

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2540 Session of 2022

INTRODUCED BY HERSHEY, DOWLING, GILLESPIE, M. MACKENZIE,
MENTZER, ROTHMAN, ROWE, SAYLOR AND SMITH, APRIL 25, 2022

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 25, 2022

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in preliminary provisions, further providing for
12 definitions and providing for bureau of election audits; in
13 the Secretary of the Commonwealth, further providing for
14 powers and duties of the Secretary of the Commonwealth; in
15 county boards of elections, further providing for powers and
16 duties of county boards; providing for registration of
17 electors; in ballots, further providing for number of ballots
18 to be printed and specimen ballots; in preparation for and
19 conduct of primaries and elections, further providing for
20 deadline for receipt of valid voter registration application;
21 in voting by qualified absentee electors, further providing
22 for approval of application for absentee ballot, for absentee
23 and mail-in electors files and lists, for delivering or
24 mailing ballots, for voting by absentee electors, for
25 canvassing of official absentee ballots and mail-in ballots;
26 repealing provisions relating to voting by qualified mail-in
27 electors; in returns of primaries and elections, further
28 providing for computation of returns by county board,
29 certification and issuance of certificates of election; in
30 penalties, further providing for violation of provisions
31 relating to absentee and mail-in ballots; and making a
32 related repeal.

33 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 102(e), (q.1), (z.5) and (z.6) of the act
3 of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
4 Election Code, amended or added March 27, 2020 (P.L.41, No.12),
5 are amended to read:

6 Section 102. Definitions.--The following words, when used in
7 this act, shall have the following meanings, unless otherwise
8 clearly apparent from the context:

9 * * *

10 (e) The words "district register" shall mean the [cards]
11 electronic poll book containing all or any part of the registry
12 list of qualified electors of the same election district, as
13 prepared by the registration commissions.

14 * * *

15 (q.1) The word "pre-canvass" shall mean the inspection and
16 opening of all envelopes containing official absentee ballots
17 [or mail-in ballots], the removal of such ballots from the
18 envelopes and the counting, computing and tallying of the votes
19 reflected on the ballots. The term does not include the
20 recording or publishing of the votes reflected on the ballots.

21 * * *

22 (z.5) The words "proof of identification" shall mean:

23 [(1) In the case of an elector who has a religious objection
24 to being photographed, a valid-without-photo driver's license or
25 a valid-without-photo identification card issued by the
26 Department of Transportation.

27 (2) For an elector who appears to vote under section 1210, a
28 document that:

29 (i) shows the name of the individual to whom the document
30 was issued and the name substantially conforms to the name of

1 the individual as it appears in the district register;

2 (ii) shows a photograph of the individual to whom the
3 document was issued;

4 (iii) includes an expiration date and is not expired,

5 except:

6 (A) for a document issued by the Department of
7 Transportation which is not more than twelve (12) months past
8 the expiration date; or

9 (B) in the case of a document from an agency of the Armed
10 forces of the United States or their reserve components,
11 including the Pennsylvania National Guard, establishing that the
12 elector is a current member of or a veteran of the United States
13 Armed Forces or National Guard which does not designate a
14 specific date on which the document expires, but includes a
15 designation that the expiration date is indefinite; and

16 (iv) was issued by one of the following:

17 (A) The United States Government.

18 (B) The Commonwealth of Pennsylvania.

19 (C) A municipality of this Commonwealth to an employee of
20 that municipality.

21 (D) An accredited Pennsylvania public or private institution
22 of higher learning.

23 (E) A Pennsylvania care facility.

24 (3) For a qualified absentee elector under section 1301 or a
25 qualified mail-in elector under section 1301-D:

26 (i) in the case of an elector who has been issued a current
27 and valid driver's license, the elector's driver's license
28 number;

29 (ii) in the case of an elector who has not been issued a
30 current and valid driver's license, the last four digits of the

1 elector's Social Security number;

2 (iii) in the case of an elector who has a religious
3 objection to being photographed, a copy of a document that
4 satisfies paragraph (1); or

5 (iv) in the case of an elector who has not been issued a
6 current and valid driver's license or Social Security number, a
7 copy of a document that satisfies paragraph (2).

8 (z.6) The words "qualified mail-in elector" shall mean a
9 qualified elector. The term does not include a person
10 specifically prohibited from being a qualified absentee elector
11 under section 1301.]

12 (1) an elector's driver's license;

13 (2) in the case of an elector who has a religious objection
14 to being photographed, a copy of a valid-without-photo driver's
15 license or a valid-without-photo identification card issued by
16 the Department of Transportation;

17 (3) an elector's voter registration card with scannable
18 identification number and a copy of the elector's signature;

19 (4) a document from an agency of the armed forces of the
20 United States or their reserve components, including the
21 Pennsylvania National Guard, establishing that the elector is a
22 current member or a veteran of the United States Armed Forces or
23 National Guard which does not designate a specific date on which
24 the document expires, but includes a designation that that
25 expiration date is indefinite;

26 (5) a document issued by the Secretary of the Commonwealth
27 for the purposes of voter identification, including both a photo
28 and a copy of the elector's signature; or

29 (6) a document that shows the name and photograph of the
30 individual to whom the document was issued, includes an

expiration date and is not expired and is issued by one of the following:

(i) The United States Government.

(ii) The Commonwealth of Pennsylvania.

Section 2. The act is amended by adding a section to read:

Section 108. Bureau of Election Audits.--(a) The Bureau of Election Audits is established in the Department of the Auditor General.

(b) The Bureau of Election Audits shall have subpoena power to request from the Department of State or a county any documents, records, papers, data, ballots, election materials or testimony necessary for the efficient completion of the audits required under this section.

(c) The Auditor General shall conduct independent election audits in accordance with generally accepted governmental audit standards (GAGAS) and appropriate Service Organization Control standards and shall ensure that the audit methodology will verify the accuracy of the election and the accuracy of election equipment used.

(d) For audits that occur during an election year in which the Auditor General stands for election, the Auditor General shall appoint an independent special auditor who shall be a licensed certified public accountant and shall have experience in completing election audits to oversee the operation of the Bureau of Election Audits.

(e) The Bureau of Election Audits shall ensure continuous improvement of the election audits required under this section to ensure the accuracy of election results and compliance with Federal and State laws.

(f) The duties of the Bureau of Election Audits shall

1 include:

2 (1) Except if a full manual recount of an election is
3 undertaken or an election is uncontested, to conduct result-
4 confirming audits of each election in this Commonwealth,
5 completed by the third Friday following the election. The audits
6 shall include:

7 (i) A statistically sound ballot-polling, risk-limiting
8 audit of ballots for each election.

9 (ii) An audit of election machine logs.

10 (iii) An audit of the returned absentee, including a
11 comparison of retained envelopes on which the executed
12 declarations appear, secrecy envelopes and the total number of
13 absentee ballots canvassed.

14 (iv) An audit comparing each canvassed and retained paper
15 ballot in each county with the number of votes recorded.

16 (v) An audit of the pre-election testing of election
17 equipment conducted by each county.

18 (vi) Any other audit deemed necessary by the Bureau of
19 Election Audits to ensure public trust in the outcome of each
20 election.

21 (2) To conduct a comprehensive audit of the Statewide
22 Uniform Registry of Electors (SURE) System at least once every
23 two years, including an audit of the accuracy of the list of
24 registered voters.

25 (3) To conduct performance audits of the operations of
26 elections systems and processes at least once every five years.
27 The audits shall include:

28 (i) An audit of each county election office in the
29 Commonwealth, including an audit of each county's chain of
30 custody procedures for all ballots.

1 (ii) An audit of the Department of State's election
2 equipment certification process.

3 (iii) An audit of the Department of State's administration
4 of elections.

5 (iv) Any other audit deemed necessary by the Bureau of
6 Election Audits to ensure public trust in the election
7 administration in this Commonwealth.

8 (4) To publicly post audit methodologies for each of the
9 audits required under this section, including on the Auditor
10 General's publicly accessible Internet website and the
11 Department of State's publicly accessible Internet website.

12 (5) To publicly post the results of each audit required
13 under this section, including on the Auditor General's publicly
14 accessible Internet website, the Department of State's publicly
15 accessible Internet website and each county's publicly
16 accessible Internet website.

17 (6) To monitor corrective action plans developed by entities
18 audited under this section, ensuring that the corrective action
19 plan addresses deficiencies identified by an audit and that the
20 plan is successfully executed to remediate deficiencies.

21 (g) If a full manual recount of an election is undertaken,
22 the Bureau of Election audits shall not be required to perform
23 the audit required under subsection (f)(1)(i).

24 (h) The duties of the county board of elections shall
25 include:

26 (1) Cooperating with the Bureau of Election Audits to enable
27 efficient conduct of audits required under subsection (f).

28 (2) Cooperating with the Bureau of Election Audits to post
29 the results of audits conducted in that county as required under
30 subsection (f)(4).

1 (3) Holding a public meeting between the third Saturday
2 after an election and the fourth Thursday after an election, at
3 which the board shall make publicly available to the residents
4 of the county the results of audits conducted under subsection
5 (f).

6 (4) Submitting to the Department of State, along with the
7 certified results of the election, a report with the results of
8 the audits conducted under subsection (f)(3). The report shall
9 include the following:

10 (i) The overall accuracy of election results as confirmed by
11 the audits under subsection (f)(3).

12 (ii) A description of any problem or discrepancies
13 encountered in the administration of the election.

14 (iii) The identified causes of any problems or
15 discrepancies.

16 (5) Submitting to the Department of State, within ninety
17 (90) days after any election, recommended corrective actions
18 with respect to avoiding or mitigating any problems or
19 discrepancies in future elections.

20 (6) Developing a corrective action plan to address any
21 findings of error or deficiency within an audit conducted under
22 this section.

23 (i) The duties of the Department of State shall include:

24 (1) Cooperating with the Bureau of Election Audits to enable
25 efficient conduct of each audit required under subsection (f).

26 (2) Cooperating with the Bureau of Election Audits to post
27 the methodologies and results of audits conducted in this
28 Commonwealth as required under subsection (f)(3) and (4).

29 (3) To develop a corrective action plan to address any
30 findings of error or deficiency within an audit conducted under

1 this section.

2 Section 3. Section 201 of the act is amended by adding a
3 subsection to read:

4 Section 201. Powers and Duties of the Secretary of the
5 Commonwealth.--The Secretary of the Commonwealth shall exercise
6 in the manner provided by this act all powers granted to him by
7 this act, and shall perform all the duties imposed upon him by
8 this act, which shall include the following:

9 * * *

10 (i) To decline to accept any private donation or
11 contribution for the purposes of operating elections, employing
12 staff or selecting and equipping a polling place or for use in
13 voter education or outreach.

14 Section 4. Section 302(p) of the act, amended March 27, 2020
15 (P.L.41, No.12), is amended and the section is amended by adding
16 a subsection to read:

17 Section 302. Powers and Duties of County Boards.--The county
18 boards of elections, within their respective counties, shall
19 exercise, in the manner provided by this act, all powers granted
20 to them by this act, and shall perform all the duties imposed
21 upon them by this act, which shall include the following:

22 * * *

23 (p) A county board of elections shall not pay compensation
24 to a judge of elections who wilfully fails to deliver by two
25 o'clock A. M. on the day following the election envelopes;
26 supplies, including all uncast provisional ballots; and returns,
27 including all provisional ballots cast in the election district
28 and statements signed under [sections] section 1306 [and 1302-
29 D].

