

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in voter registration, further providing for
3 methods of voter registration, providing for electronic voter
4 registration, for electronic submission of changes to
5 registration and for time for electronic voter registration
6 and further providing for preparation and distribution of
7 applications and for approval of registration applications;
8 in records, further providing for general register, for
9 district registers and for reports; in changes in records,
10 further providing for removal notices and for change of
11 enrollment of political party; and, in penalties, further
12 providing for altering registration.

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

15 Section 1. Section 1321 of Title 25 of the Pennsylvania
16 Consolidated Statutes is amended by adding a paragraph to read:
17 § 1321. Methods of voter registration.

18 An individual qualified to register to vote under section
19 1301(a) (relating to qualifications to register) may apply to
20 register as follows:

21 * * *

22 (5) Under section 1325.1 (relating to electronic voter

1 registration).

2 Section 2. Title 25 is amended by adding sections to read:

3 § 1325.1. Electronic voter registration.

4 (a) General rule.--An application to register to vote may be
5 submitted by an electronic voter registration application on the
6 publicly accessible Internet website maintained by the
7 department in the manner provided under this section.

8 (b) Establishment.--

9 (1) The department shall develop an electronic voter
10 application on a secure Internet system, maintained by the
11 department, that permits a qualified elector to
12 electronically submit a voter registration application or
13 changes to an existing registration.

14 (2) The department shall develop the application within
15 180 days of the effective date of this section. The
16 electronic voter registration application shall not be
17 implemented until the department, the Department of
18 Transportation and each commission have developed a process
19 and the infrastructure necessary for the effective use of the
20 application as contemplated by this section but in no event
21 later than June 30, 2021.

22 (3) The electronic voter registration application shall
23 comply with the requirements under section 1327 (relating to
24 preparation and distribution of applications). The electronic
25 voter registration application shall be provided in a manner
26 that is accessible to applicants with disabilities, including
27 those who are blind and visually impaired, and in a manner
28 that provides the same opportunity for access and
29 participation as for other voters.

30 (c) Submission.--

1 (1) A qualified elector who applies to register to vote
2 under this section shall do all of the following:

3 (i) Enter the data required on the electronic voter
4 registration application.

5 (ii) Provide one of the following:

6 (A) the last four digits of the applicant's
7 Social Security number;

8 (B) the applicant's driver's license number or
9 identification card number issued by the Department
10 of Transportation under 75 Pa.C.S. § 1510(b)
11 (relating to issuance and content of driver's
12 license); or

13 (C) if the applicant does not have the
14 information required by clause (A) or (B), any other
15 information required by the department to verify the
16 applicant's identity.

17 (iii) Affirmatively attest to the truth of the
18 information provided by the applicant.

19 (2) The department shall obtain and verify an electronic
20 copy of the applicant's signature from the applicant's
21 driver's license or identification card issued by the
22 Department of Transportation under 75 Pa.C.S. § 1510. The
23 department may, in the department's discretion, develop other
24 means of obtaining an electronic signature from an applicant,
25 including obtaining a copy of a signature on file with
26 another Commonwealth agency, so long as the signature is
27 capable of being transmitted to the department in a secure
28 fashion.

29 (3) (i) Notwithstanding the department's ability to
30 obtain and verify an electronic copy of an applicant's

1 signature under paragraph (2), the department shall
2 transfer the application to the SURE system for
3 examination and processing by the appropriate commission
4 in accordance with section 1328 (relating to approval of
5 registration applications). If the department is not able
6 to obtain and verify an electronic copy of the
7 applicant's signature, the department shall include a
8 notation that the applicant must provide a signature at
9 the polling place or, if the applicant votes by absentee
10 ballot, on the absentee ballot application, the first
11 time the applicant votes after submitting an electronic
12 voter registration application.

13 (ii) Nothing in this section shall be deemed to
14 prevent an applicant from printing the completed
15 electronic voter registration application, signing it and
16 mailing it to the appropriate commission in accordance
17 with the voter registration application deadlines
18 specified in section 1326.1 (relating to time for
19 electronic voter registration). If an applicant satisfies
20 the requirements of this subparagraph, no additional
21 signature shall be required.

