base which is not contained in the general register, it~~
28 ~~shall replace the original card with a computer generated~~
29 ~~duplicate card upon written permission from the registrant or~~
30 ~~upon order of a court of record.~~

~~[(c)] (f) Duplicate files. [If] Before a commission is connected to the SURE system, if the commission deems a duplicate file of registration cards necessary for administrative purposes, the commission may prepare a reproduction in compliance with the following:~~

~~(1) The registration form shall be photographed, microphotographed or reproduced in a manner approved for permanent records by the secretary.~~

~~(2) The device used to reproduce the card is one which accurately reproduces the original in all details.~~

~~(3) The photographs, microphotographs or other reproductions are open to public inspection and provision is made for preserving, examining and using them.~~

~~Section 13. Sections 702, 703, 704 and 705 of the act are amended to read:~~

~~Section 702. District registers.~~

~~(a) Registration card file.~~

~~(1) Except as provided in subsection (b) and in section [701(b)] 701(c), the original registration cards shall be filed by election districts in exact alphabetical order by last name of the registrant and shall be indexed.~~

~~(2) The cards constitute the district register.~~

~~(3) The commission shall provide binders, which are capable of being locked, for filing and indexing the registration cards. The keys to the binders shall at all times be retained by the commission.~~

~~(4) The district register shall be kept at the office of the commission, except as provided in subsection (b), and shall be open to public inspection, subject to reasonable safeguards and regulations.~~

1 ~~(b) Computer lists.~~

2 ~~(1) [Instead] Before a commission is connected to the~~
3 ~~SURE system, instead of using registration cards as the~~
4 ~~district register as provided in subsection (a), a commission~~
5 ~~may use a computer list or computer generated cards~~
6 ~~containing the registered electors arranged by election~~
7 ~~district, alphabetically by last name of the registrant.~~

8 ~~[(2)] The computer list or computer generated cards must~~
9 ~~be in a form prescribed by the secretary and must contain~~
10 ~~necessary information that would otherwise be available on~~
11 ~~the registration cards, including a legible digitized~~
12 ~~signature of the registrant copied from the signature on the~~
13 ~~registration card. The district election officials shall have~~
14 ~~computer printouts at the polling places containing the~~
15 ~~necessary information needed to verify the identity of the~~
16 ~~elector. The digitized signature list shall be open to public~~
17 ~~inspection, subject to reasonable safeguards, rules and~~
18 ~~regulations.~~

19 ~~(2.1) After a commission is connected to the SURE~~
20 ~~system, each commission shall create from its general~~
21 ~~register a computer list to be used as the district register.~~
22 ~~For each election district, the list shall contain the names~~
23 ~~of the registered electors of the election district,~~
24 ~~alphabetically by last name of each registered elector. Each~~
25 ~~page of the list shall contain the name of the county, the~~
26 ~~election district, the date of the election and the date and~~
27 ~~time the list was prepared. The computer list shall be in a~~
28 ~~form prescribed by the secretary and must contain necessary~~
29 ~~information that would otherwise be available in the general~~
30 ~~register, including a legible digitized or electronic~~

~~signature, the street address and political party of each registered elector, and suitable space for insertion of the signature of the registered elector and for insertion by the proper election official of the number and letter of the stub of the ballot issued to the registered elector or the registered elector's number in the order of admission to the voting systems and the initials of the election official who enters the record of voting in the district register and whether the elector needs assistance to vote and, if so, the nature of the disability. The district register shall be kept at the office of the commission and shall be open to public inspection, subject to reasonable safeguards, rules and regulations.~~

~~(3) [A] Before connection to the SURE system, a commission may, during systems conversion periods or emergency conditions, provide for a district register containing the original registration cards. The following apply:~~

~~(i) The original registration cards shall be filed by election district, in one of the following orders, as determined by the commission:~~

~~(A) Exact alphabetical order by last name of registrant.~~

~~(B) Order in which registrants' residences appear upon the streets of the election district, in exact alphabetical order by last name of registrant for each residence.~~

~~(ii) The district register containing registration cards shall be kept at the office of the commission and shall be open for public inspection, subject to~~

1 ~~reasonable safeguards and regulations and to the~~
2 ~~provisions of this act.~~

3 ~~(c) [Currency] Accuracy. It is the duty of the commission~~
4 ~~to compare and correct the general register and district~~
5 ~~registers to ensure their accuracy. By noon of the third day~~
6 ~~preceding an election, the commission shall [have] correct the~~
7 ~~district register for each election district [and the registry~~
8 ~~accurately corrected to date] consistent with the information~~
9 ~~contained in the general register.~~

10 ~~(d) Delivery. The commission shall deliver, in the manner~~
11 ~~required by law for delivery of election materials, the district~~
12 ~~register to the election officers for use on election day.~~

13 ~~(e) Form. District registers shall be enclosed within a~~
14 ~~case or container and shall be locked and sealed by the~~
15 ~~commission before delivery. The district register shall have~~
16 ~~printed or written thereon the words "District Register of~~
17 ~~{Voters} Electors" and the district and ward, if any.~~