30 (q) To decline to accept any private donation or

contribution for the purposes of operating elections, employing staff or selecting and equipping a polling place or for use in voter education or outreach.

Section 5. The act is amended by adding an article to read:

ARTICLE VII-A

REGISTRATION OF ELECTORS

SUBARTICLE A

PRELIMINARY PROVISIONS

Section 700-A. Definitions.

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

"Applicant." An individual who applies to be registered to vote as provided for under this article and 25 Pa.C.S. Pt. IV (relating to voter registration).

"Commission." A registration commission established under 25 Pa.C.S. § 1203 (relating to commissions).

"Commissioner." A member of a commission.

"County." A county of this Commonwealth. The term includes a county within which is located a city of the first class or with which a city of the first class is coextensive.

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

"District." An election district or precinct of a municipality.

"District register." The list of registered electors prepared by the commission under 25 Pa.C.S. § 1402 (relating to district registers).

"General register." The list of registered electors prepared by the commission under 25 Pa.C.S. § 1401 (relating to general register).

1 "Military elector." Any of the following:

2 (1) An individual in military service and the
3 individual's spouse and dependents.

4 (2) An individual in the merchant marine and the
5 individual's spouse and dependents.

6 (3) An individual in a religious or welfare group
7 officially attached to and serving with the armed forces of
8 the United States and the individual's spouse and dependents.

9 (4) An individual who is a civilian employee of the
10 United States outside the territorial limits of the United
11 States, whether or not the individual is subject to the civil
12 service laws and whether or not the individual is paid from
13 funds appropriated by Congress, and the individual's spouse
14 and dependents.

15 "Party." Any of the following:

16 (1) A party or political body, one of whose candidates
17 at the general election immediately preceding the primary:

18 (i) polled, in each of at least 10 counties, at
19 least 2% of the largest entire vote cast in the county
20 for any elected candidate; and

21 (ii) polled a total vote in this Commonwealth equal
22 to at least 2% of the largest entire vote cast in this
23 Commonwealth for any elected candidate.

24 (2) A party or political body, one of whose candidates
25 at either the general or municipal election preceding the
26 primary polled at least 5% of the largest entire vote cast
27 for any elected candidate in any county.

28 "Political body." A political body not recognized as a
29 political party which has filed proper nomination papers as
30 required by law.

1 "Qualified elector." An applicant who possesses all of the
2 qualifications for voting prescribed by the Constitution of
3 Pennsylvania and the laws of this Commonwealth or who, being
4 otherwise qualified by continued residence in the election
5 district, obtains such qualifications before the next ensuing
6 election. The term does not include a military elector.

7 "Registrant" or "registered elector." A qualified elector
8 who is registered to vote in accordance with this article and 25
9 Pa.C.S. Pt. IV.

10 "Registration card." A registration record containing all
11 information required on the registration application, including
12 the elector's signature, and suitable space for the insertion by
13 the appropriate official of the following information:

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

15 (2) The registrant's street address.

16 (3) Data required to be given upon removal from the
17 registrant's residence.

18 (4) The date of each election at which the registrant
19 votes.

20 (5) The number and letter of the stub of the ballot
21 issued to the registrant or the registrant's number in the
22 order of admission to the voting machines.

23 (6) The initials of the election officer who enters the
24 record of voting in the district register.

25 (7) Whether the registrant needs assistance to vote and,
26 if so, the nature of the disability.

27 "Registration records." The general register, district
28 register and any other record of registration maintained by a
29 commission. The term includes any record maintained by the
30 commission on the Statewide Uniform Registry of Electors.

1 "Secretary." The Secretary of the Commonwealth.

2 "Statewide Uniform Registry of Electors" or "SURE system."

3 The integrated voter registration system of all registered
4 electors in this Commonwealth established in 25 Pa.C.S. Ch. 12
5 Subch. B (relating to Statewide Uniform Registry of Electors
6 (SURE)).

7 SUBARTICLE B

8 QUALIFICATIONS

9 Section 701-A. Qualifications to register.

10 (a) Eligibility.--An individual who will be at least 18
11 years of age on the day of the next election, who has been a
12 citizen of the United States for at least one month prior to the
13 next election and who has resided in this Commonwealth and the
14 election district where the individual offers to vote for at
15 least 30 days prior to the next ensuing election shall be
16 eligible to register as provided in this act.

17 (b) Effect.--No individual shall be permitted to vote at any
18 election unless the individual is registered under this
19 subsection, except as provided by law or by order of a court of
20 common pleas. No registered elector shall be required to
21 register again for any election while the elector continues to
22 reside at the same address.

23 (c) Removal of residence.--Except as otherwise provided
24 under this article and 25 Pa.C.S. Pt. IV (relating to voter
25 registration), a registered elector who removes residence from
26 one place to another outside the elector's last election
27 district shall not be entitled to vote in the election district
28 of the elector's last residence except pursuant to the
29 provisions of this section and 25 Pa.C.S. §§ 1501(b) (relating
30 to removal notices), 1502 (relating to transfer of registration)

1 and 1902 (relating to procedure for voting following failure to
2 return notification card).

3 Section 702-A. Residence of electors.

4 (a) General rule.--

5 (1) For the purpose of registration and voting, no
6 individual shall be deemed to have gained a residence by
7 reason of presence or lost a residence by reason of absence
8 in any of the following circumstances:

9 (i) Being employed in the service, either civil or
10 military, of this Commonwealth or of the United States.

11 (ii) Being engaged in the navigation of the waters
12 of this Commonwealth or of the United States or on the
13 high seas.

14 (iii) Being in an institution at public expense.

15 This subparagraph does not apply to a veteran who resides
16 in a home for disabled and indigent soldiers and sailors
17 maintained by the Commonwealth. Such a veteran may elect
18 to utilize that residence for registration and voting or
19 elect to vote as an absentee elector by the use of an
20 absentee ballot.

21 (2) Nothing in paragraph (1) shall preclude any elector
22 eligible under section 701-A from establishing the district
23 of residence as the election district of residence under
24 subsection (b).

25 (3) Except as otherwise provided in this subsection, no
26 individual who is confined in a penal institution shall be
27 deemed a resident of the election district where the
28 institution is located. The individual shall be deemed to
29 reside where the individual was last registered before being
30 confined in the penal institution, or, if there was no

1 registration prior to confinement, the individual shall be
2 deemed to reside at the last known address before
3 confinement.

4 (4) An individual who resides at a mental health
5 facility, if otherwise qualified under section 701-A, shall
6 be deemed at the individual's option a resident in one of the
7 following:

8 (i) The district where the institution is located.

9 (ii) The district where the individual was last
10 registered to vote before entering the institution. For
11 purposes of this subparagraph, if the individual was not
12 registered before entering the institution, the
13 individual shall be deemed to reside at the last known
14 address before entering the institution.

15 (b) Rules for determination.--The following apply:

16 (1) That the place shall be considered the residence of
17 an individual in which habitation is fixed and to which,
18 whenever the individual is absent, the individual has the
19 intention of returning.

20 (2) An individual shall not be considered to have lost
21 residence if the individual leaves home and goes into another
22 state or another election district for temporary purposes
23 only, with the intention of returning.

24 (3) An individual shall not be considered to have gained
25 a residence in an election district if the individual comes
26 into that district for temporary purposes only, without the
27 intention of making that election district a permanent place
28 of abode.

29 (4) If an individual removes to another state with the
30 intention of making that state the individual's permanent

1 residence, the individual shall be considered to have lost
2 residence in this Commonwealth.

3 (5) If an individual removes to another state with the
4 intention of remaining there an indefinite time and making
5 that state the place of residence, the individual shall be
6 considered to have lost residence in this Commonwealth,
7 notwithstanding an intention to return at some indefinite
8 future period.

9 (6) If an individual goes into another state and, while
10 there, votes in an election held by that state, the
11 individual shall be considered to have lost residence in this
12 Commonwealth.

13 (7) An individual employed in the service of the Federal
14 Government or of the Commonwealth and required thereby to be
15 absent from the municipality where the individual resided
16 when entering that employment and the spouse of the
17 individual may remain registered in the district where the
18 individual resided immediately prior to entering that
19 employment, and the individual and the spouse shall be
20 enrolled in the political party designated by the individual
21 or spouse without declaring a residence by street and number
22 as follows:

23 (i) An individual who registers under this paragraph
24 for Commonwealth employment must produce a certificate
25 from the head of the State agency, under the seal of
26 office, providing that the individual or the individual's
27 spouse is actually employed in the service of the
28 Commonwealth and providing the nature of the employment
29 and the time when the employee first entered the
30 employment. The commission shall retain certificates

1 under this subparagraph.

2 (ii) The commission shall note on the registration
3 record of each individual registered under this paragraph
4 the fact of Federal or State employment.

5 (iii) At least once every two years the commission
6 shall verify the employment of the individuals registered
7 under this paragraph at the proper Federal or State
8 office. If an individual is found to no longer be a
9 Federal or State employee, the individual's registration
10 shall be canceled under 25 Pa.C.S. Ch. 15 (relating to
11 changes in records).

12 SUBARTICLE C

13 PROCEDURE

14 Section 721-A. Methods of voter registration.

15 An individual qualified to register to vote under section
16 701-A(a) may apply to register as follows:

17 (1) Under section 722-A.

18 (2) Under section 722.1-A.

19 (3) Under section 723-A.

20 (4) Under section 724-A.

21 (5) Under section 725-A.

22 Section 722-A. In-person voter registration.

23 (a) General rule.--Applications may be submitted to register
24 to vote or change party enrollment or name or address on a
25 current registration record in person before the commission or a
26 commissioner, a registrar or a clerk at the office of the
27 commission or at a place designated by the commission. The
28 applicant shall be advised that any intentional false statement
29 on the application constitutes perjury and will be punishable as
30 such. The applicant shall provide the information required on

1 the registration application and sign the registration
2 declaration. The commission shall prepare and provide voter
3 registration applications for the purpose of registering
4 qualified electors in accordance with this section.
5 Notwithstanding any other provision of this article and 25
6 Pa.C.S. Pt. IV (relating to voter registration), the commission
7 may use a mail registration application for in-person
8 registration. The commission shall mail the qualified elector an
9 identification card in accordance with section 728-A.

10 (b) Notice.--The commission shall, at least 30 days prior to
11 each establishment's opening, publish under section 106 the
12 address of each place of registration, the address of each
13 office of the commission established for the registration of
14 qualified electors other than its main office and the days and
15 hours when the place or office is open for the registration of
16 qualified electors. The announcement shall be made by posting
17 notice at the place or office and at the commission's main
18 office and by other means as the commission deems advisable.

19 (c) Polls.--The election board of each county shall cause
20 any polling place to be open, in proper order for use, as a
21 place of registration on each day when the polling place is
22 desired by the commission or required by the provisions of this
23 article and 25 Pa.C.S. Pt. IV for use as a place of
24 registration. The appropriating authority of the county shall
25 provide for the payment of rentals for such polling places and
26 other places of registration.