22 (4) Use of electronic voter registration application by
23 the applicant shall constitute the applicant's consent to the
24 use of the applicant's signature on file with the Department
25 of Transportation or any other Commonwealth agency or
26 otherwise provided to the department under paragraph (2) for
27 voter registration purposes.

28 (d) Duties of department.--

29 (1) Within 24 months following the effective date of
30 this section, the department shall promulgate regulations

1 necessary to implement the provisions of this section and
2 section 1325.2 (relating to electronic submission of changes
3 to registration). Prior to the promulgation, the department
4 shall transmit notice of the implementation guidelines to the
5 Legislative Reference Bureau for publication in the
6 Pennsylvania Bulletin.

7 (2) The department shall develop and employ security
8 measures to ensure the security and integrity of voter
9 registration applications or changes to voter registrations
10 submitted electronically under this section and section
11 1325.2.

12 (e) Time.--If an electronic voter registration application
13 is submitted within 30 days before an election, the application
14 shall be transferred to the appropriate commission through the
15 SURE system and retained by the commission until the beginning
16 of the next period during which registrations must be processed.
17 § 1325.2. Electronic submission of changes to registration.

18 (a) Changing information.--A registered elector may change
19 information in the registered elector's voter registration
20 records by using the electronic voter registration application
21 developed by the department under section 1325.1 (relating to
22 electronic voter registration) or a form developed by the
23 department for changes, as determined by the department. The
24 changes that may be made electronically shall be:

25 (1) A change in the enrollment of political designation.

26 (2) The enrollment of a political designation if,
27 although registered, the elector has not previously enrolled
28 as a member of a party.

29 (3) The registered elector's name.

30 (4) The registered elector's address.

1 (b) Submission.--The provisions of section 1325.1 regarding
2 the validity of the information, the requirement for and consent
3 to the use of the elector's signature on file with another
4 Commonwealth agency or otherwise provided to the department
5 under section 1325.1(c)(2) and other verification by the elector
6 of the elector's identity shall apply to a submission for a
7 change to the elector's registration records under this section.

8 (c) Effectiveness of changes.--Changes to information in an
9 elector's voter registration records under this section shall
10 only be effective if:

11 (1) the department is able to obtain and verify an
12 electronic copy of the elector's signature. The department
13 shall inform the applicant if the electronic signature cannot
14 be verified; or

15 (2) the elector prints the form on which the changes
16 have been made, signs the form and mails it to the
17 appropriate commission, and the commission receives the
18 changes in accordance with the voter registration application
19 deadlines specified in section 1326.1 (relating to time for
20 electronic voter registration).

21 § 1326.1. Time for electronic voter registration.

22 In the case of electronic voter registration under section
23 1325.1 (relating to electronic voter registration), each
24 commission shall ensure that an applicant who is a qualified
25 elector is registered to vote in an election if the voter
26 transmits the electronic voter registration application through
27 the Internet system maintained by the department no later than
28 11:59 p.m. on the 30th day prior to the election.

29 Section 3. Sections 1327(a)(3), (4), (5) and (6) and (b)(3)
30 and (4), 1328(a)(2), 1401(a)(5), 1402(b)(2), 1406(a), 1501(b)

1 (1), 1503 and 1704(a) of Title 25 are amended to read:

2 § 1327. Preparation and distribution of applications.

3 (a) Form.--

4 * * *

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

16 (4) A voter registration application, except an
17 electronic voter registration application under section
18 1325.1, shall be printed on stock of good quality and shall
19 be of suitable uniform size. [Nothing in this part shall
20 prohibit the design and use of an electronic voter
21 registration application which includes the applicant's
22 digitized or electronic signature.] The registration
23 application, including a registration application under
24 section 1325.1, shall contain the following information;
25 however, the information may be provided on a separate form
26 for voter registration made under section 1323 or 1325:

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

29 (ii) Instructions on how to fill out and submit the
30 application and notification of when the application must

1 be submitted to a voter registration office or, for
2 electronic voter registration under section 1325.1,
3 electronically, in order to be registered for the ensuing
4 election.