18 ~~(f) Examination. Immediately following each election, the~~
19 ~~commission shall cause each district register to be examined.~~
20 ~~The commission specifically shall compare the signature of each~~
21 ~~elector on each voter's certificate with his signature in the~~
22 ~~district register and shall report in writing to the district~~
23 ~~attorney any evidence or indication of probable fraud,~~
24 ~~impersonation or forgery which may appear to the commission by~~
25 ~~reason of the comparison. In the case of any elector whom the~~
26 ~~election officers shall have recorded as removed, deceased, or~~
27 ~~challenged and prevented from voting, the commission shall~~
28 ~~ascertain the facts and shall correct the general and district~~
29 ~~registers in accordance with Chapter 9.~~

30 ~~Section 703. Street lists.~~

1 ~~(a) Preparation. Commencing not later than the 15th day~~
2 ~~prior to each election, [the registration] each commission shall~~
3 ~~prepare for each election district a list of the names and~~
4 ~~addresses of all registered electors as of that date resident in~~
5 ~~the district. The list may not include the digitized or~~
6 ~~electronic signature of a registered [voter] elector. The list~~
7 ~~shall be arranged in one of the following manners:~~

8 ~~(1) By streets and house numbers.~~

9 ~~(2) Alphabetically by last name of [registrant] each~~
10 ~~registered elector.~~

11 ~~(3) In a manner whereby the location of the elector's~~
12 ~~residence can be identified.~~

13 ~~(b) Copies. The commission shall retain two copies of the~~
14 ~~list under subsection (a) on file at its office and forward one~~
15 ~~copy of the list under subsection (a) to the department. These~~
16 ~~copies shall be available for public inspection during business~~
17 ~~hours, subject to reasonable safeguards and regulations.~~

18 ~~(c) Distribution. The department and each commission shall~~
19 ~~distribute the list under subsection (a) upon request as~~
20 ~~follows:~~

21 ~~(1) To officials concerned with the conduct of~~
22 ~~elections.~~

23 ~~(2) To political parties and political bodies.~~

24 ~~(3) To candidates.~~

25 ~~(d) Organizations. The commission may, for a reasonable fee~~
26 ~~[approved by the secretary], distribute the list under~~
27 ~~subsection (a), to organized bodies of citizens.~~

28 ~~Section 704. Public information lists.~~

29 ~~(a) Establishment.—~~

30 ~~(1) The [registration] commission shall provide for~~

1 ~~computer inquiries concerning individual registered [voters]~~
2 ~~electors. With respect to each [voter] registered elector who~~
3 ~~is the subject of an inquiry, the information provided shall~~
4 ~~contain the name, address, date of birth and voting history.~~
5 ~~Upon request, the commission shall supply a printed record~~
6 ~~for each such [voter] elector subject to the provisions of~~
7 ~~this act. In addition, the commission may make available for~~
8 ~~inspection a printed or computerized public information list~~
9 ~~containing the name, address, date of birth and voting~~
10 ~~history of each registered [voter] elector in the county.~~

11 ~~(2) The list may also include information on voting~~
12 ~~districts.~~

13 ~~(3) The list may not contain the digitized or electronic~~
14 ~~signature or SURE registration number of the registered~~
15 ~~elector.~~

16 ~~(b) Access.—~~

17 ~~(1) The secretary may promulgate reasonable regulations~~
18 ~~governing access to the list.~~

19 ~~(2) No individual inspecting the list may tamper with or~~
20 ~~alter it.~~

21 ~~(3) No individual who inspects the list or who acquires~~
22 ~~names of registered [voters] electors from the list may use~~
23 ~~information contained in the list for purposes unrelated to~~
24 ~~elections, political activities or law enforcement. Before~~
25 ~~inspecting the list or obtaining names of [voters] registered~~
26 ~~electors or other information from the list, the individual~~
27 ~~must provide identification to the public official having~~
28 ~~custody of the public information list and must state in~~
29 ~~writing that any information obtained from the list will not~~
30 ~~be used for purposes unrelated to elections, political~~

~~activities or law enforcement.~~

~~(c) Copies.—~~

~~(1) The commission shall provide paper copies of the public information lists and may provide copies in some other form to any [voter] registered elector in this Commonwealth within ten days of receiving a written request accompanied by payment of the cost of reproduction and postage. The cost of the copies shall be determined by the office providing copies.~~

~~(2) An individual who inspects or acquires a copy of a public information list may not use any information contained in it for purposes unrelated to elections, political activities or law enforcement.~~

~~Section 705.— Retention of records.~~

~~(a) Computer lists.— Each commission shall preserve [computer lists used as] district registers for at least five years in the manner, form and time frame established by the department.~~

~~(b) Records.—~~

~~(1) The department and each commission shall preserve for two years and shall make available for public inspection and, where available, photocopying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purposes of ensuring the accuracy and currency of official lists of [eligible voters] registered electors, except to the extent that the records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular [voter] qualified elector is registered.~~

~~(2) The records preserved under paragraph (1) shall~~

1 ~~include lists of the names and addresses of all [individuals]~~
2 ~~electors to whom notices described in section 901 are sent,~~
3 ~~and information concerning whether or not the individual has~~
4 ~~responded to the notice as of the date that inspection of the~~
5 ~~record is made.~~