27 (d) Schools.--The board of public education or the board of
28 school directors shall furnish suitable space in any public
29 school building under its jurisdiction or control and shall
30 cause the space to be open and in proper order for use as a

place of registration on each day when the space is desired by the commission for use as a place of registration in accordance with the provisions of this article and 25 Pa.C.S. Pt. IV. Use under this subsection may not interfere with school instruction.

(e) Municipal buildings.--The proper authority in the county or municipality shall furnish suitable space in a building under its jurisdiction or control and shall cause the space to be open and in proper order for use as a place of registration on each day when the space is desired by the commission for use as a place of registration. Use under this subsection may not interfere with the use for which the space is primarily designed.

Section 722.1-A. Online voter registration.

(a) Application.--An application may be submitted to register to vote or change party enrollment or name or address on a current registration record through an online application developed by the secretary and provided on the department's publicly accessible Internet website. The applicant shall provide the information required on the registration application and electronically sign the registration declaration.

(b) Prohibition.--Except for an application developed under subsection (a), no other application or third-party interface may be approved or used for the purposes of voter registration.

Section 723-A. 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

1 application to register to vote unless the applicant fails to
2 sign the voter registration application. The secretary has
3 the primary responsibility for implementing and enforcing the
4 driver's license voter registration system created under this
5 section. The secretary, in consultation with the Secretary of
6 Transportation, may promulgate regulations for implementing
7 this section.

8 (2) An application for voter registration submitted to
9 the Department of Transportation under this subsection shall
10 be considered as updating any previous voter registration
11 information by a registrant.

12 (3) Any change of address submitted to the Department of
13 Transportation for the purposes of driver licensing shall
14 serve as notification of change of address for voter
15 registration for the registrant involved unless the
16 registrant indicates that the change of address is not for
17 voter registration purposes.

18 (b) Process.--

19 (1) The Department of Transportation shall provide for
20 an application for voter registration as part of a driver's
21 license application.

22 (2) The format of the driver's license/voter
23 registration application shall be determined and prescribed
24 by the secretary and the Secretary of Transportation.

25 (3) The voter registration application portion of the
26 application shall contain all the requirements of an official
27 voter registration application specified in section 727-A.
28 The voter registration portion of the application:

29 (i) may not require any information that duplicates
30 information required in the driver's license portion of

1 the form, other than a second signature; and

2 (ii) may require only the minimum amount of
3 information necessary to prevent duplicate voter
4 registration, to enable the commission to assess the
5 eligibility of the applicant and to administer voter
6 registration and other parts of the election process.

7 (c) Transmission.--

8 (1) The Department of Transportation shall forward
9 completed applications or contents of the completed voter
10 registration applications in machine-readable format to the
11 department by the close of registration for the ensuing
12 election.

13 (2) The department shall transmit the material to the
14 appropriate commission within 10 days after the date of its
15 receipt by the Department of Transportation. If a voter
16 registration application is received by the Department of
17 Transportation within five days before the last day to
18 register before an election, the application shall be
19 transmitted to the appropriate commission not later than five
20 days after the date of its receipt by the Department of
21 Transportation.

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

28 (4) After the Department of Transportation is connected
29 to the SURE system and notwithstanding paragraphs (1), (2)
30 and (3), the Department of Transportation shall transmit

1 electronically the contents of a completed voter registration
2 application within five days of receipt of the application.
3 Upon receipt of the information from the Department of
4 Transportation, a commission shall make a record of the date
5 of the receipt of the application and process the application
6 in accordance with section 728-A. If the commission of the
7 county of residence has not been connected to the SURE
8 system, the Department of Transportation shall forward the
9 completed application or contents of the completed
10 application to the department in accordance with paragraph
11 (1). No applicant shall be deemed eligible to vote until the
12 commission has received and approved an application in
13 accordance with section 728-A.

14 (5) Changes of address shall comply with the following:

15 (i) Before the Department of Transportation is
16 connected to the SURE system, the Department of
17 Transportation shall notify the department of changes of
18 address received under subsection (a)(3). The department
19 shall notify the commission of the county of the
20 registrant's former residence. After the Department of
21 Transportation is connected to the SURE system, the
22 Department of Transportation shall notify the commission
23 of the county of the registrant's former residence. If
24 the registrant has moved to an address outside this
25 Commonwealth, the commission shall verify the address
26 change in accordance with 25 Pa.C.S. § 1901 (relating to
27 removal of electors). Except as provided in subparagraph
28 (ii), if the registrant confirms in accordance with 25
29 Pa.C.S. § 1901(d) that he or she has moved to another
30 county, the commission shall cancel the registration and

1 forward the registrant's registration information to the
2 commission of the registrant's new county of residence.
3 Except as provided in subparagraph (ii), if the
4 registrant has moved to an address within the
5 commission's jurisdiction, the commission shall promptly
6 update the registration record of the registrant in
7 accordance with section 728-A. All changes of address
8 received by the Department of Transportation under this
9 section at least 30 days before an election must be
10 processed by the commission for the ensuing election. For
11 the purpose of this paragraph, the term "registration
12 information" means the registration card and any other
13 record of registration maintained by a commission.

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

23 Date.....

24 Office of the Registration Commission

25 County, Pennsylvania

26 (Address and Telephone No. of County)

27 We have been notified by the Department of
28 Transportation that you recently changed your address
29 from (old residence address)
30 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 10 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.

Chief Clerk

If the address change is within the commission's jurisdiction,
the 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 10-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 25 Pa.C.S. § 1901(d)(2).

(6) Upon notification and confirmation of any change of
address, a commission shall promptly update information

1 contained in its registration record.

2 (d) Prohibition.--An individual who is not a qualified
3 elector is ineligible to register to vote under this section.

4 (e) Effect.--Failure to properly complete a voter
5 registration application shall not affect the validity of an
6 application for a driver's license, a renewal application or an
7 identification card application.

8 (f) Use of information.--No information regarding a
9 declination to register to vote in connection with an
10 application made under this section may be used for any purpose
11 other than voter registration.

12 (g) Staff.--Agents and employees working on behalf of the
13 Department of Transportation assisting in the completion of
14 voter registration applications shall conduct themselves in a
15 manner consistent with the following principles:

16 (1) They shall not seek to influence an applicant's
17 political preference or party registration or display
18 political preference or party allegiance.

19 (2) They shall not make a statement to an applicant or
20 take an action the purpose or effect of which is to
21 discourage the applicant from registering to vote.

22 (3) Applicants wishing to register to vote under this
23 section shall be given the same degree of assistance with the
24 voter registration application as with all other Department
25 of Transportation forms.

26 Agency employees who violate this subsection shall be removed
27 from employment, provided that the agency at its discretion may
28 impose a penalty of suspension without pay for at least 30 days,
29 but not more than 120 days, if it finds that the violation does
30 not warrant termination.

1 (h) Retention.--The Department of Transportation shall
2 retain complete records of voter registration information
3 received, processed and submitted to the SURE system by the
4 Department of Transportation. The records shall only be for the
5 purpose of supporting audit and accounting controls established
6 to ensure accurate and complete electronic transmission of
7 records between the SURE system and the Department of
8 Transportation.

9 (i) Agreement with department.--The Department of
10 Transportation shall enter into an agreement with the department
11 to match information in the SURE system with information in the
12 database of the Department of Transportation to the extent to
13 verify the accuracy of the driver's license number,
14 identification number or last four digits of the Social Security
15 number provided on an application for voter registration.

16 (j) Agreement with Commissioner of Social Security.--The
17 Department of Transportation shall enter into an agreement with
18 the Commissioner of Social Security to verify the last four
19 digits of the Social Security number provided in an application
20 for voter registration.

21 Section 724-A. Application by mail.

22 (a) General rule.--An application to register to vote or to
23 change party enrollment or name or address on a current
24 registration may be submitted by voter registration mail
25 application in the manner provided in this section. An
26 application may be submitted by mail or by representative to the
27 commission on an official mail registration application, the
28 form of which shall be determined and prescribed by the
29 secretary or the Federal Election Commission pursuant to the
30 National Voter Registration Act of 1993 (Public Law 103-31, 52

1 U.S.C. § 1973gg et seq.). The applicant must complete the
2 information required on the registration application and sign
3 the registration declaration.

4 (b) Time.--Registration under this section may be made at
5 any time. If a registration application is received by a
6 commission beyond the deadline for registration provided in
7 section 1231, the application shall be retained by the
8 commission until the beginning of the next period during which
9 registration can be made.

10 (c) Military electors.--

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

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

26 (3) The commission is authorized to consider a request
27 for an absentee ballot as a request for an official
28 registration application and to forward to the requester all
29 of the following:

30 (i) An absentee ballot and balloting material.

1 (ii) An official registration application.

2 (4) The military elector must complete and file these
3 documents in accordance with the applicable provisions of
4 this act.

5 (5) The right to be registered pursuant to this
6 subsection shall not be subject to challenge for any reason
7 other than failure to have furnished the commission a
8 properly completed registration application.

9 Section 725-A. Government agencies.

10 (a) General rule.--The secretary shall administer a system
11 whereby all offices in this Commonwealth that provide public
12 assistance, each county clerk of orphans' court, including each
13 marriage license bureau, all offices in this Commonwealth that
14 provide State-funded programs primarily engaged in providing
15 services to persons with disabilities and all armed forces
16 recruitment centers do all of the following:

17 (1) Distribute voter registration applications with each
18 application, reapplication and application for
19 recertification, renewal or change of address.

20 (2) Assist applicants with completion of the
21 registration application unless assistance is refused.

22 (3) Accept completed registration applications.

23 (4) Transmit completed applications to the appropriate
24 commission.

25 (b) Forms.--An agency designated in subsection (a) shall
26 provide a form for office visits or, if the agency provides
27 services to persons with disabilities, for home visits which
28 contains all of the following:

29 (1) The question "If you are not registered to vote
30 where you live now, would you like to apply to register to

1 vote today?"

2 (2) If the agency provides public assistance, the
3 statement "Applying to register or declining to register to
4 vote will not affect the amount of assistance that you will
5 be provided by this agency."

6 (3) Boxes for the applicant to check to indicate whether
7 the applicant would like to register or decline to register
8 to vote. In close proximity to the boxes the following words
9 shall appear in prominent type: "IF YOU DO NOT CHECK EITHER
10 BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER
11 TO VOTE AT THIS TIME."

12 (4) The statement "In order to be qualified to register
13 to vote, you must be at least 18 years of age on the day of
14 the next election, you must have been a citizen of the United
15 States for at least one month prior to the next election and
16 have resided in Pennsylvania and the election district where
17 you plan to vote for at least 30 days prior to the next
18 election."

19 (5) The statement "If you would like help in filling out
20 the voter registration application form, we will help you.
21 The decision whether to seek help is yours. You may fill out
22 the form in private."

23 (6) The statement "If you believe that someone has
24 interfered with your right to register or to decline to
25 register to vote, your right to privacy in deciding whether
26 to register or in applying to register to vote or your right
27 to choose your own political party or other political
28 preference, you may file a complaint with the Secretary of
29 the Commonwealth, Pennsylvania Department of State,
30 Harrisburg, PA 17120." The secretary shall establish and

1 publish a toll-free telephone number for the purpose of
2 receiving complaints.

3 (c) Effect.--Failure to check either box under subsection
4 (b) (3) shall be considered a declination to register to vote.

5 (d) Staff.--Agency employees assisting in the completion of
6 voter registration applications shall conduct themselves in a
7 manner consistent with the following principles:

8 (1) They shall not seek to influence an applicant's
9 political preference or party registration or display
10 political preference or party allegiance.

11 (2) They shall not make any statement to an applicant or
12 take any action the purpose of or effect of which is to
13 discourage the applicant from registering to vote.

14 (3) They shall not make any statement to an applicant or
15 take any action the purpose of or effect of which is to lead
16 the applicant to believe that a decision to register or not
17 to register has any bearing on the availability of services
18 or benefits.

19 Agency employees who violate this subsection shall be removed
20 from employment, provided that the agency at its discretion may
21 impose a penalty of suspension without pay for at least 30 days,
22 but not more than 120 days, if it finds that the violation does
23 not warrant termination.

24 (e) Encouraging registration.--An agency designated in
25 subsection (a) shall provide reasonable space for nonpartisan
26 signs or posters encouraging voter registration. The signs and
27 posters shall be provided by the secretary.

28 (f) Transmission.--An agency designated in subsection (a)
29 shall forward all completed applications to the appropriate
30 commission within 10 days after the date of receipt. If a voter

1 registration application is received within five days before the
2 last day to register before an election, the application shall
3 be transmitted to the appropriate commission not later than five
4 days after the date of its receipt by the agency.

5 (g) Confidentiality.--The identity of the voter registration
6 agency through which any particular voter is registered in
7 accordance with this section shall not be disclosed to the
8 public.

9 (h) Use of information.--No information relating to a
10 declination to register to vote in connection with an
11 application made at an office described in this section may be
12 used for any purpose other than voter registration.

13 (i) Assistance.--Each agency shall provide to each applicant
14 who chooses to register to vote the same degree of assistance
15 with regard to the completion of the registration application
16 form as is provided by the office with regard to the completion
17 of its own forms unless the applicant refuses such assistance.

18 (j) Regulation.--The secretary shall promulgate regulations
19 regarding the maintenance and destruction of forms used pursuant
20 to this section.

21 Section 726-A. (Reserved).

22 Section 727-A. Preparation and distribution of applications.

23 (a) Form.--

24 (1) The secretary shall prescribe the form of an
25 official voter registration application. The official voter
26 registration application shall provide space for the
27 following information about the applicant:

28 (i) Full name.

29 (ii) Address of residence. If the residence is a
30 portion only of the house, the location or number of the

1 room, apartment or floor which is occupied.

2 (iii) Mailing address if different than address of
3 residence.

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

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

8 (vi) Date of birth.

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

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

13 (ix) Last four digits of Social Security number. An
14 application without the last four digits of an
15 applicant's Social Security number shall be considered
16 incomplete. An applicant who does not have a Social
17 Security number may have the applicant's identity
18 confirmed through an alternate record.

19 (x) A Department of Transportation driver's license
20 number or a Department of Transportation identification
21 card number. An application may not be rejected because
22 of noncompliance with this subparagraph.

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

26 (3) Any person who assists in the completion of the
27 registration application shall sign the application and
28 indicate the person's address. In the case of those
29 registering under sections 723-A and 725-A, the person
30 providing assistance shall insert the person's initials or

1 employee or agent identification number on a separate or
2 detachable portion of the application or computer data file.

3 (4) A voter registration application shall be printed on
4 stock of good quality and shall be of suitable uniform size.
5 Nothing under this article and 25 Pa.C.S. Pt. IV (relating to
6 voter registration) shall prohibit the design and use of an
7 electronic voter registration application which includes the
8 applicant's digitized or electronic signature. The
9 registration application shall contain the following
10 information; however, the information may be provided on a
11 separate form for voter registration made under section 723-A
12 or 725-A:

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

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

19 (iii) Notice that the applicant must be a citizen of
20 the United States for at least one month prior to the
21 next election and a resident of this Commonwealth and the
22 election district for at least 30 days and must be at
23 least 18 years of age by the day of the next ensuing
24 election. The notice required in this subparagraph shall
25 be in print identical to the declaration under subsection
26 (b).

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

30 (v) Notice that the commission will mail by

1 nonforwardable mail to the applicant a voter's
2 identification card upon acceptance of the application
3 and that the applicant should contact the commission if
4 the identification card is not received within 14 days
5 from the date the application is sent to the registration
6 office.

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

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

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

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

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

29 (5) In jurisdictions where there is a single language
30 minority, the secretary may print a bilingual application.

1 (6) In jurisdictions where a single language minority
2 exceeds 5% of the population, the secretary shall:

3 (i) print a bilingual application; and

4 (ii) conduct a public educational program among that
5 language group alerting both organizations and
6 individuals of that group of the availability of the
7 bilingual application and encouraging individuals to
8 register.

9 (7) To implement section 724-A, the secretary shall
10 print an official voter registration mail application
11 designed to preserve the confidentiality of the information
12 required to be submitted. The application shall contain
13 information required by this section and shall include the
14 name of each county seat, its post office mailing address and
15 zip code and its telephone number. Voter registration mail
16 applications shall contain information indicating whether the
17 application is a new registration, change of party
18 enrollment, change of address or change of name.

19 (8) Nothing under this article and 25 Pa.C.S. Pt. IV
20 shall prohibit a private organization or individual from
21 printing blank voter registration applications or shall
22 prohibit the use of such applications by any other
23 individual, provided that the form, content and paper quality
24 of such voter registration application complies with
25 department regulations for the forms or has received prior
26 approval from the secretary.

27 (b) Registration declaration.--

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

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

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

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

8 (iv) The applicant is legally qualified to vote.

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

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

12 (ii) The applicant understands that:

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

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

19 (3) The registration declaration shall contain the
20 printed name and signature of the applicant and the date of
21 signing. An applicant unable to sign the voter registration
22 application shall make a mark before a person of the
23 applicant's choice other than the applicant's employer or an
24 agent of the applicant's union. The person shall insert the
25 person's name, address and telephone number. If the person is
26 an employee or agent of the Department of Transportation or
27 another agency as provided under section 725-A and is
28 assisting the applicant in an official capacity, the employee
29 or agent shall insert the initials and identification number
30 of the employee or agent. In the case of applicants

1 registering under section 723-A or 725-A, the person
2 providing assistance shall insert initials or employee or
3 agent identification number on a separate or detachable
4 portion of the application or computer data file.

5 (4) The official registration application shall contain
6 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
7 notice shall advise the applicant that if a person signs an
8 official registration application knowing a statement
9 declared in the application to be false, the person commits
10 perjury. The notice shall specify the penalty for perjury.

11 (c) Distribution.--

12 (1) The secretary shall supply official registration
13 applications to commissions.

14 (2) The secretary shall make available for distribution
15 official voter registration applications to public libraries,
16 public schools, State-related institutions of higher
17 education, offices operated by the Department of Revenue,
18 offices operated by the Department of Aging, area agencies on
19 aging, offices operated by the Pennsylvania Game Commission
20 or any of its authorized license-issuing agents, offices
21 operated by the Pennsylvania Fish and Boat Commission or any
22 of its issuing agents and offices that provide unemployment
23 compensation.

24 (3) Each participating agency identified under paragraph
25 (2) shall:

26 (i) Provide that official voter registration mail
27 applications are available on the premises and displayed
28 prominently in a conspicuous location during normal
29 business hours.

30 (ii) Provide an official voter registration mail

1 application to any individual requesting one.

2 (iii) Provide reasonable space for nonpartisan signs
3 or posters indicating the availability of official voter
4 registration mail applications on the premises.

5 (4) The secretary may provide technical assistance to
6 commissions upon request and agencies designated under
7 paragraph (2).

8 (5) The secretary shall print and distribute mail
9 registration applications which are not postage paid and
10 which shall not be specific to any county registration
11 office. Along with the distribution of such applications, the
12 secretary shall also include instructions to inform the
13 applicant where the application is to be sent.

14 (6) The secretary and commissions shall supply
15 applications to all of the following:

16 (i) Persons and organizations who request
17 applications.

18 (ii) Federal, State and political subdivision
19 offices.

20 (iii) Political parties and political bodies.

21 (iv) Candidates.

22 (d) Staff.--Agency employees assisting in the distribution
23 of voter registration applications under subsection (c) shall
24 conduct themselves in a manner consistent with the following
25 principles:

26 (1) They shall not seek to influence an applicant's
27 political preference or party registration or display
28 political preference or party allegiance.

29 (2) They shall not make any statement to an applicant or
30 take any action the purpose of or effect of which is to

1 discourage the applicant from registering to vote.

2 (3) They shall not make any statement to an applicant or
3 take any action the purpose of or effect of which is to lead
4 the applicant to believe that a decision to register or not
5 to register has any bearing on the availability of services
6 or benefits.

7 Agency employees who violate this subsection shall be removed
8 from employment, provided that the agency at its discretion may
9 impose a penalty of suspension without pay for at least 30 days,
10 but not more than 120 days, if it finds that the violation does
11 not warrant termination.

12 Section 728-A. Approval of registration applications.

13 (a) Examination.--Upon receiving a voter registration
14 application, a commissioner, clerk or registrar of a commission
15 shall do all of the following:

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

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

19 (i) Whether the application is complete.

20 (ii) Whether the applicant is a qualified elector,
21 including verification of the last four digits of the
22 applicant's Social Security number and the applicant's
23 Department of Transportation driver's license number or
24 Department of Transportation identification card number,
25 if available.

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

1 record. The commissioner, clerk or registrar shall take
2 special care to scrutinize any registration for a similar
3 name at the same registered address.

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

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

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

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

19 (i) The application was not properly completed and,
20 after reasonable efforts by the commission to ascertain
21 the necessary information, the application remains
22 incomplete or inconsistent.

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

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

26 (iv) The applicant is not legally qualified for a
27 change of name.

28 A rejection shall be made no later than 25 days before the
29 election succeeding the filing of the application.

30 (3) Process a voter registration application in

1 accordance with subsection (c) if the commission finds during
2 its examination under subsection (a) all of the following:

3 (i) The application requests registration.

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

7 (4) Process a voter registration application in
8 accordance with subsection (c) and update its registration
9 records if the commission finds during its examination under
10 subsection (a) all of the following:

11 (i) The application requests registration.

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

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

17 (5) Process a voter registration application in
18 accordance with subsection (c) and request transfer of
19 registration records in accordance with subsection (d) if the
20 commission finds during its examination under subsection (a)
21 all of the following:

22 (i) The application requests registration.

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

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

28 (6) Process a voter registration application in
29 accordance with subsection (c) and request transfer of
30 registration records in accordance with subsection (d) if the

1 commission finds during its examination under subsection (a)
2 all of the following:

3 (i) The application requests a transfer of
4 registration.

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

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

10 (7) Process a voter registration application in
11 accordance with subsection (c) and update its registration if
12 the commission finds during its examination under subsection
13 (a) all of the following:

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

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

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

20 (8) Process a voter registration application in
21 accordance with subsection (c) and update its registration
22 records if the commission finds during its examination under
23 subsection (a) all of the following:

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

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

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

30 (iv) The applicant is currently a registered elector

1 of the county.

2 (c) Processing of voter registration.--

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

11 (i) Name and address of the individual.

12 (ii) Name of municipality of residence.

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

15 (iv) The effective date of registration.

16 (v) Designation of party enrollment and date of
17 enrollment.

18 (vi) An image of the individual's signature or mark.

19 (vii) The unique identification number of the
20 individual.

21 (viii) A statement that the individual must notify
22 the commission within 10 days from the date it was mailed
23 if any information on the card is incorrect, otherwise,
24 the information shall be deemed correct for voter
25 registration purposes.

26 (ix) A scannable identification code or strip.

27 (2) When a commission has accepted a voter registration
28 application under subsection (b)(4), (5), (6), (7) or (8),
29 the commission shall mail a durable, wallet-sized voter's
30 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) An image of 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 10 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.

(ix) A scannable identification code or strip.

(3) An envelope containing a voter identification card
shall be marked on the outside with a request to the
postmaster to return it within five days if it cannot be
delivered to the addressee at the address given.

(4) (Reserved).

(5) (Reserved).

(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 article or 25 Pa.C.S. Pt.
IV.

(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 article and 25
Pa.C.S. Pt. IV. 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.

(e) Challenges.--All challenges to applications for
registration shall be made as provided in section 729-A.
Section 728.1-A. SURE registration number.

Each registered elector shall be assigned a single and unique
SURE registration number in accordance with section 728-A and 25
Pa.C.S. § 1514 (relating to conversion of registration records).
Once assigned, a SURE registration number shall not be changed,
modified or altered.

Section 729-A. Challenges.

(a) Standing.--An individual claiming the right to be
registered may be challenged by a commissioner, registrar or
clerk or by a qualified elector of the municipality.

(b) Complaint.--To make a challenge, a complainant must file

a challenge affidavit in a form prescribed by the secretary
containing the following information:

(1) Name of challenged individual.

(2) Address of challenged individual.

(3) Name of complainant.

(4) Address of complainant.

(5) Date of affidavit.

(6) Reason for challenge.

(c) Response.--An individual who is challenged must respond
to the challenge affidavit as provided in subsection (b) in a
written statement sworn or affirmed by the individual. The
challenged individual must produce such other evidence as may be
required to satisfy the registrar or commissioner as to the
individual's qualifications as a qualified elector.

(d) Resolution.--If the challenged individual establishes to
the satisfaction of the commission the right to be registered as
required under this article and 25 Pa.C.S. Pt. IV (relating to
voter registration), the challenged individual shall be
registered. If the challenged individual does not establish to
the satisfaction of the commission the right to be registered as
provided under this article and 25 Pa.C.S. Pt. IV, the
challenged individual's registration, if any, shall be canceled,
and the commission shall promptly update information contained
in its registration records.

Section 730-A. (Reserved).

Section 731-A. Privacy in voter registration.

The secretary shall provide a means for an elector who has an
active protection from abuse order under 23 Pa.C.S. Ch. 61
(relating to protection from abuse) entered against another
party to have the elector's birth date recorded in the Statewide

1 Uniform Registry of Electors so that the birth year shall be
2 listed as not fewer than 18 years and not greater than 50 years
3 prior to the year in which the claim was made. The secretary
4 shall ensure that the accommodation under this section shall end
5 when the protection from abuse order expires.

6 Section 6. Sections 1007(b) and 1210(a.4)(5)(ii)(F) of the
7 act are amended to read:

8 Section 1007. Number of Ballots to Be Printed; Specimen
9 Ballots.--* * *

10 (b) The county board of each county shall also, in addition
11 to the number of ballots required to be printed for general
12 distribution, maintain a sufficient supply of such ballots at
13 the office of the county board for the use of absentee electors
14 [or mail-in electors] and for the use of any district, the
15 ballots for which may be lost, destroyed or stolen. They shall
16 also cause to be printed on tinted paper, and without the
17 facsimile endorsements or permanent binding, copies of the form
18 of ballots provided for each polling place at each primary or
19 election therein, which shall be called specimen ballots, and
20 which shall be of the same size and form as the official
21 ballots, and at each election they shall deliver to the election
22 officers, in addition to the official ballots to be used at such
23 election, a suitable supply of specimen ballots for the use of
24 the electors. At each primary, a suitable supply of specimen
25 ballots of each party shall be furnished.

26 Section 1210. Manner of Applying to Vote; Persons Entitled
27 to Vote; Voter's Certificates; Entries to Be Made in District
28 Register; Numbered Lists of Voters; Challenges.--* * *

29 (a.4) * * *

30 (5) * * *

1 (ii) A provisional ballot shall not be counted if:

2 * * *

3 (F) the elector's absentee ballot [or mail-in ballot] is
4 timely received by a county board of elections.

5 * * *

6 Section 7. Sections 1231(a), (b)(1), (3) and (4) and (e) and
7 1302.2(c) of the act, amended March 27, 2020 (P.L.41, No.12),
8 are amended to read:

9 Section 1231. Deadline for Receipt of Valid Voter
10 Registration Application.--(a) Except as provided under
11 subsection (b), each commission, commissioner and registrar or
12 clerk appointed by the commission shall receive, during ordinary
13 business hours and during additional hours as the commission
14 prescribes, at the office of the commission and at additional
15 places as the commission designates, applications from
16 individuals who apply to be registered to vote as provided under
17 25 Pa.C.S. Pt. IV (relating to voter registration) who appear
18 and claim that they are entitled to be registered as electors of
19 a municipality. A commission may not accept the registration
20 application of an individual until after the commission has
21 confirmed the individual's eligibility to register to vote under
22 Article VII-A.

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

27 (1) In the case of voter registration with a motor vehicle
28 driver's license application under [25 Pa.C.S. § 1323 (relating
29 to application with driver's license application)] section 723-
30 A, if the valid voter registration application is received by

1 the appropriate commission not later than [fifteen] thirty days
2 before the election.

3 * * *

4 (3) In the case of voter registration at a voter
5 registration agency under [25 Pa.C.S. § 1325 (relating to
6 government agencies)] section 725-A, if the valid voter
7 registration application is received by the appropriate
8 commission not later than [fifteen] thirty days before the
9 election.

10 (4) In any other case, if the valid voter registration
11 application of the applicant is received by the appropriate
12 commission not later than [fifteen] thirty days before the
13 election.

14 * * *

15 (e) (1) An applicant whose voter registration application
16 is timely received under subsection (b) or (c) shall be deemed a
17 registered elector of the county immediately upon acceptance of
18 the voter registration application by the commission under [25
19 Pa.C.S. § 1328(c)(1) or (2) (relating to approval of
20 registration applications)] section 728-A(c)(1) or (2), and the
21 commission shall enter the elector's registration information in
22 the general register, with the elector's unique identification
23 number entered as his or her SURE registration number.

24 (2) Notwithstanding [25 Pa.C.S. § 1328(b)(2)] section 728-
25 A(b)(2), if under subsection (b) or (c) an applicant timely
26 presents his or her own application for voter registration under
27 [25 Pa.C.S. § 1322 (relating to in-person voter registration)]
28 section 722-A, the commission shall immediately examine the
29 application pursuant to [25 Pa.C.S. § 1328(a)] section 728-A(a)
30 and shall, while the applicant waits, promptly decide on said

1 application by either accepting it, rejecting it or forwarding
2 it pursuant to [25 Pa.C.S. § 1328(b)] section 728-A(b) and, if
3 accepted, process the application in accordance with [25 Pa.C.S.
4 § 1328(c)] section 728-A(c).

5 Section 1302.2. Approval of Application for Absentee
6 Ballot.--

7 * * *

8 (c) The county board of elections, upon receipt of any
9 application of a qualified elector required to be registered
10 under the provisions of preceding section 1301, shall determine
11 the qualifications of such applicant by verifying the proof of
12 identification and comparing the information set forth on such
13 application with the information contained on the applicant's
14 permanent registration card. If the board is satisfied that the
15 applicant is qualified to receive an official absentee ballot,
16 the application shall be marked "approved." Such approval
17 decision shall be final and binding, except that challenges may
18 be made only on the ground that the applicant was not a
19 qualified elector. Such challenges must be made to the county
20 board of elections prior to five o'clock p.m. on the Friday
21 prior to the election[: Provided, however, That a challenge to
22 an application for an absentee ballot shall not be permitted on
23 the grounds that the elector used an application for an absentee
24 ballot instead of an application for a mail-in ballot or on the
25 grounds that the elector used an application for a mail-in
26 ballot instead of an application for an absentee ballot].

27 * * *

28 Section 8. Sections 1302.3 heading and (c) and 1305(b) of
29 the act are amended to read:

30 Section 1302.3. Absentee [and Mail-in] Electors Files and

1 Lists.--

2 * * *

3 (c) Not less than five days preceding the election, the
4 chief clerk shall prepare a list for each election district
5 showing the names and post office addresses of all voting
6 residents thereof to whom official absentee [or mail-in] ballots
7 shall have been issued. Each such list shall be prepared in
8 duplicate, shall be headed "Persons in (give identity of
9 election district) to whom absentee [or mail-in] ballots have
10 been issued for the election of (date of election)," and shall
11 be signed by him not less than four days preceding the election.
12 He shall post the original of each such list in a conspicuous
13 place in the office of the county election board and see that it
14 is kept so posted until the close of the polls on election day.
15 He shall cause the duplicate of each such list to be delivered
16 to the judge of election in the election district in the same
17 manner and at the same time as are provided in this act for the
18 delivery of other election supplies, and it shall be the duty of
19 such judge of election to post such duplicate list in a
20 conspicuous place within the polling place of his district and
21 see that it is kept so posted throughout the time that the polls
22 are open. Upon written request, he shall furnish a copy of such
23 list to any candidate or party county chairman.

24 Section 1305. Delivering or Mailing Ballots.--

25 * * *

26 (b) (1) The county board of elections upon receipt and
27 approval of an application filed by any elector qualified in
28 accordance with the provisions of section 1301, subsections (i)
29 to (l), inclusive, shall commence to deliver or mail official
30 absentee ballots as soon as a ballot is certified and the

1 ballots are available. While any proceeding is pending in a
2 Federal or State court which would affect the contents of any
3 ballot, the county board of elections may await a resolution of
4 that proceeding but in any event, shall commence to deliver or
5 mail official absentee ballots not later than the second Tuesday
6 prior to the primary or election. For those applicants whose
7 proof of identification was not provided with the application or
8 could not be verified by the board, the board shall send the
9 notice required under section 1302.2(d) with the absentee
10 ballot. As additional applications are received and approved
11 after the time that the county board of elections begins
12 delivering or mailing official absentee [and mail-in] ballots,
13 the board shall deliver or mail official absentee ballots to
14 such additional electors within forty-eight hours.

15 (2) Notwithstanding any other provisions of this act and
16 notwithstanding the inclusion of a mailing address on an
17 absentee [or mail-in] ballot application, a voter who presents
18 the voter's own application for an absentee [or mail-in] ballot
19 within the office of the county board of elections during
20 regular business hours may request to receive the voter's
21 absentee [or mail-in] ballot while the voter is at the office.
22 This request may be made orally or in writing. Upon presentation
23 of the application and the making of the request and upon
24 approval under [sections] section 1302.2 [and 1302.2-D], the
25 county board of elections shall promptly present the voter with
26 the voter's absentee [or mail-in] ballot. If a voter presents
27 the voter's application within the county board of elections'
28 office in accordance with this section, a county board of
29 elections may not deny the voter's request to have the ballot
30 presented to the voter while the voter is at the office unless

1 there is a bona fide objection to the absentee [or mail-in]
2 ballot application.

