

PENNSYLVANIA VOTER REGISTRATION ACT - OMNIBUS AMENDMENTS

Act of Jun. 25, 2001, P.L. 674, No. 61

Cl. 25

Session of 2001

No. 2001-61

SB 4

AN ACT

Amending the act of June 30, 1995 (P.L.170, No.25), entitled "An act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals," further providing for definitions and for administrative powers and duties of the Department of State; further providing for existing electors and for commissions; providing for the Statewide Uniform Registry of Electors; and further providing for qualifications to register, for voter registration applications, for challenges and for update of registration records; and providing for disability.

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

Section 1. Section 102 of the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, is amended by adding definitions to read:

Section 102. Definitions.

The following words and phrases when used in this act 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 in this act.

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"General register." The registration record of a county containing at a minimum all information required on a registration application and a registration card for all registered electors in the county.

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"Registrant." An elector who is registered to vote in accordance with this act.

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"Registration records." The general register, district register and any other record of registration of electors maintained by a county. If provided in regulations promulgated under this act, the term shall also refer to any record maintained by the county on the Statewide Uniform Registry of Electors.

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"Statewide Uniform Registry of Electors" or "SURE system." The integrated voter registration system containing a data base of all electors in this Commonwealth established by this act.

Section 2. The act is amended by adding sections to read:
Section 105. Existing electors.

All electors registered to vote in this Commonwealth on the effective date of this section who remain qualified shall continue to be registered under this act.

Section 106. Administration.

The department shall administer this act.

Section 3. Chapter 3 of the act is amended by adding a subchapter heading to read:

SUBCHAPTER A
ADMINISTRATIVE POWERS AND DUTIES

Section 4. Sections 301, 302 and 303(h) and (k) of the act are amended to read:

Section 301. [Regulations.] **Departmental responsibilities.**

The [secretary shall promulgate regulations necessary to administer this act. The regulations shall include, but not be limited to, provisions which] **department shall** do all of the following:

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

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

(3) [Prescribe a procedure to conduct a study of the technological needs and other aspects of the development and implementation of a Statewide central registry of registered qualified voters, and the study shall be completed by July 1, 1996.] **Develop and establish a Statewide Uniform Registry of Electors subject to the requirements of section 321.**

(4) **Promulgate regulations necessary to administer this act.**

[Section 302. Existing electors.

All electors registered to vote in this Commonwealth on the effective date of this act remain registered under this act, and all electors registered for Federal elections shall, upon the effective date of this act, become registered for State and local elections.]

Section 303. Commissions.

* * *

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

* * *

(k) Correction of errors.--

(1) A commission [has the power to] **shall** correct its records without requiring action of a registered elector in any of the following cases:

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

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

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

Section 5. Chapter 3 of the act is amended by adding a subchapter to read:

SUBCHAPTER B
STATEWIDE UNIFORM REGISTRY OF ELECTORS (SURE)
Section 321. Legislative intent.

It is the intent of the General Assembly that a Statewide system of voter registration be established in this Commonwealth to ensure the integrity and accuracy of voter registration records. All commissions shall be linked electronically to a data base containing information pertaining to all registered electors in this Commonwealth. The system shall be in a uniform format and shall be compatible, as far as practicable, with current technologies employed by the commissions with regard to voter registration. The system shall, as far as practicable, preserve the power of the commissions to make determinations as to the qualifications of electors. When commissions fail to perform the duties imposed by this act, the department shall be empowered to enforce compliance. Section 322. Establishment of SURE system.

(a) Establishment.--The department shall develop and implement a Statewide Uniform Registry of Electors containing a data base of all registered electors in this Commonwealth.

(b) Advisory board.--

(1) The secretary shall form an advisory board to assist the department in determining and identifying the necessary elements and requirements of the SURE system.

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

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

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

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

(i) requirements for county participation in the SURE system;

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

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

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

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

(vi) usage and compatibility of the various equipment and technologies currently possessed by the counties.

Section 6. Sections 501, 523(c), 528(d), 529(d), 901(b), 902(a), 903, 904 and 905 of the act are amended to read:
Section 501. Qualifications to register.

(a) Eligibility.--A qualified elector who will be at least 18 years of age on the day of the next election, who has been a citizen

of the United States for at least one month prior to the next election and who has resided in this Commonwealth and the election district where the qualified elector offers to vote for at least 30 days prior to the next ensuing election and has not been confined in a penal institution for a conviction of a felony within the last five years shall be entitled to be registered as provided in this chapter. If an individual is qualified to vote in an election district prior to removal of residence, the individual may, if a resident of this Commonwealth, vote in the election district from which residence was removed within the 30 days preceding the election.

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

(c) **Removal of residence.--Except as otherwise provided by this act, an elector who removes the elector's residence to another outside the elector's last election district shall not be entitled to vote in the election district of the elector's last residence except pursuant to the provisions of this section and sections 901(b), 902 and 1902.**

Section 523. Application with driver's license application.

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(c) Transmission.--

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

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

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

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

(i) The Department of Transportation shall notify the secretary of changes of address received under subsection (a)(3). The secretary shall notify the commission of the county of the registrant's prior residence. Except as provided in subparagraph (ii), if the registrant has moved outside of the county, the commission shall forward the registrant's registration card to the commission of the registrant's new county of residence. Except as provided in subparagraph (ii), if the registrant has moved to an address within the commission's jurisdiction, the commission shall update the registration record of the registrant. **All changes of address received by the Department of Transportation under this section at least 30 days before a primary, general or municipal election must be processed by the commission for the ensuing election.**

(ii) In the case of changes of address received by the Department of Transportation which do not contain a signature of the registrant, the commission receiving the change of address notification shall mail a notice to the registrant at the new residence address requesting

verification of the address change. [The verification notice shall be in substantially the following form:] **If the change of address is to a new residence outside the commission's jurisdiction, the commission shall mail the following notice:**

Date.....

Office of the Registration Commission

..... County, Pennsylvania

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

We have been notified by the Department of Transportation that you recently [moved] **changed your address** from (old residence address) to (new residence address) and that this change of address is to serve as a change of address for voter registration purposes. Unless you notify this office within ten days from the date of this notice that this information is not correct, your voter registration will be transferred to County. You may notify this office by [calling the telephone number appearing on] **writing your residence address, the date and your signature on the bottom of this form [or by] 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 county shall [notify the registrant what precinct the new address is in using the following form:

Date.....

Office of the Registration Commission

..... County, Pennsylvania

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

We have been notified by the Department of Transportation that you recently moved from (old residence address) to (new residence address) and that this change of address is to serve as a change of address for voter registration purposes. Unless you notify this office within ten days from the date of this notice that this information is not correct, your voter registration will be transferred to (new precinct) in this county. You may notify this office by calling the telephone number appearing on this form or by mailing this notice to this office. You need not notify this office if this information is correct.

.....

Chief Clerk

Such notices must be sent by first class nonforwardable mail, return postage guaranteed, and must be in a form approved by the secretary and designed in such a manner to allow the registrant to indicate that the address change is incorrect, the reason why such discrepancy exists and for return to the county commission. Such notice must be signed by the registrant and dated.] **mail a voter's identification card to the registrant at the new residence address.**

(iii) If the registrant does not return the notice under subparagraph (ii) within the ten-day period, the commission shall process the change of address according to subparagraph (i). If the registrant notifies the commission that the information is incorrect and the commission is satisfied with the registrant's explanation of the discrepancy, the address of the registrant's registration shall remain unchanged. If the verification

notification or voter identification card is returned by the post office as undeliverable as addressed or with a forwarding address, the commission shall [direct] send a confirmation notice to the registrant's address of former residence in accordance with section 1901(d)(2).

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

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Section 528. Approval of registration applications.

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(d) Disposition.--

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

- (i) Name and address of the elector.
- (ii) Name of municipality.
- (iii) Identification of elector's ward and district.
- (iv) Effective date of registration.
- (v) Designation of party enrollment and date of enrollment.
- (vi) A space for the elector's signature or mark.
- (vii) A statement that the card relates only to the time of issuance of the card and is not of itself evidence or proof of the qualifications of the elector to vote at an election or proof of identification for purposes of applying for or receiving general assistance and that it is not necessary to present the card when voting. The statements required by this subparagraph shall be placed on the reverse side of the card from where all of the other information required by this paragraph is placed.

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

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

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

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

Date

Office of the Registration Commission

..... County, Pennsylvania

Cancellation of Previous Registration

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

.....
Chief Clerk

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

Section 529. Challenges.

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(d) Resolution.--If the challenged individual establishes, to the satisfaction of the commission, the right to be registered as required by this act, 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 in this act, the challenged individual's registration, if any, shall be canceled, and the commission shall promptly update information contained in its registration records.**

Section 901. Removal notices.

* * *

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

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

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

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

paragraph shall be returned to the commission of the elector's former county of residence with the voting checklist, and that commission shall proceed to transfer the registration of the elector under section 902. Upon receipt of the transfer notice, the commission of the elector's new county of residence shall immediately process the transfer of the elector in accordance with section 528(d)(3). Both commissions shall promptly update information contained in their registration records.