6 ~~(c) Original and existing records. After a commission is~~
7 ~~connected to the SURE system, the registration cards and~~
8 ~~applications utilized under this act, under prior versions of~~
9 ~~this act under the former act of March 30, 1937 (P.L.115,~~
10 ~~No.40), known as The First Class City Permanent Registration~~
11 ~~Act, or under the former act of April 29, 1937 (P.L.487,~~
12 ~~No.115), known as The Permanent Registration Act for Cities of~~
13 ~~the Second Class, Cities of the Second Class A, Cities of the~~
14 ~~Third Class, Boroughs, Towns, and Townships, shall be placed in~~
15 ~~alphabetical order by last name of the registered elector,~~
16 ~~indexed and kept at the office of the commission in a manner as~~
17 ~~to be properly safeguarded. They may not be removed from the~~
18 ~~office of the commission except upon order of a court of record.~~
19 ~~The commission shall safely retain all registration cards used~~
20 ~~in the registration of registered electors for a period of five~~
21 ~~years after connection at which time they may be destroyed.~~

22 ~~Section 14. Sections 901, 902 and 903 of the act, amended~~
23 ~~June 25, 2001 (P.L.674, No.61), are amended to read:~~

24 ~~Section 901. Removal notices.~~

25 ~~(a) Form.—~~

26 ~~(1) The commission shall make removal notices available~~
27 ~~to electors who are registered in the county.~~

28 ~~(2) The notice shall be printed upon cards suitable for~~
29 ~~mailing, addressed to the office of the commission. The~~
30 ~~notice shall provide the following information:~~

~~(i) The address of present residence, including municipality.~~

~~(ii) The address of last registration, including municipality.~~

~~(iii) Date of removal to present residence.~~

~~(iv) Signature.~~

~~(3) The notice shall contain a statement that the registered elector may, by filling out properly and signing a removal notice and returning it to the office of the commission, secure the transfer of registration effective as to elections at least 30 days after the date of removal into the new district.~~

~~(4) The notice shall contain a warning to the registered elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature as it appears on file with the commission.~~

~~(5) The notice shall contain a warning to the registered elector that the notice must be received by the commission not later than 30 days before the election. If mailed, the notice must be postmarked not later than the deadline for registration or, in the case of an illegible or missing postmark, received within five days of the close of registration.~~

~~(b) Use. [An] A registered elector who removes residence from one place to another within the same county must notify the commission by filing a removal notice under subsection (a), or a signed request for renewal that contains the information required in subsection (a), with the commission not later than~~

~~the registration deadline before the election. If mailed, the notice or request must be postmarked not later than the deadline for registration or, in the case of an illegible or missing postmark, received within five days of the close of registration. The following apply:~~

~~(1) An official registration application of an elector who has registered by mail qualifies as a removal notice.~~

~~(2) [An] A registered elector who removes residence from one place to another within the same county and who has not yet filed a removal notice with the commission shall be permitted to vote once at the elector's former polling place following removal if, at the time of signing the voter's certificate, the elector files with the judge of election a signed removal notice properly filled out. Removal notices under this paragraph shall be returned to the commission with the voting check list, and the commission shall proceed to transfer the registration of the electors under section 902 and shall promptly update information contained in its registration records. [An] A registered elector may vote in the election district of the elector's former residence no more than one time following the elector's removal.~~

~~(3) A registered elector who removes residence from one county to another county and who is not registered to vote in the new county of residence shall be permitted to vote in the election district in the former county of residence if, at the time of signing the elector's certificate, the elector files with the judge of election a signed affirmation declaring the elector's new residence. [An] A registered elector may vote in the election district of the elector's former residence no more than one time following the~~

1 ~~elector's removal. Affirmations made under this paragraph~~
2 ~~shall be returned to the commission of the elector's former~~
3 ~~county of residence with the voting checklist, and that~~
4 ~~commission shall proceed to transfer the registration of the~~
5 ~~elector under section 902. Upon receipt of the transfer~~
6 ~~notice, the commission of the elector's new county of~~
7 ~~residence shall immediately process the transfer of the~~
8 ~~elector in accordance with section [528(d)(3)] 528. Both~~
9 ~~commissions shall promptly update information contained in~~
10 ~~their registration records.~~

11 ~~Section 902. Transfer of registration.~~

12 ~~(a) General rule. Upon timely receipt of notification of~~
13 ~~removal under section 901(b), the [registration] commission~~
14 ~~shall proceed as follows:~~

15 ~~(1) The signature on the notification document shall be~~
16 ~~compared with the signature of the registered elector as it~~
17 ~~appears on file with the commission.~~

18 ~~(2) If the signature appears authentic, the commission~~
19 ~~shall enter the change of residence [on the registration card~~
20 ~~of the elector in the general register and district register~~
21 ~~and shall transfer the registration card of the elector from~~
22 ~~the district register of the election district of previous~~
23 ~~residence to the district register of the election district~~
24 ~~of new residence] on the registered elector's registration~~
25 ~~records.~~

26 ~~(3) If a request for transfer which is determined to be~~
27 ~~authentic under paragraph (2) shows a removal within the~~
28 ~~period of 30 days preceding an election, the commission,~~
29 ~~after such election, shall enter the change of residence [on~~
30 ~~the registration card of the elector in the general register~~

1 ~~and district register and shall transfer the registration~~
2 ~~card of the elector from the district register of the~~
3 ~~election district of previous residence] on the registered~~
4 ~~elector's registration records. The commission shall advise~~
5 ~~the registered elector promptly in writing of its action.~~

6 ~~(4) When a registered elector has filed with a~~
7 ~~commission a notice that the elector has moved from the~~
8 ~~county to another county, if the signature appears authentic,~~
9 ~~the commission shall enter the change of residence on the~~
10 ~~elector's registration records, cancel the registration of~~
11 ~~the elector and notify the commission of the elector's new~~
12 ~~county of residence to register the elector. Upon receipt of~~
13 ~~the transfer notice, the commission of the elector's new~~
14 ~~county of residence shall immediately process the transfer of~~
15 ~~the elector in accordance with section [528(d)(3)] 528.~~