3 * * *

4 Section 9. Section 1306(a) and (b)(3) of the act, amended
5 March 27, 2020 (P.L.41, No.12), are amended and the section is
6 amended by adding a subsection to read:

7 Section 1306. Voting by Absentee Electors.--(a) Except as
8 provided in paragraphs (2) and (3), at any time after receiving
9 an official absentee ballot, but on or before eight o'clock P.M.
10 the day of the primary or election, the elector shall, in
11 secret, proceed to mark the ballot only in black lead pencil,
12 indelible pencil or blue, black or blue-black ink, in fountain
13 pen or ball point pen, and then fold the ballot, enclose and
14 securely seal the same in the envelope on which is printed,
15 stamped or endorsed "Official Election Ballot." This envelope
16 shall then be placed in the second one, on which is printed the
17 form of declaration of the elector, and the address of the
18 elector's county board of election and the local election
19 district of the elector. The elector shall then fill out, date
20 and sign the declaration printed on such envelope. [Such
21 envelope shall then be securely sealed and the elector shall
22 send same by mail, postage prepaid, except where franked, or
23 deliver it in person to said county board of election.] A
24 declaration that does not include a date or a signature matching
25 the elector's signature of record shall not be counted.

26 (2) Any elector, spouse of the elector or dependent of the
27 elector, qualified in accordance with the provisions of section
28 1301, subsections (e), (f), (g) and (h) to vote by absentee
29 ballot as herein provided, shall be required to include on the
30 form of declaration a supporting declaration in form prescribed

1 by the Secretary of the Commonwealth, to be signed by the head
2 of the department or chief of division or bureau in which the
3 elector is employed, setting forth the identity of the elector,
4 spouse of the elector or dependent of the elector.

5 (3) Any elector who has filed his application in accordance
6 with section 1302 subsection (e)(2), and is unable to sign his
7 declaration because of illness or physical disability, shall be
8 excused from signing upon making a declaration which shall be
9 witnessed by one adult person in substantially the following
10 form: I hereby declare that I am unable to sign my declaration
11 for voting my absentee ballot without assistance because I am
12 unable to write by reason of my illness or physical disability.
13 I have made or received assistance in making my mark in lieu of
14 my signature.

15
16 (Mark)
17 (Date)

18
19
20 (Complete Address of Witness) (Signature of Witness)

21 (a.1) The elector shall, prior to eight o'clock P.M. on
22 election day, return the elector's completed absentee ballot by
23 one of the following methods only:

24 (1) Delivery through the United States Postal Service to the
25 offices of the elector's county board of elections.

26 (2) Delivery in person, by the elector or by a properly
27 designated agent for a disabled elector, to the permanent
28 offices of the elector's county board of elections during its
29 regular hours of operation. If, upon inspection and review of a
30 ballot being returned, the ballot or its method of return appear

1 to be in possible violation of any provision of this act, the
2 ballot shall be secured separately from all other ballots. The
3 board of elections shall record the date, time and identity of
4 the individual returning the ballot and keep a recording of each
5 ballot returned in possible violation of this act. The county
6 board of elections shall determine whether any such ballots are
7 in violation of any provision of this act and, only if the
8 county board of elections is satisfied that a ballot is not in
9 violation, shall direct the ballot to be canvassed.

10 (b) * * *

11 (3) Notwithstanding paragraph (2), an elector who requests
12 an absentee ballot and who is not shown on the district register
13 as having voted the ballot may vote at the polling place if the
14 elector remits the ballot and the envelope containing the
15 declaration of the elector to the judge of elections to be
16 spoiled and the elector signs a statement subject to the
17 penalties under 18 Pa.C.S. § 4904 (relating to unsworn
18 falsification to authorities) in substantially the following
19 form:

20 I hereby declare that I am a qualified registered elector who
21 has obtained an absentee ballot [or mail-in ballot]. I
22 further declare that I have not cast my absentee ballot [or
23 mail-in ballot], and that instead I remitted my absentee
24 ballot [or mail-in ballot] and the envelope containing the
25 declaration of the elector to the judge of elections at my
26 polling place to be spoiled and therefore request that my
27 absentee ballot [or mail-in ballot] be voided.

28 (Date)

29 (Signature of Elector).....(Address of Elector)

30 (Local Judge of Elections)

1 * * *

2 Section 10. Section 1308(a), (b), (d), (f), (g) and (h) of
3 the act, amended March 27, 2020 (P.L.41, No.12), are amended to
4 read:

5 Section 1308. Canvassing of Official Absentee Ballots [and
6 Mail-in Ballots].--(a) The county boards of election, upon
7 receipt of official absentee ballots in sealed official absentee
8 ballot envelopes as provided under this article [and mail-in
9 ballots as in sealed official mail-in ballot envelopes as
10 provided under Article XIII-D], shall safely keep the ballots in
11 sealed or locked containers until they are to be canvassed by
12 the county board of elections. An absentee ballot, whether
13 issued to a civilian, military or other voter during the regular
14 or emergency application period, shall be canvassed in
15 accordance with subsection (g). [A mail-in ballot shall be
16 canvassed in accordance with subsection (g).]

17 (b) Watchers shall be permitted to be present when the
18 envelopes containing official absentee ballots [and mail-in
19 ballots] are opened and when such ballots are counted and
20 recorded.

21 * * *

22 (d) Whenever it shall appear by due proof that any absentee
23 elector [or mail-in elector] who has returned his ballot in
24 accordance with the provisions of this act has died prior to the
25 opening of the polls on the day of the primary or election, the
26 ballot of such deceased elector shall be rejected by the
27 canvassers but the counting of the ballot of an absentee elector
28 [or a mail-in elector] thus deceased shall not of itself
29 invalidate any nomination or election.

30 (f) Any person challenging an application for an absentee

1 ballot[,] or an absentee ballot[, an application for a mail-in
2 ballot or a mail-in ballot] for any of the reasons provided in
3 this act shall deposit the sum of ten dollars (\$10.00) in cash
4 with the county board, which sum shall only be refunded if the
5 challenge is sustained or if the challenge is withdrawn within
6 five (5) days after the primary or election. If the challenge is
7 dismissed by any lawful order then the deposit shall be
8 forfeited. The county board shall deposit all deposit money in
9 the general fund of the county.

10 Notice of the requirements of subsection (b) of section 1306
11 shall be printed on the envelope for the absentee ballot [or
12 mail-in ballot].

13 (g) (1) (i) An absentee ballot cast by any absentee
14 elector as defined in section 1301(a), (b), (c), (d), (e), (f),
15 (g) and (h) shall be canvassed in accordance with this
16 subsection if the ballot is cast, submitted and received in
17 accordance with the provisions of 25 Pa.C.S. Ch. 35 (relating to
18 uniform military and overseas voters).

19 (ii) An absentee ballot cast by any absentee elector as
20 defined in section 1301(i), (j), (k), (l), (m) and (n)[,] or an
21 absentee ballot under section 1302(a.3) [or a mail-in ballot
22 cast by a mail-in elector] shall be canvassed in accordance with
23 this subsection if the absentee ballot [or mail-in ballot] is
24 received in the office of the county board of elections no later
25 than eight o'clock P.M. on the day of the primary or election.

26 (1.1) The county board of elections shall meet no earlier
27 than seven o'clock A.M. on election day to pre-canvass all
28 ballots received prior to the meeting. A county board of
29 elections shall provide at least forty-eight hours' notice of a
30 pre-canvass meeting by publicly posting a notice of a pre-

1 canvass meeting on its publicly accessible Internet website. One
2 authorized representative of each candidate in an election and
3 one representative from each political party shall be permitted
4 to remain in the room in which the absentee ballots [and mail-in
5 ballots] are pre-canvassed. No person observing, attending or
6 participating in a pre-canvass meeting may disclose the results
7 of any portion of any pre-canvass meeting prior to the close of
8 the polls.

9 (2) The county board of elections shall meet no earlier than
10 the close of polls on the day of the election and no later than
11 the third day following the election to begin canvassing
12 absentee ballots [and mail-in ballots] not included in the pre-
13 canvass meeting. The meeting under this paragraph shall continue
14 until all absentee ballots [and mail-in ballots] received prior
15 to the close of the polls have been canvassed. The county board
16 of elections shall not record or publish any votes reflected on
17 the ballots prior to the close of the polls. The canvass process
18 shall continue through the eighth day following the election for
19 valid military-overseas ballots timely received under 25 Pa.C.S.
20 § 3511 (relating to receipt of voted ballot). A county board of
21 elections shall provide at least forty-eight hours' notice of a
22 canvass meeting by publicly posting a notice on its publicly
23 accessible Internet website. One authorized representative of
24 each candidate in an election and one representative from each
25 political party shall be permitted to remain in the room in
26 which the absentee ballots [and mail-in ballots] are canvassed.

27 (3) When the county board meets to pre-canvass or canvass
28 absentee ballots [and mail-in ballots] under paragraphs (1),
29 (1.1) and (2), the board shall examine the declaration on the
30 envelope of each ballot not set aside under subsection (d) and

1 shall compare the information thereon with that contained in the
2 "Registered Absentee [and Mail-in] Voters File," the absentee
3 voters' list and/or the "Military Veterans and Emergency
4 Civilians Absentee Voters File," whichever is applicable. If the
5 county board has verified the proof of identification as
6 required under this act and is satisfied that the declaration is
7 sufficient and the information contained in the "Registered
8 Absentee [and Mail-in] Voters File," the absentee voters' list
9 and/or the "Military Veterans and Emergency Civilians Absentee
10 Voters File" verifies his right to vote, the county board shall
11 provide a list of the names of electors whose absentee ballots
12 [or mail-in ballots] are to be pre-canvassed or canvassed.

13 (4) All absentee ballots which have not been challenged
14 under section 1302.2(c) [and all mail-in ballots which have not
15 been challenged under section 1302.2-D(a)(2)] and that have been
16 verified under paragraph (3) shall be counted and included with
17 the returns of the applicable election district as follows:

18 (i) The county board shall open the envelope of every
19 unchallenged absentee elector [and mail-in elector] in such
20 manner as not to destroy the declaration executed thereon.

21 (ii) If any of the envelopes on which are printed, stamped
22 or endorsed the words "Official Election Ballot" contain any
23 text, mark or symbol which reveals the identity of the elector,
24 the elector's political affiliation or the elector's candidate
25 preference, the envelopes and the ballots contained therein
26 shall be set aside and declared void.

27 (iii) The county board shall then break the seals of such
28 envelopes, remove the ballots and count, compute and tally the
29 votes.

30 (iv) Following the close of the polls, the county board

1 shall record and publish the votes reflected on the ballots.

