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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 654      Session of  
1989

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INTRODUCED BY VEON, ROBINSON, LEVDANSKY, HUGHES, KUKOVICH, CARN,  
DeWEESE, WAMBACH, JACKSON, TRELLO, MARKOSEK, BILLOW,  
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BELFANTI, BATTISTO, CHADWICK, GIGLIOTTI, SERAFINI, LAUGHLIN,  
TRICH, HARPER AND ITKIN, MARCH 6, 1989

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 6, 1989

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AN ACT

1 Providing for election day registration; and providing  
2 penalties.

3 TABLE OF CONTENTS

4 Chapter 1. Preliminary Provisions

5 Section 101. Short title.

6 Section 102. Definitions.

7 Chapter 3. Election Day Registration

8 Section 301. Election day registration.

9 Section 302. Procedure.

10 Section 303. Maps.

11 Section 304. Record of attempted registrations.

12 Section 305. Verification by mail.

13 Chapter 5. Enforcement and Penalties

14 Section 501. Prohibited act.

15 Section 502. Enforcement.

1 Chapter 11. Miscellaneous Provisions

2 Section 1101. Construction of act.

3 Section 1102. Rules and regulations.

4 Section 1103. Repeal.

5 Section 1104. Application of act.

6 Section 1105. Effective date.

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

9 CHAPTER 1

10 PRELIMINARY PROVISIONS

11 Section 101. Short title.

12 This act shall be known and may be cited as the Election Day  
13 Registration Act.

14 Section 102. Definitions.

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

18 "Board" or "county board." The county board of elections.

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

20 CHAPTER 3

21 ELECTION DAY REGISTRATION

22 Section 301. Election day registration.

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

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

- 1           (1) By displaying a valid driver's license.
- 2           (2) By showing any document approved by the department.
- 3           (3) By the written statement of an elector registered to
- 4       vote in that election district, sworn to in the presence of a
- 5       judge of elections, stating to the effect that the elector
- 6       personally knows that the individual is a resident of the
- 7       election district. An individual who has been vouched for on
- 8       election day may not sign a proof of residence oath vouching
- 9       for any other individual on that election day.

10 Section 302. