
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1573 Session of
2005

INTRODUCED BY JAMES, FREEMAN, LEVDANSKY, WATERS, BEBKO-JONES,
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STABACK, THOMAS, WALKO, WASHINGTON, WHEATLEY, WILLIAMS AND
YOUNGBLOOD, MAY 11, 2005

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 11, 2005

AN ACT

1 Providing for election day registration; and imposing penalties.

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

7 CHAPTER 1

8 PRELIMINARY PROVISIONS

9 Section 101. Short title.

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

12 Section 102. Definitions.

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

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

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

18 CHAPTER 3

19 ELECTION DAY REGISTRATION

20 Section 301. Election day registration.

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

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

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

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

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

10 Section 302. Procedure.

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

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

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

1 so.

2 Section 303. Maps.

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

7 Section 304. Record of attempted registrations.

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

14 Section 305. Verification by mail.

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

27 CHAPTER 5

28 ENFORCEMENT AND PENALTIES

29 Section 501. Prohibited acts.

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

1 (1) Cause an individual's name to be registered in any
2 election district if that individual is not eligible to vote.

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

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

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

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

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

15 Section 502. Enforcement.

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

19 CHAPTER 11

20 MISCELLANEOUS PROVISIONS

21 Section 1101. Construction of act.

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

25 Section 1102. Regulations.

26 The department may promulgate rules and regulations to
27 administer and enforce this act.

28 Section 1103. Repeals.

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

1 Section 1104. Applicability.

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

6 Section 1105. Effective date.

7 This act shall take effect immediately.