16 ~~(5) If a request for transfer which is determined to be~~
17 ~~authentic under paragraph (4) shows a removal within the~~
18 ~~period of 30 days preceding an election, the commission,~~
19 ~~after such election, shall enter the change of residence on~~
20 ~~the elector's registration records, cancel the registration~~
21 ~~of the elector and notify the commission of the elector's new~~
22 ~~county of residence to register the elector. Upon receipt of~~
23 ~~the transfer notice, the commission of the elector's new~~
24 ~~county of residence shall immediately process the transfer of~~
25 ~~the elector in accordance with section [528(d)(3)] 528.~~

26 ~~(6) A commission shall promptly update information~~
27 ~~contained in its registration records.~~

28 ~~(b) Electors unable to write. [An] A registered elector who~~
29 ~~is unable to sign the notification document may affix a mark to~~
30 ~~the notification document. The mark must be affixed in the~~

~~presence of a witness who must sign the notification document.~~

~~Section 903. Change of enrollment of political party.~~

~~By the deadline for registration, a registered [voter] 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 524 and state in a signed writing the political party in which the [voter] registered elector desires to be enrolled. If the signature of the elector is verified by comparison with the registered elector's signature as it appears on file with the commission, the commissioner, registrar or clerk shall make the change in [the general register and district register. The commission shall also promptly update the information contained in] its registration records. If supported by other evidence of identity, a mark may be made in lieu of a signature by [an] 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.~~

~~Section 15. The act is amended by adding a section to read:~~

~~Section 913. Conversion of registration records.~~

~~The department shall convert the registration records of each commission in accordance with section 322. In converting the registration records of each commission, the department shall assign each registered elector a SURE registration number which the commission shall add to the registration records of the registered elector.~~

~~Section 16. Sections 1301(a), 1502, 1505, 1507(a), 1509, 1511, 1512 and 1701 of the act are amended to read:~~

~~Section 1301. Court of common pleas.~~

~~(a) Standing. The following have standing to appeal an action of a [registration] commission to the appropriate court of common pleas:~~

~~(1) An [individual] applicant whose claim for registration has been denied.~~

~~(2) An individual whose registration has been canceled by the commission.~~

~~(3) A qualified elector of a municipality whose rights are impaired by any general order made by the commission.~~

~~* * *~~

~~Section 1502. Registration.~~

~~(a) Improper. A registrar, commissioner or clerk who knowingly registers or permits the registration of an [individual] applicant not lawfully entitled to be registered commits a misdemeanor of the first degree and shall, upon conviction, be sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than five years, or both.~~

~~(b) Denial. A registrar, commissioner or clerk who, without reasonable cause, refuses to register [an individual] a qualified elector lawfully entitled to be registered commits a misdemeanor of the first degree and shall, upon conviction, be sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than five years, or both.~~

~~Section 1505. Votes.~~

~~(a) Prohibition. An election officer may not do any of the following:~~

~~(1) Knowingly refuse the vote of a registered [and qualified] elector.~~

~~(2) Knowingly accept the vote of [a person] an individual not registered under this act. This paragraph does~~

1 ~~not apply to a person in actual military service or [a~~
2 ~~person] an individual having an order of court.~~

3 ~~(3) Knowingly receive a vote from a person falsely~~
4 ~~claiming to be a registered [voter] elector.~~

5 ~~(b) Penalty. A person who violates subsection (a) commits a~~
6 ~~misdemeanor of the first degree and shall, upon conviction, be~~
7 ~~sentenced to pay a fine of not more than \$10,000 or to~~
8 ~~imprisonment for not more than five years, or both.~~

9 ~~Section 1507. Official documents and electronic records.~~

10 ~~(a) Prohibition. A person may not do any of the following:~~

11 ~~(1) Intentionally insert or permit to be inserted a~~
12 ~~material entry in any registration card, the SURE system,~~
13 ~~street list, affidavit, petition, subpoena, certificate,~~
14 ~~report or other record, authorized or required by this act to~~
15 ~~be made or prepared for a purpose set forth in this act,~~
16 ~~which entry is not in accordance with this act.~~

17 ~~(2) Intentionally materially alter or intentionally~~
18 ~~destroy an entry which has been made in any registration~~
19 ~~card, the SURE system, street list, affidavit, petition,~~
20 ~~subpoena, certificate, report or other record, authorized or~~
21 ~~required by this act to be made or prepared for a purpose set~~
22 ~~forth in this act, which alteration or destruction is not in~~
23 ~~accordance with this act.~~

24 ~~(3) Remove a record from lawful custody with the intent~~
25 ~~to prevent the record from being used, inspected or copied.~~

26 ~~(4) Access the SURE system, its component parts, or any~~
27 ~~other official documents or records without lawful~~
28 ~~authorization or with the intent to publicize or otherwise~~
29 ~~unlawfully misuse the equipment or information contained~~
30 ~~therein.~~