5 (iii) Notice that the applicant must be a citizen of
6 the United States for at least one month prior to the
7 next election and a resident of this Commonwealth and the
8 election district for at least 30 days and must be at
9 least 18 years of age by the day of the next ensuing
10 election and has not been confined in a penal institution
11 for a conviction of a felony within the last five years.
12 The notice required in this subparagraph shall be in
13 print identical to the declaration under subsection (b).

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

17 (v) Notice that the commission will mail by
18 nonforwardable mail to the applicant a voter's
19 identification card upon acceptance of the application
20 and that the applicant should contact the commission if
21 the identification card is not received within 14 days
22 from the date the application is sent to the registration
23 office[.] or submitted electronically to the department
24 under section 1325.1. In the event that the applicant's
25 electronic registration application did not contain a
26 signature, the registration card shall contain a notice
27 that the registered elector must provide a signature the
28 first time the registered elector votes after submission
29 of the electronic voter registration application.

30 (vi) Notice that registration is not complete until

1 the application is processed and accepted by the
2 commission or, if submitted electronically under section
3 1325.1, processed and accepted by the department.

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

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

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

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

23 (5) In jurisdictions where there is a single language
24 minority, the [secretary] department may print a bilingual
25 application and develop a bilingual electronic voter
26 registration application.

27 (6) In jurisdictions where a single language minority
28 exceeds 5% of the population, in accordance with applicable
29 law, the [secretary] department shall:

30 (i) print a bilingual application and develop a

1 bilingual electronic voter registration application; and

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

7 * * *

8 (b) Registration declaration.--

9 * * *

10 (3) The registration declaration shall contain the
11 printed name [and signature of the applicant and the date of
12 signing.], date of signing and, except for an applicant
13 submitting a registration under section 1325.1, the signature
14 of the applicant. An applicant unable to sign the voter
15 registration application shall make a mark before a person of
16 the applicant's choice other than the applicant's employer or
17 an agent of the applicant's union. The person shall insert
18 the person's name, address and telephone number. If the
19 person is an employee or agent of the Department of
20 Transportation or another agency as provided under section
21 1325 and is assisting the applicant in an official capacity,
22 the employee or agent shall insert the initials and
23 identification number of the employee or agent. In the case
24 of applicants registering under section 1323 or 1325, the
25 person providing assistance shall insert initials or employee
26 or agent identification number on a separate or detachable
27 portion of the application or computer data file.

28 (4) The official registration application shall contain
29 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
30 notice shall advise the applicant that if a person signs an

1 official registration application or submits an electronic
2 registration application or a change to registration form
3 under section 1325.1 or 1325.2 (relating to electronic
4 submission of changes to registration), knowing a statement
5 declared in the application to be false, the person commits
6 perjury. The notice shall specify the penalty for perjury.

7 * * *

8 § 1328. Approval of registration applications.

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

12 * * *

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

15 (i) Whether the application is complete. The lack of
16 an applicant's signature on an application submitted
17 under section 1325.1 (relating to electronic voter
18 registration) shall not be grounds for rejecting an
19 otherwise valid application.

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

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

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

30 * * *

1 § 1401. General register.

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

4 * * *

5 (5) The digitized or electronic signature of the
6 registered elector. In the case of an elector permitted to
7 submit a signature the first time the elector votes after
8 submitting an electronic voter registration application under
9 section 1325.1 (relating to electronic voter registration),
10 the commission shall enter the elector's signature on the
11 elector's registration record as soon as practicable after
12 the election. The elector shall not be subject to the
13 provisions of section 1210(a.3)(2) of the act of June 3, 1937
14 (P.L.1333, No.320), known as the Pennsylvania Election Code,
15 until the elector's signature has been entered on the
16 elector's registration record.

17 * * *

18 § 1402. District registers.