Section 902. Transfer of registration.

(a) General rule.--Upon timely receipt of notification of removal under section 901(b), the registration commission shall proceed as follows:

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

(2) If the signature appears authentic, the commission shall enter the change of residence on the registration card of the elector in the general register and district register and shall transfer the registration card of the elector from the district register of the election district of previous residence to the district register of the election district of new residence.

(3) If a request for transfer which is determined to be authentic under paragraph (2) shows a removal within the period of 30 days preceding an election, the commission, after such election, shall enter the change of residence on the registration card of the elector in the general register and district register and shall transfer the registration card of the elector from the district register of the election district of previous residence. The commission shall advise the elector promptly in writing of its action.

(4) When a registered elector has filed with a commission a notice that the elector has moved from the county to another county, if the signature appears authentic, the commission shall enter the change of residence on the elector's registration records, cancel the registration of the elector and notify the commission of the elector's new county of residence to register the elector. Upon receipt of the transfer notice, the commission of the elector's new county of residence shall immediately process the transfer of the elector in accordance with section 528(d)(3).

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

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

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Section 903. Change of enrollment of political party.

By the deadline for registration, a registered voter who desires to change the enrollment of political designation or who, although registered, has not previously enrolled as a member of a party may appear before a commissioner, registrar or clerk or may submit an application by mail under section 524 and state in a signed writing the political party in which the voter desires to be enrolled. If the signature of the elector is verified by comparison with the elector's signature as it appears on file with the commission, the

commissioner, registrar or clerk shall make the change in the general register and district register. **The commission shall also promptly update the information contained in its registration records.** If supported by other evidence of identity, a mark may be made in lieu of a signature by an elector who is unable to write. The mark must be made in the presence of a witness who must sign the registration application.

Section 904. [Physical disability.] **Disability.**

(a) Eligibility.--If an elector **by reason of blindness, disability or inability to read or write** is unable to **read the names on the ballot or on the voting machine labels or is unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance,** the following apply:

(1) The elector may, at least ten days prior to the next election, personally make application to the commission or a registrar or a clerk.

(2) The application must request the entry of the exact nature of the disability on the elector's registration card.

(3) The commission shall make the entry as appropriate.

(4) If the disability is not entered on the registration card, the elector may receive assistance if the elector completes a declaration in the polling place.

(5) **Following the election, the commission shall examine declarations completed under this section and shall update the elector's voter registration card to reflect the need for assistance and the nature of the disability.**

(b) Termination.--If the commission ascertains that an elector who has declared need for assistance is no longer in need of assistance, it shall cancel on the registration card the entry relating to illiteracy or [physical] disability which authorized assistance. The commission shall notify the elector by mail of its action.

Section 905. [Department of Health] **Death of registrant.**

(a) **Department of Health.**--The registration commission shall cancel the registration of a registered elector reported dead by the Department of Health. The Department of Health shall, within 60 days of receiving notice of the death of an individual 18 years of age or older, send the name and address of residence of that individual to the commission **in a manner and on a form prescribed by the department. The commission shall promptly update information contained in its registration records.**

(b) **Other sources.**--A registration commission may also utilize published newspaper obituaries, letters testamentary or letters of administration issued by the office of the registrar of wills to cancel and remove the registration of an elector, provided that such removals are uniform, nondiscriminatory and in compliance with the Voting Rights Act of 1965 (Public Law 89-110, 42 U.S.C. § 1973 et seq.). The commission shall promptly update information contained in its registration records.

(c) **Corrections.**--An individual incorrectly reported deceased by the Department of Health **or incorrectly removed by the commission for reason of death** may appear in person before a commissioner, registrar or clerk at the office of the commission and prove identity. The commission, upon such proof, shall correct its **registration records.**

Section 7. The act is amended by adding sections to read:
Section 1703. Power of department.

The department shall have the authority to take any actions which are necessary to ensure compliance and participation by the counties.

Section 1704. Relief.

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

Section 8. Sections 1901, 1902(b), 1903, 1904 and 1905(c) of the act are amended to read:
Section 1901. Removal of voters.

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

- (1) At the request of the elector.
- (2) Upon the death of the elector under section 905.
- (3) Upon confirmation that the elector has moved to a residence outside the county.
- (4) Under a voter removal program as provided for under subsection (b) **and in compliance with the National Voter Registration Act of 1993 (Public Law 103-31, 42 U.S.C. § 1973gg et seq.)**.