1 * * *

2 ~~Section 1509.— Law enforcement assistance.~~

3 ~~A law enforcement officer who, upon demand of any~~
4 ~~commissioner or inspector of registration, or of the secretary,~~
5 ~~fails to render demanded assistance in the maintenance of peace~~
6 ~~and in the making of arrests without warrant as provided in this~~
7 ~~act or who intentionally hinders or attempts to hinder any~~
8 ~~commissioner or inspector of registration in the performance of~~
9 ~~a duty commits a misdemeanor of the second degree and shall,~~
10 ~~upon conviction, be sentenced to pay a fine of not more than~~
11 ~~\$5,000 or to imprisonment for not more than two years, or both.~~

12 ~~Section 1511.— Preventing registration.~~

13 ~~(a) Prohibition.— No person may do any of the following:~~

14 ~~(1) Knowingly and intentionally prevent [an individual]~~
15 ~~an applicant who is a qualified elector from being~~
16 ~~registered.~~

17 ~~(2) By coercion, threats of bodily injury or~~
18 ~~intimidation, intentionally prevent or attempt to prevent [an~~
19 ~~individual] an applicant who is a qualified elector from~~
20 ~~being registered or a registered elector from changing~~
21 ~~political enrollment in accordance with the provisions of~~
22 ~~this act.~~

23 ~~(3) Intentionally give or promise or offer to give money~~
24 ~~or goods to an individual as an inducement for the individual~~
25 ~~to enroll in a particular party or for a registrant to change~~
26 ~~political enrollment.~~

27 ~~(4) Prevent a record from being used, inspected or~~
28 ~~copied.~~

29 ~~(b) Penalty.— A person who violates subsection (a) commits a~~
30 ~~misdemeanor of the first degree and shall, upon conviction, be~~

~~sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than five years, or both.~~

~~Section 1512. Approval of registration.~~

~~(a) Prohibition. A person may not do any of the following:~~

~~(1) Intentionally alter a party designation [on a registration card under section 528(c)] without a request from the registered elector.~~

~~(2) Intentionally fail to make a transmission under section [528(d)] 528.~~

~~(b) Penalty. A person who violates subsection (a) commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of \$2,500 or to imprisonment for not more than one year, or both.~~

~~Section 1701. Attorney General.~~

~~(a) Investigation. The secretary shall investigate alleged violations of sections 523 and 525 and report apparent violations to the Attorney General.~~

~~(b) Prosecution. Under section 205(a)(6) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the Attorney General shall have prosecutorial jurisdiction over violations reported under subsection (a).~~

~~(c) Notifications. The Attorney General shall notify the State Treasurer in accordance with section 1704(b) if the secretary fails to notify the State Treasurer as required by section 1703(b).~~

~~Section 17. Sections 1703, 1704, 1901, 1902 and 1904 of the act, amended or added June 25, 2001 (P.L.674, No.61), are amended to read:~~

~~Section 1703. Power of department.~~

~~(a) General rule. The department shall have the authority~~

~~to take any actions, including the authority to audit the registration records of a commission, which are necessary to ensure compliance and participation by the [counties.] commissions.~~

~~(b) Notifications. The secretary shall notify the State Treasurer to withhold funds in accordance with section 1704(b) if a commission fails or refuses to comply with the provisions of this act.~~

~~Section 1704. Relief.~~

~~(a) Injunctive. In the event that a commission fails to adhere to any provision of this act, the secretary is authorized to seek declaratory and injunctive relief in Commonwealth Court.~~

~~(b) Withholding of appropriations. In accordance with sections 1701 and 1703 and in addition to any remedy provided in subsection (a), the State Treasurer shall, upon notification, withhold any part or all of the State appropriations to which a county is entitled, including funding for the court of common pleas but excluding funding for human services, if the commission of the county fails or refuses to comply with the provisions of this act.~~

~~Section 1901. Removal of [voters] electors.~~

~~(a) Removal of elector's registration record. Commissions shall institute a program to protect the integrity of the electoral process and to ensure the maintenance of accurate and current [voter] registration records. The program shall be uniform, nondiscriminatory and in compliance with the Voting Rights Act of 1965 (Public Law 89-110, 42 U.S.C. § 1973 et seq.). An elector's registration shall not be canceled except as follows:~~

~~(1) At the request of the elector.~~

1 ~~(2) Upon the death of the elector under section 905.~~

2 ~~(3) Upon confirmation that the elector has moved to a~~
3 ~~residence outside the county.~~

4 ~~(4) Under a voter removal program as provided for under~~
5 ~~subsection (b) and in compliance with the National Voter~~
6 ~~Registration Act of 1993 (Public Law 103-31, 42 U.S.C. §~~
7 ~~1973gg et seq.).~~

8 ~~(b) Voter removal program.~~

9 ~~(1) [The] Each commission shall establish a program to~~
10 ~~identify registered electors whose address may have changed~~
11 ~~by establishing one of the following programs:~~

12 ~~(i) National change of address. The secretary shall~~
13 ~~establish by regulation a program whereby information~~
14 ~~supplied by the United States Postal Service through its~~
15 ~~licensees is used on a periodic basis, but not less than~~
16 ~~once every calendar year, to identify registered electors~~
17 ~~who may have changed addresses. The information shall be~~
18 ~~incorporated in the SURE system and shall be forwarded to~~
19 ~~the commissions in a manner determined by the secretary~~
20 ~~by regulation.~~

21 ~~(A) If it appears from the information provided~~
22 ~~through the United States Postal Service that an~~
23 ~~elector has moved to a different residence address~~
24 ~~within the same county as the elector is currently~~
25 ~~registered, the commission shall change the~~
26 ~~registration records to show the new address and~~
27 ~~shall send the elector, to the address recorded on~~
28 ~~the elector's registration, a notice of the change of~~
29 ~~address by forwardable mail and a postage prepaid,~~
30 ~~preaddressed return form by which the elector may~~