2 (5) Ballots received whose applications have been challenged
3 and ballots which have been challenged shall be placed unopened
4 in a secure, safe and sealed container in the custody of the
5 county board until it shall fix a time and place for a formal
6 hearing of all such challenges, and notice shall be given where
7 possible to all absentee electors [and mail-in electors] thus
8 challenged and to every individual who made a challenge. The
9 time for the hearing shall not be later than seven (7) days
10 after the deadline for all challenges to be filed. On the day
11 fixed for said hearing, the county board shall proceed without
12 delay to hear said challenges, and, in hearing the testimony,
13 the county board shall not be bound by the Pennsylvania Rules of
14 Evidence. The testimony presented shall be stenographically
15 recorded and made part of the record of the hearing.

16 (6) The decision of the county board in upholding or
17 dismissing any challenge may be reviewed by the court of common
18 pleas of the county upon a petition filed by any person
19 aggrieved by the decision of the county board. The appeal shall
20 be taken, within two (2) days after the decision was made,
21 whether the decision was reduced to writing or not, to the court
22 of common pleas setting forth the objections to the county
23 board's decision and praying for an order reversing the
24 decision.

25 (7) Pending the final determination of all appeals, the
26 county board shall suspend any action in canvassing and
27 computing all challenged ballots received under this subsection
28 irrespective of whether or not appeal was taken from the county
29 board's decision. Upon completion of the computation of the
30 returns of the county, the votes cast upon the challenged

1 official absentee ballots that have been finally determined to
2 be valid shall be added to the other votes cast within the
3 county.

4 (h) For those absentee ballots [or mail-in ballots] for
5 which proof of identification has not been received or could not
6 be verified:

7 (2) If the proof of identification is received and verified
8 prior to the sixth calendar day following the election, then the
9 county board of elections shall canvass the absentee ballots
10 [and mail-in ballots] under this subsection in accordance with
11 subsection (g) (2) .

12 (3) If an elector fails to provide proof of identification
13 that can be verified by the county board of elections by the
14 sixth calendar day following the election, then the absentee
15 ballot [or mail-in ballot] shall not be counted.

16 * * *

17 Section 11. Article XIII-D of the act is repealed:

18 [ARTICLE XIII-D

19 VOTING BY QUALIFIED MAIL-IN ELECTORS

20 Section 1301-D. Qualified mail-in electors.

21 (a) General rule.--A qualified mail-in elector shall be
22 entitled to vote by an official mail-in ballot in any primary or
23 election held in this Commonwealth in the manner provided under
24 this article.

25 (b) Construction.--The term "qualified mail-in elector"
26 shall not be construed to include a person not otherwise
27 qualified as a qualified elector in accordance with the
28 definition in section 102(t) .

29 Section 1302-D. Applications for official mail-in ballots.

30 (a) General rule.--A qualified elector under section 1301-D

1 may apply at any time before any primary or election for an
2 official mail-in ballot in person or on any official county
3 board of election form addressed to the Secretary of the
4 Commonwealth or the county board of election of the county in
5 which the qualified elector's voting residence is located.

6 (b) Content.--The following shall apply:

7 (1) The qualified elector's application shall contain
8 the following information:

9 (i) Date of birth.

10 (ii) Length of time a resident of voting district.

11 (iii) Voting district, if known.

12 (iv) Party choice in case of primary.

13 (v) Name.

14 (2) A qualified elector shall, in addition, specify the
15 address to which the ballot is to be sent, the relationship
16 where necessary and other information as may be determined by
17 the Secretary of the Commonwealth.

18 (3) When an application is received by the Secretary of
19 the Commonwealth it shall be forwarded to the proper county
20 board of election.

21 (c) Signature required.--Except as provided in subsection

22 (d), the application of a qualified elector under section 1301-D
23 for an official mail-in ballot in any primary or election shall
24 be signed by the applicant.

25 (d) Signature not required.--If any elector entitled to a
26 mail-in ballot under this section is unable to sign the
27 application because of illness or physical disability, the
28 elector shall be excused from signing upon making a statement
29 which shall be witnessed by one adult person in substantially
30 the following form:

I hereby state that I am unable to sign my application for a mail-in ballot without assistance because I am unable to write by reason of my illness or physical disability. I have made or have received assistance in making my mark in lieu of my signature.

(Mark)

(Date)

(Complete Address of Witness)

(Signature of Witness)

(e) Numbering.--The county board of elections shall number, in chronological order, the applications for an official mail-in ballot, which number shall likewise appear on the official mail-in ballot for the qualified elector. The numbers shall appear legibly and in a conspicuous place but, before the ballots are distributed, the number on the ballot shall be torn off by the county board of election. The number information shall be appropriately inserted and become a part of the Registered Absentee and Mail-in Voters File provided under section 1302.3.

(f) Form.--Application for an official mail-in ballot shall be on physical and electronic forms prescribed by the Secretary of the Commonwealth. The application shall state that a voter who applies for a mail-in ballot under section 1301-D shall not be eligible to vote at a polling place on election day unless the elector brings the elector's mail-in ballot to the elector's polling place, remits the ballot and the envelope containing the declaration of the elector to the judge of elections to be spoiled and signs a statement subject to the penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) to the same effect. The physical application forms shall be made freely available to the public at county board of

1 elections, municipal buildings and at other locations designated
2 by the Secretary of the Commonwealth. The electronic application
3 forms shall be made freely available to the public through
4 publicly accessible means. No written application or personal
5 request shall be necessary to receive or access the application
6 forms. Copies and records of all completed physical and
7 electronic applications for official mail-in ballots shall be
8 retained by the county board of elections.

9 (g) Permanent mail-in voting list.--

10 (1) Any qualified registered elector may request to be
11 placed on a permanent mail-in ballot list file at any time
12 during the calendar year. A mail-in ballot application shall
13 be mailed to every person otherwise eligible to receive a
14 mail-in ballot application by the first Monday in February
15 each year or within 48 hours of receipt of the request,
16 whichever is later, so long as the person does not lose the
17 person's voting rights by failure to vote as otherwise
18 required by this act. A mail-in ballot application mailed to
19 an elector under this section, which is completed and timely
20 returned by the elector, shall serve as an application for
21 any and all primary, general or special elections to be held
22 in the remainder of that calendar year and for all special
23 elections to be held before the third Monday in February of
24 the succeeding year.

25 (2) The Secretary of the Commonwealth may develop an
26 electronic system through which all qualified electors may
27 apply for a mail-in ballot and request permanent mail-in
28 voter status under this section, provided the system is able
29 to capture a digitized or electronic signature of the
30 applicant. A county board of elections shall treat an

1 application or request received through the electronic system
2 as if the application or request had been submitted on a
3 paper form or any other format used by the county.

4 (3) The transfer of a qualified registered elector on a
5 permanent mail-in voting list from one county to another
6 county shall only be permitted upon the request of the
7 qualified registered elector.

8 Section 1302.1-D. Date of application for mail-in ballot.

9 (a) General rule.--Applications for mail-in ballots shall be
10 received in the office of the county board of elections not
11 earlier than 50 days before the primary or election, except that
12 if a county board of elections determines that it would be
13 appropriate to the county board of elections' operational needs,
14 any applications for mail-in ballots received more than 50 days
15 before the primary or election may be processed before that
16 time. Applications for mail-in ballots shall be processed if
17 received not later than five o'clock P.M. of the first Tuesday
18 prior to the day of any primary or election.

19 (b) Early applications.--In the case of an elector whose
20 application for a mail-in ballot is received by the office of
21 the county board of elections earlier than 50 days before the
22 primary or election, the application shall be held and processed
23 upon commencement of the 50-day period or at such earlier time
24 as the county board of elections determines may be appropriate.

25 Section 1302.2-D. Approval of application for mail-in ballot.

26 (a) Approval process.--The county board of elections, upon
27 receipt of any application of a qualified elector under section
28 1301-D, shall determine the qualifications of the applicant by
29 verifying the proof of identification and comparing the
30 information provided on the application with the information

1 contained on the applicant's permanent registration card. The
2 following shall apply:

3 (1) If the board is satisfied that the applicant is
4 qualified to receive an official mail-in ballot, the
5 application shall be marked "approved."

6 (2) The approval decision shall be final and binding,
7 except that challenges may be made only on the grounds that
8 the applicant was not a qualified elector.

9 (3) Challenges must be made to the county board of
10 elections prior to five o'clock p.m. on the Friday prior to
11 the election: Provided, however, That a challenge to an
12 application for a mail-in ballot shall not be permitted on
13 the grounds that the elector used an application for a mail-
14 in ballot instead of an application for an absentee ballot or
15 on the grounds that the elector used an application for an
16 absentee ballot instead of an application for a mail-in
17 ballot.

18 (4) When approved, the registration commission shall
19 cause a mail-in voter's record to be inserted in the district
20 register as prescribed by the Secretary of the Commonwealth.

21 (b) Duties of county boards of elections and registration
22 commissions.--The duties of the county boards of elections and
23 the registration commissions with respect to the insertion of
24 the mail-in voter's record shall include only the applications
25 as are received on or before the first Tuesday prior to the
26 primary or election.

27 (c) Notice.--In the event that an application for an
28 official mail-in ballot is not approved by the county board of
29 elections, the elector shall be notified immediately with a
30 statement by the county board of the reasons for the

1 disapproval. For applicants whose proof of identification was
2 not provided with the application or could not be verified by
3 the board, the board shall send notice to the elector with the
4 mail-in ballot requiring the elector to provide proof of
5 identification with the mail-in ballot or the ballot will not be
6 counted.

7 Section 1303-D. Official mail-in elector ballots.

8 (a) General rule.--In election districts in which ballots
9 are used, the ballots for use by mail-in voters under this act
10 shall be the official ballots printed in accordance with
11 sections 1002 and 1003.

12 (a.1) Duties of county boards of elections.--The county
13 board of elections, when preparing the official ballots for
14 mail-in voters, shall be required to indicate on the voter's
15 record the identification number of specific ballot envelope
16 into which the voter's ballot is inserted. The county board of
17 elections shall also print, stamp or endorse on the official
18 ballots the words, "Official Mail-in Ballot." The ballots shall
19 be distributed by a board as provided under this section.

20 (b) Preparation of ballots.--In election districts in which
21 voting machines are used and in election districts in which
22 paper ballots are used, the county board of elections in that
23 election district will not print official mail-in ballots in
24 accordance with sections 1002 and 1003. The ballots for use by
25 mail-in voters under this section shall be prepared sufficiently
26 in advance by the county board of elections and shall be
27 distributed by the boards as provided under this act. The
28 ballots shall be marked "Official Mail-in Ballot" but shall not
29 be numbered and shall otherwise be in substantially the form for
30 ballots required by Article X, which form shall be prescribed by

1 the Secretary of the Commonwealth.

2 (c) Use of ballot cards.--In election districts in which
3 electronic voting systems are utilized, the mail-in ballot may
4 be in the form of a ballot card which shall be clearly stamped
5 on the ballot card's face "Mail-in Ballot."

6 (d) Special write-in mail-in ballots.--In cases where there
7 is not time to print on the ballots the names of the various
8 candidates, the county board of elections shall print special
9 write-in mail-in ballots which shall be in substantially the
10 form of other official mail-in ballots, except that the special
11 write-in mail-in ballots shall contain blank spaces only under
12 the titles of the offices in which electors may insert by
13 writing or stamping the names of the candidates for whom they
14 desire to vote, and in those cases, the county board of
15 elections shall furnish to electors lists containing the names
16 of all the candidates named in nomination petitions or who have
17 been regularly nominated under the provisions of this act, for
18 the use of the electors in preparing their ballots. Special
19 write-in mail-in ballots shall include all constitutional
20 amendments and other questions to be voted on by the electors.