(b) Voter removal program.--

(1) The commission shall establish a program to identify electors whose address may have changed by establishing one of the following programs:

(i) National change of address. The secretary shall establish by regulation a program whereby information supplied by the United States Postal Service through its licensees is used on a periodic basis, but not less than once every calendar year, to identify electors who may have changed addresses. The information shall be incorporated in the [administration of the Statewide central registry] **SURE system** and shall be forwarded to the commissions in a manner determined by the secretary by regulation.

(A) If it appears from the information provided through the United States Postal Service that an elector has moved to a different residence address within the same county as the elector is currently registered, the commission shall change the registration records to show the new address and shall send the elector, to the address recorded on the elector's registration, a notice of the change of address by forwardable mail and a postage prepaid, preaddressed return form by which the elector may verify or correct the address information.

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

(ii) Confirmation mailing:

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

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

(2) In conjunction with and not as an alternative to a program established under paragraph (1), a canvass may be used as follows:

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

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

(iii) The commission shall leave at the address of each person referred to in subparagraph (ii) a notice requiring him to communicate with the commission on or before a date which the commission shall designate, and which shall be not less than seven days and not more than 15 days from the date of the notice and in any case not later than the 15th day preceding the election next ensuing, and satisfy the commission of his qualifications as an elector. The commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered. The envelope containing such information is to be plainly marked that it is not to be forwarded. At the expiration of the time specified in the notice, the commission shall cancel the registration of such person who has not communicated with the commission and proved his qualifications as an elector.

(iv) To facilitate the canvass under this section, the commission may, when necessary, appoint special inspectors of registration, in number not exceeding double the number of election districts being canvassed.

(v) Special inspectors must be qualified electors of the county. They shall be appointed without reference to residence in election districts or to political affiliations or beliefs. The commission shall instruct special inspectors in their duties. Special inspectors have the powers conferred by this act upon inspectors of registration.

(3) In conjunction with and not as an alternative to a program established under paragraph (1), the commission shall send a notice pursuant to subsection (d) to any elector who has not voted nor appeared to vote during the period beginning five years before the date of the notice and ending on the date of the notice and for whom the board of elections did not during that period in any other way receive any information that the voter still resides in the registered election district.

(4) Commissions shall complete, not later than 90 days before each primary, at least once per year the voter removal programs under this section[.] **and shall promptly update information contained in its registration records.** This paragraph shall not be construed to preclude any of the following:

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

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

(c) Identification of inactive voters.--A commission shall mark an "I" on the registration card of each elector who has been mailed a form under subsection (b)(1) or (3) and has failed to respond, which shall be included with all other registration cards for that polling site and located at the individual's polling site on the day of the election.

(d) Cancellation of registration.--

(1) A commission shall not cancel the registration of an elector on the ground that the elector has changed residence unless any of the following apply:

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

(ii) The elector:

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

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

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

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

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

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

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

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

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

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(b) Different county.--An elector who has moved from one county to another county and who has failed to notify the commission of the change of address prior to the date of the election shall be permitted to correct the voting records and vote at the elector's former polling place upon written affirmation by the elector of the new address before an election official at the former polling place. **Upon receipt of the written affirmation, the commission shall follow the procedures in this act for change of address to a new county and shall update information contained in its registration records.**

Section 1903. Incorrect records.

If registration records incorrectly indicate that an elector has moved from an address in the area covered by a polling place, the elector shall, upon written affirmation before an election official at that polling place, be permitted to vote at that polling place. **Upon receipt of the written affirmation, the commission**

shall promptly update information contained in its registration records.

Section 1904. Files.

(a) Cancellation.--If the registration of an elector is canceled, the registration commission shall mark on the registration cards of the elector the word "canceled" and the date and cause of cancellation. The commission shall remove the card from the general register and the district register. Removed cards shall be retained for five years. **The commission shall promptly update information contained in its registration records.**

(b) Nonessential records.--Records which are not essential for maintaining the current status of a qualified elector may be destroyed by the commission three years from the date the commission marks them as nonessential.

Section 1905. Errors in cancellation.

* * *

(c) Action.--

(1) The commission shall hold a hearing on the petition.

(2) If the commission finds that there was an error, the commission shall reinstate the registration **and shall promptly update information contained in its registration records.**

Section 9. The secretary shall establish and convene the advisory committee provided for in section 322(b) of the act as soon as practicable following enactment of this act. The development of the Statewide Uniform Registry of Electors shall begin immediately upon enactment of legislation providing for the requirements and elements of the Statewide Uniform Registry of Electors.

Section 10. This act shall take effect as follows:

(1) The amendment or addition of sections 106, 523(c)(4) and 1703 of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

APPROVED--The 25th day of June, A. D. 2001.

THOMAS J. RIDGE