1 ~~verify or correct the address information.~~

2 ~~(B) If it appears from the information provided~~
3 ~~through the United States Postal Service that [an] a~~
4 ~~registered elector has moved to a different residence~~
5 ~~address outside the county, the commission shall use~~
6 ~~the notice procedure described in clause (A).~~

7 ~~(ii) Confirmation mailing:~~

8 ~~(A) A commission may establish a program by~~
9 ~~sending a direct, nonforwardable first class "return~~
10 ~~if undeliverable address correction requested"~~
11 ~~mailing to all registered electors in the county.~~

12 ~~(B) If this program is established, the~~
13 ~~commission shall use the notice procedure described~~
14 ~~in subparagraph (i)(A) for any registered elector~~
15 ~~whose mailing is returned undeliverable.~~

16 ~~(2) In conjunction with and not as an alternative to a~~
17 ~~program established under paragraph (1), a commission may use~~
18 ~~a canvass [may be used] as follows:~~

19 ~~(i) The [registration] commission may, by~~
20 ~~commissioners or by inspectors of registration, verify~~
21 ~~the registration in an election district by visiting the~~
22 ~~building from which an elector is registered and other~~
23 ~~buildings as the commission deems necessary.~~

24 ~~(ii) The commission shall make a record of the name~~
25 ~~and address of each registered elector who is found not~~
26 ~~to reside at the registered address or who for any other~~
27 ~~reason appears to be not qualified to vote in the~~
28 ~~registered election district.~~

29 ~~(iii) The commission shall leave at the address of~~
30 ~~each [person] registered elector referred to in~~

1 ~~subparagraph (ii) a notice requiring him to communicate~~
2 ~~with the commission on or before a date which the~~
3 ~~commission shall designate, and which shall be not less~~
4 ~~than seven days and not more than 15 days from the date~~
5 ~~of the notice and in any case not later than the 15th day~~
6 ~~preceding the election next ensuing, and satisfy the~~
7 ~~commission of his qualifications as an elector. The~~
8 ~~commission shall cause a confirmation of each such notice~~
9 ~~to be sent by mail promptly to [such person] the~~
10 ~~registered elector at the address from which he is~~
11 ~~registered. The envelope containing such information is~~
12 ~~to be plainly marked that it is not to be forwarded. At~~
13 ~~the expiration of the time specified in the notice, the~~
14 ~~commission shall cancel the registration of [such person]~~
15 ~~the registered elector who has not communicated with the~~
16 ~~commission and proved his qualifications as [an] a~~
17 ~~registered elector.~~

18 ~~(iv) To facilitate the canvass under this section,~~
19 ~~[the] a commission may, when necessary, appoint special~~
20 ~~inspectors of registration, in number not exceeding~~
21 ~~double the number of election districts being canvassed.~~

22 ~~(v) Special inspectors must be [qualified]~~
23 ~~registered electors of the county. They shall be~~
24 ~~appointed without reference to residence in election~~
25 ~~districts or to political affiliations or beliefs. The~~
26 ~~commission shall instruct special inspectors in their~~
27 ~~duties. Special inspectors have the powers conferred by~~
28 ~~this act upon inspectors of registration.~~

29 ~~(3) In conjunction with and not as an alternative to a~~
30 ~~program established under paragraph (1), [the] a commission~~

1 ~~shall send a notice pursuant to subsection (d) to any~~
2 ~~registered elector who has not voted nor appeared to vote~~
3 ~~during the period beginning five years before the date of the~~
4 ~~notice and ending on the date of the notice and for whom the~~
5 ~~board of elections did not during that period in any other~~
6 ~~way receive any information that the [voter] elector still~~
7 ~~resides in the [registered] election district.~~

8 ~~(4) [Commissions] A commission shall complete, not later~~
9 ~~than 90 days before each [primary] municipal or general~~
10 ~~election, at least once per year the voter removal programs~~
11 ~~under this section and shall promptly update information~~
12 ~~contained in its registration records. This paragraph shall~~
13 ~~not be construed to preclude any of the following:~~

14 ~~(i) Cancellation of an elector's registration as~~
15 ~~provided for under subsection (a)(1) or (2).~~

16 ~~(ii) Correction of registration records in~~
17 ~~accordance with this act.~~

18 ~~(c) Identification of inactive [voters] electors. A~~
19 ~~commission shall mark an "I" on the registration [card] records~~
20 ~~of each registered elector who has been mailed a form under~~
21 ~~subsection (b)(1) or (3) and has failed to respond, which shall~~
22 ~~be included with all other registration [cards] records for that~~
23 ~~polling site and located at the [individual's] elector's polling~~
24 ~~site on the day of the election. The commission shall promptly~~
25 ~~update the information contained in its registration records.~~

26 ~~(d) Cancellation of registration.—~~

27 ~~(1) A commission shall not cancel the registration of~~
28 ~~[an] a registered elector on the ground that the registered~~
29 ~~elector has changed residence unless any of the following~~
30 ~~apply:~~

1 ~~(i) The registered elector confirms in writing that~~
2 ~~the elector has changed residence to a location outside~~
3 ~~the county in which the elector is registered.~~