21 (e) Notice.--The official mail-in voter ballot shall state
22 that a voter who receives a mail-in ballot under section 1301-D
23 and whose voted mail-in ballot is not timely received may only
24 vote on election day by provisional ballot unless the elector
25 brings the elector's mail-in ballot to the elector's polling
26 place, remits the ballot and the envelope containing the
27 declaration of the elector to the judge of elections to be
28 spoiled and signs a statement subject to the penalties of 18
29 Pa.C.S. § 4904 (relating to unsworn falsification to
30 authorities) to the same effect.

1 Section 1304-D. Envelopes for official mail-in ballots.

2 (a) Additional envelopes.--The county boards of election
3 shall provide two additional envelopes for each official mail-in
4 ballot of a size and shape as shall be prescribed by the
5 Secretary of the Commonwealth, in order to permit the placing of
6 one within the other and both within the mailing envelope. On
7 the smaller of the two envelopes to be enclosed in the mailing
8 envelope shall be printed, stamped or endorsed the words
9 "Official Election Ballot," and nothing else. On the larger of
10 the two envelopes, to be enclosed within the mailing envelope,
11 shall be printed the form of the declaration of the elector and
12 the name and address of the county board of election of the
13 proper county. The larger envelope shall also contain
14 information indicating the local election district of the mail-
15 in voter.

16 (b) Form of declaration and envelope.--The form of
17 declaration and envelope shall be as prescribed by the Secretary
18 of the Commonwealth and shall contain, among other things, a
19 statement of the elector's qualifications, together with a
20 statement that the elector has not already voted in the primary
21 or election.

22 (c) Mailing envelope.--The mailing envelope addressed to the
23 elector shall contain the two envelopes, the official mail-in
24 ballot, lists of candidates, when authorized by section 1303-
25 D(b), the uniform instructions in form and substance as
26 prescribed by the Secretary of the Commonwealth and nothing
27 else.

28 (d) Notice.--Notice of the requirements under section 1306-D
29 shall be printed on the envelope for the mail-in ballot.

30 Section 1305-D. Delivering or mailing ballots.

1 The county board of elections, upon receipt and approval of
2 an application filed by a qualified elector under section 1301-
3 D, shall commence to deliver or mail official mail-in ballots
4 as soon as a ballot is certified and the ballots are available.
5 While any proceeding is pending in a Federal or State court
6 which would affect the contents of any ballot, the county board
7 of elections may await a resolution of that proceeding but in
8 any event, shall commence to deliver or mail official mail-in
9 ballots not later than the second Tuesday prior to the primary
10 or election. For applicants whose proof of identification was
11 not provided with the application or could not be verified by
12 the board, the board shall send the notice required under
13 section 1302.2-D(c) with the mail-in ballot. As additional
14 applications are received and approved, the board shall deliver
15 or mail official mail-in ballots to the additional electors
16 within 48 hours.

17 Section 1306-D. Voting by mail-in electors.

18 (a) General rule.--At any time after receiving an official
19 mail-in ballot, but on or before eight o'clock P.M. the day of
20 the primary or election, the mail-in elector shall, in secret,
21 proceed to mark the ballot only in black lead pencil, indelible
22 pencil or blue, black or blue-black ink, in fountain pen or ball
23 point pen, and then fold the ballot, enclose and securely seal
24 the same in the envelope on which is printed, stamped or
25 endorsed "Official Election Ballot." This envelope shall then be
26 placed in the second one, on which is printed the form of
27 declaration of the elector, and the address of the elector's
28 county board of election and the local election district of the
29 elector. The elector shall then fill out, date and sign the
30 declaration printed on such envelope. Such envelope shall then

1 be securely sealed and the elector shall send same by mail,
2 postage prepaid, except where franked, or deliver it in person
3 to said county board of election.

4 (a.1) Signature.--Any elector who is unable to sign the
5 declaration because of illness or physical disability, shall be
6 excused from signing upon making a declaration which shall be
7 witnessed by one adult person in substantially the following
8 form:

9 I hereby declare that I am unable to sign my declaration
10 for voting my mail-in ballot without assistance because I
11 am unable to write by reason of my illness or physical
12 disability. I have made or received assistance in making
13 my mark in lieu of my signature.

14 (Mark)

15 (Date)

16 (Complete Address of Witness)

17 (Signature of Witness)

18 (b) Eligibility.--

19 (1) Any elector who receives and votes a mail-in ballot
20 under section 1301-D shall not be eligible to vote at a
21 polling place on election day. The district register at each
22 polling place shall clearly identify electors who have
23 received and voted mail-in ballots as ineligible to vote at
24 the polling place, and district election officers shall not
25 permit electors who voted a mail-in ballot to vote at the
26 polling place.

27 (2) An elector who requests a mail-in ballot and who is
28 not shown on the district register as having voted may vote
29 by provisional ballot under section 1210(a.4)(1).

30 (3) Notwithstanding paragraph (2), an elector who

requests a mail-in ballot and who is not shown on the district register as having voted the ballot may vote at the polling place if the elector remits the ballot and the envelope containing the declaration of the elector to the judge of elections to be spoiled and the elector signs a statement subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) which shall be in substantially the following form:

I hereby declare that I am a qualified registered elector who has obtained an absentee ballot or mail-in ballot. I further declare that I have not cast my absentee ballot or mail-in ballot, and that instead I remitted my absentee ballot or mail-in ballot to the judge of elections at my polling place to be spoiled and therefore request that my absentee ballot or mail-in ballot be voided.

(Date)

(Signature of Elector).....(Address of Elector)

(Local Judge of Elections)

(c) Deadline.--Except as provided under 25 Pa.C.S. § 3511 (relating to receipt of voted ballot), a completed mail-in ballot must be received in the office of the county board of elections no later than eight o'clock P.M. on the day of the primary or election.

Section 1307-D. Public records.

(a) General rule.--All official mail-in ballots, files, applications for ballots and envelopes on which the executed declarations appear and all information and lists are designated and declared to be public records and shall be safely kept for a period of two years, except that no proof of identification shall be made public, nor shall information concerning a

1 military elector be made public which is expressly forbidden by
2 the Department of Defense because of military security.

3 (b) Record.--For each election, the county board shall
4 maintain a record of the following information, if applicable,
5 for each elector who makes application for a mail-in ballot:

6 (1) The elector's name and voter registration address.

7 (2) The date on which the elector's application is
8 received by the county board.

9 (3) The date on which the elector's application is
10 approved or rejected by the county board.

11 (4) The date on which the county board mails or delivers
12 the mail-in ballot to the elector.

13 (5) The date on which the elector's completed mail-in
14 ballot is received by the county board.

15 (c) Compilation.--The county board shall compile the records
16 listed under subsection (b) and make the records publicly
17 available upon request within 48 hours of the request.]

18 Section 12. Section 1404 of the act is amended by adding a
19 subsection to read:

20 Section 1404. Computation of Returns by County Board;
21 Certification; Issuance of Certificates of Election.--

22 * * *

23 (c.1) It shall be the duty of each county board of
24 elections, before certification or the issuance of certificates
25 of election, to record the participation of each elector and the
26 article of this act by which the elector voted in the voter
27 registration record under 25 Pa.C.S. Ch. 12 Subch. B (relating
28 to Statewide Uniform Registry of Electors (SURE)). A copy of the
29 record shall be included with the certified results of an
30 election. If it appears that the total number of ballots cast in

an election district, or that the total number of votes returned for a candidate for the same office or nomination at an election exceeds the number of electors recorded as participating in that election in that district, or that the total number of votes cast under any article of this act exceeds the number of electors recorded as having voted under that article, the excess shall be deemed a discrepancy and palpable error, shall be investigated by the return board and no votes shall be recorded from the district until an investigation is conducted. The excess shall authorize the following:

(1) The summoning of the election officers, overseers, machine inspectors and clerks to appear with any election papers in their possession.

(2) The production of the ballot box before the return board, the examination and scrutiny of its contents and of the registration and election documents relating to the district, in the presence of representatives of each party and candidate interested who are attending the canvass of the votes.

(3) The recount of the ballots contained in the ballot box, either generally or respecting the particular office, nomination, or question as to which the excess exists, in the discretion of the return board.

(4) The correction of the returns in accordance with the result of the recount.

(5) In the discretion of the return board, the exclusion of the poll of the district, either as to all offices, candidates, questions and parties, or as to a particular office, candidate, question or party as to which the excess exists, if the ballot box is found to contain more ballots:

(i) than there are electors registered or enrolled in the

election district;

(ii) of one party than there are electors registered or
enrolled in the district as members of that party;

(iii) than the number of voters who voted at the election;

or

(iv) of one party than the number of voters of the party who
voted at the election.

(6) A report of the facts of the case to the district
attorney where the action appears to be warranted.

* * *

Section 13. Section 1853 of the act, amended March 27, 2020
(P.L.41, No.12), is amended to read:

Section 1853. Violations of Provisions Relating to Absentee
[and Mail-in] Ballots.--If any person shall sign an application
for absentee ballot[, mail-in ballot] or declaration of elector
on the forms prescribed knowing any matter declared therein to
be false, or shall vote any ballot other than one properly
issued to the person, or vote or attempt to vote more than once
in any election for which an absentee ballot [or mail-in ballot]
shall have been issued to the person, or shall violate any other
provisions of Article XIII [or Article XIII-D] of this act, the
person shall be guilty of a misdemeanor of the third degree,
and, upon conviction, shall be sentenced to pay a fine not
exceeding two thousand five hundred dollars (\$2,500), or be
imprisoned for a term not exceeding two (2) years, or both, at
the discretion of the court.

If any chief clerk or member of a board of elections, member
of a return board or member of a board of registration
commissioners, shall neglect or refuse to perform any of the
duties prescribed by Article XIII [or Article XIII-D] of this

1 act, or shall reveal or divulge any of the details of any ballot
2 cast in accordance with the provisions of Article XIII [or
3 Article XIII-D] of this act, or shall count an absentee ballot
4 [or mail-in ballot] knowing the same to be contrary to Article
5 XIII [or Article XIII-D], or shall reject an absentee ballot [or
6 mail-in ballot] without reason to believe that the same is
7 contrary to Article XIII [or Article XIII-D], or shall permit an
8 elector to cast the elector's ballot at a polling place knowing
9 that there has been issued to the elector an absentee ballot,
10 the elector shall be guilty of a felony of the third degree,
11 and, upon conviction, shall be punished by a fine not exceeding
12 fifteen thousand dollars (\$15,000), or be imprisoned for a term
13 not exceeding seven (7) years, or both, at the discretion of the
14 court.

15 Section 14. Repeals are as follows:

16 (1) The General Assembly declares that the repeal under
17 paragraph (2) is necessary to effectuate the addition of
18 Article VII-A of the act.

19 (2) 25 Pa.C.S. Ch. 13 is repealed.

20 Section 15. This act shall take effect in 60 days.