19 * * *

20 (b) Computer lists.--

21 * * *

22 (2) After a commission is connected to the SURE system,
23 each commission shall create from its general register a
24 computer list to be used as the district register. For each
25 election district, the list shall contain the names of the
26 registered electors of the election district, alphabetically
27 by last name of each registered elector. Each page of the
28 list shall contain the name of the county, the election
29 district, the date of the election and the date and time the
30 list was prepared. The computer list shall be in a form

1 prescribed by the secretary and must contain necessary
2 information that would otherwise be available in the general
3 register, including, except for an elector permitted to
4 submit a signature at the polling place the first time the
5 elector votes after submitting an electronic voter
6 registration application under section 1325.1 (relating to
7 electronic voter registration), a legible digitized or
8 electronic signature, the street address and political party
9 of each registered elector, and suitable space for insertion
10 of the signature of the registered elector and for insertion
11 by the proper election official of the number and letter of
12 the stub of the ballot issued to the registered elector or
13 the registered elector's number in the order of admission to
14 the voting systems and the initials of the election official
15 who enters the record of voting in the district register and
16 whether the elector needs assistance to vote and, if so, the
17 nature of the disability. The district register shall be kept
18 at the office of the commission and shall be open to public
19 inspection, subject to reasonable safeguards, rules and
20 regulations.

21 * * *

22 § 1406. Reports.

23 (a) Commission.--By March 1, a commission shall submit to
24 the secretary an annual report setting forth the number of
25 electors registered under sections 1322 (relating to in-person
26 voter registration), 1323 (relating to application with driver's
27 license application), 1324 (relating to application by mail)
28 [and], 1325 (relating to government agencies) and 1325.1
29 (relating to electronic voter registration). The report shall
30 specify the number of electors whose registration has been

1 canceled under Chapter 15 (relating to changes in records) and
2 any other information required by the secretary.

3 * * *

4 § 1501. Removal notices.

5 * * *

6 (b) Use.--A registered elector who removes residence from
7 one place to another within the same county must notify the
8 commission by filing a removal notice under subsection (a) or a
9 signed request for [renewal] removal that contains the
10 information required in subsection (a) with the commission not
11 later than the registration deadline before an election. If
12 mailed, the notice or request must be postmarked not later than
13 the deadline for registration or, in the case of an illegible or
14 missing postmark, received within five days of the close of
15 registration. The following apply:

16 (1) An official registration application of an elector
17 who has registered by mail or electronic voter registration
18 application qualifies as a removal notice.

19 * * *

20 § 1503. Change of enrollment of political party.

21 By the deadline for registration, a registered elector who
22 desires to change the enrollment of political designation or
23 who, although registered, has not previously enrolled as a
24 member of a party may appear before a commissioner, registrar or
25 clerk or may submit an application by mail under section 1324
26 (relating to application by mail) [and state in a signed] or
27 electronically under section 1325.2 (relating to electronic
28 submission of changes to registration). In a case other than
29 submission under section 1325.2, the registered elector shall
30 state in a signed writing the political party in which the

1 registered elector desires to be enrolled. If the signature of
2 the elector is verified by comparison with the registered
3 elector's signature as it appears on file with the commission,
4 the commissioner, registrar or clerk shall make the change in
5 its registration records. [If] In a case other than submission
6 under section 1325.2, if supported by other evidence of
7 identity, a mark may be made in lieu of a signature by a
8 registered elector who is unable to write. The mark must be made
9 in the presence of a witness who must sign the registration
10 application. For submissions under section 1325.2, the
11 registered elector shall follow the procedure for verification
12 of the registered elector's identity specified in section 1325.1
13 (relating to electronic voter registration).

14 § 1704. Altering registration.

15 (a) Prohibition.--No registrar, commissioner, clerk or
16 assistant [or], commission employee or other individual may do
17 any of the following:

18 (1) Intentionally insert or permit to be inserted an
19 entry in a registration record without a proper application
20 under this part or without requiring the proper evidence of
21 the right of the applicant to be registered.

22 (2) Intentionally materially alter a registration record
23 after the entries have been made unless the alteration is in
24 accordance with this part. This paragraph does not apply to
25 an alteration pursuant to an order of a court of common pleas
26 or of a commission.

27 (3) Intentionally submit false information regarding a
28 change of party enrollment or name or address on a
29 registration record of another individual.

30 * * *

1 Section 4. This act shall take effect immediately.