4 ~~(ii) The registered elector:~~

5 ~~(A) has failed to respond to a notice described~~
6 ~~in paragraph (2); and~~

7 ~~(B) has not voted nor appeared to vote and, if~~
8 ~~necessary, corrected the commission's record of the~~
9 ~~elector's address, in an election during the period~~
10 ~~beginning on the date of the notice and ending on the~~
11 ~~day after the date of the second general election for~~
12 ~~Federal office that occurs after the date of the~~
13 ~~notice.~~

14 ~~(2) A notice, as required in paragraph (1)(ii), is~~
15 ~~acceptable if it is a postage prepaid and preaddressed return~~
16 ~~card, sent by forwardable mail, on which the registered~~
17 ~~elector may state the elector's current address, if it~~
18 ~~contains a notice as follows:~~

19 ~~(i) The notice must state all of the following:~~

20 ~~(A) If the registered elector did not change~~
21 ~~residence or changed residence but still resides in~~
22 ~~the county, the elector must return the card not~~
23 ~~later than 30 days prior to the next election. If the~~
24 ~~card is not returned, affirmation or confirmation of~~
25 ~~the elector's address may be required before the~~
26 ~~elector is permitted to vote in an election during~~
27 ~~the period beginning on the date of the notice and~~
28 ~~ending on the day after the date of the second~~
29 ~~general election for Federal office that occurs after~~
30 ~~the date of the notice. If the elector does not vote~~

1 ~~in an election during that period, the elector's~~
2 ~~registration shall be canceled.~~

3 ~~(B) If the registered elector has changed~~
4 ~~residence to a place outside the county in which the~~
5 ~~elector is registered, information shall be provided~~
6 ~~concerning how the elector can register in the new~~
7 ~~county of residence.~~

8 ~~(ii) The notice must state the date of the notice,~~
9 ~~the date of the next election and the date of the second~~
10 ~~general election for Federal office occurring after the~~
11 ~~date of the notice.~~

12 ~~(3) The commission shall correct registration records in~~
13 ~~accordance with change of residence information obtained in~~
14 ~~conformance with this subsection. The commission shall also~~
15 ~~promptly update its registration records.~~

16 ~~Section 1902. Procedure for voting following failure to return~~
17 ~~notification card.~~

18 ~~(a) Same county.—~~

19 ~~(1) [An] A registered elector who has moved from an~~
20 ~~address in the county covered by a polling place to an~~
21 ~~address covered by the same polling place shall,~~
22 ~~notwithstanding failure to notify the commission prior to the~~
23 ~~date of an election, be permitted to vote in that polling~~
24 ~~place upon written affirmation by the elector of the change~~
25 ~~of address before an election official at that polling place.~~

26 ~~(2) [An] A registered elector who has moved from one~~
27 ~~address in the county to another address in the same county~~
28 ~~covered by a different polling place and who has failed to~~
29 ~~notify the commission of the change of address prior to the~~
30 ~~date of an election shall be permitted to correct the voting~~

1 ~~records and vote at the elector's former polling place upon~~
2 ~~written affirmation by the elector of the new address before~~
3 ~~an election official at the former polling place.~~

4 ~~(b) Different county. [An] A registered elector who has~~
5 ~~moved from one county to another county and who has failed to~~
6 ~~notify the commission of the change of address prior to the date~~
7 ~~of the election shall be permitted to correct the voting records~~
8 ~~and vote at the elector's former polling place upon written~~
9 ~~affirmation by the elector of the new address before an election~~
10 ~~official at the former polling place. Upon receipt of the~~
11 ~~written affirmation, the commission shall follow the procedures~~
12 ~~in this act for change of address to a new county and shall~~
13 ~~update information contained in its registration records.~~

14 ~~Section 1904. Files.~~

15 ~~(a) Cancellation. If the registration of [an] a registered~~
16 ~~elector is canceled, the [registration] commission shall mark on~~
17 ~~{the} all registration [cards] records of the elector the word~~
18 ~~"canceled" and the date and cause of cancellation. The~~
19 ~~commission shall remove [the card from the general register and~~
20 ~~the district register] any registration records pertaining to~~
21 ~~the elector. Removed [cards] records shall be retained separate~~
22 ~~from registered electors for five years. The commission shall~~
23 ~~promptly update information contained in its registration~~
24 ~~records.~~

25 ~~(b) Nonessential records. Records which are not essential~~
26 ~~for maintaining the current status of a [qualified] registered~~
27 ~~elector may be destroyed by the commission three years from the~~
28 ~~date the commission marks them as nonessential.~~

29 ~~Section 18. The Secretary of the Commonwealth shall~~
30 ~~promulgate regulations to establish and implement the SURE~~

~~system in accordance with section 322 and to implement this act.
The promulgation of regulations under this section shall be
exempt from:~~

~~(1) section 204(b) of the act of October 15, 1980
(P.L.950, No.164), known as the Commonwealth Attorneys Act;
and~~

~~(2) the act of June 25, 1982 (P.L.633, No.181), known as
the Regulatory Review Act.~~

~~Section 19. (1) The provisions of 62 Pa.C.S. shall apply to
the implementation of Ch. 3 Subch. B of the act except as
provided in this section.~~

~~(2) If a bidder or offeror, a prospective bidder or
offeror or a prospective contractor is aggrieved in
connection with the solicitation or award of the contract, he
may protest to the head of the purchasing agency in writing.~~

~~(3) If the protestant is a bidder or offeror or a
prospective contractor, the protest shall be filed with the
head of the purchasing agency within seven days after the
aggrieved bidder or offeror or prospective contractor knew or
should have known of the facts giving rise to the protest
except that in no event may a protest be filed later than
seven days after the date the contract was awarded. If the
protestant is a prospective bidder or offeror, a protest
shall be filed with the head of the purchasing agency prior
to the bid opening time or the proposal receipt date. If a
bidder or offeror, a prospective bidder or offeror, or a
prospective contractor fails to file a protest or files an
untimely protest, the bidder or offeror, the prospective
bidder or offeror, or the prospective contractor shall be
deemed to have waived its right to protest the solicitation~~

~~or award of the contract in any forum. Untimely filed protests shall be disregarded by the purchasing agency.~~

~~(4) A protest shall state all grounds upon which the protestant asserts the solicitation or award of the contract was improper. The protestant may submit with the protest any documents or information it deems relevant to the protest.~~

~~(5) Within 15 days of receipt of a protest, the contracting officer may submit to the head of the purchasing agency and the protestant a response to the protest, including any documents or information he deems relevant to the protest. The protestant may file a reply to the response within ten days of the date of the response.~~

~~(6) The head of the purchasing agency or his designee shall review the protest and any response or reply and may request and review such additional documents or information he deems necessary to render a decision, and may, at his sole discretion, conduct a hearing. The head of the purchasing agency or his designee shall provide to the protestant and the contracting officer a reasonable opportunity to review and address any additional documents or information deemed necessary by the head of the purchasing agency or his designee to render a decision.~~

~~(7) Upon completing an evaluation of the protest in accordance with paragraph (6), the head of the purchasing agency or his designee shall issue a written determination stating the reasons for the decision. The determination shall be issued within 60 days of the receipt of the protest unless extended by consent of the head of the purchasing agency and the protestant. The determination shall be the final order of the purchasing agency. If the head of the purchasing agency~~

1 ~~or his designee determines that the solicitation or award of~~
2 ~~the contract was contrary to law, he may enter an order~~
3 ~~authorized by 62 Pa.C.S. Ch. 17 Subch. D.~~

4 ~~(8) Within 15 days of the mailing date of a final~~
5 ~~determination denying a protest, a protestant may file an~~
6 ~~appeal with the Commonwealth Court. Issues not raised by the~~
7 ~~protestant before the purchasing agency are deemed waived and~~
8 ~~may not be raised before the court.~~

9 ~~(9) The record of determination for review by the court~~
10 ~~shall consist of the solicitation or award; the contract, if~~
11 ~~any; the protest and any response, reply or any additional~~
12 ~~documents or information considered by the head of the~~
13 ~~purchasing agency or his designee; the hearing transcript and~~
14 ~~exhibits, if any; and the final determination.~~

15 ~~(10) The court shall hear the appeal, without a jury, on~~
16 ~~the record of determination certified by the purchasing~~
17 ~~agency. The court shall affirm the determination of the~~
18 ~~purchasing agency unless it finds from the record that the~~
19 ~~determination is arbitrary and capricious, an abuse of~~
20 ~~discretion or is contrary to law.~~

21 ~~(11) If the determination is not affirmed, the court may~~
22 ~~enter any order authorized by 42 Pa.C.S. § 706, provided,~~
23 ~~that if the court determines that the solicitation or award~~
24 ~~of the contract is contrary to law, then the remedy the court~~
25 ~~shall order is limited to canceling the solicitation or award~~
26 ~~and declaring void any resulting contract.~~

27 ~~(12) In the event a protest is filed timely under this~~
28 ~~section and until the time has elapsed for the protestant to~~
29 ~~file a petition for review in Commonwealth Court, the~~
30 ~~purchasing agency may elect not to proceed further with the~~

~~solicitation or with the award of the contract.~~

~~(13) This section shall be the exclusive procedure for protesting a solicitation or award of the contract by a bidder or offeror, a prospective bidder or offeror, or a prospective contractor that is aggrieved in connection with the solicitation or award of the contract. The provisions of 2 Pa.C.S. shall not apply to this section.~~

~~Section 20. Section 18 shall expire on December 31, 2002.~~

~~Section 21. This act shall take effect as follows:~~

~~(1) This section and sections 4, 18 and 19 of this act shall take effect immediately.~~

~~(2) The remainder of this act shall take effect in 45 days.~~

SECTION 1. SECTION 1222(B)(2) OF TITLE 25 OF THE
PENNSYLVANIA CONSOLIDATED STATUTES, ADDED JANUARY 31, 2002
(P.L.18, NO.3), IS AMENDED TO READ:

§ 1222. SURE SYSTEM.

* * *

(B) ADVISORY BOARD.--

* * *

(2) THE ADVISORY BOARD SHALL BE COMPRISED OF [FOUR] SIX
DIRECTORS OF ELECTIONS WHO HAVE BEEN APPOINTED AS FOLLOWS:

(I) TWO DIRECTORS BY THE SENATE, ONE APPOINTED BY
THE MINORITY LEADER AND ONE APPOINTED BY THE PRESIDENT
PRO TEMPORE OF THE SENATE.

(II) TWO DIRECTORS BY THE HOUSE OF REPRESENTATIVES,
ONE APPOINTED BY THE MINORITY LEADER AND ONE APPOINTED BY
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(III) TWO DIRECTORS APPOINTED BY THE SECRETARY.

* * *

1 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.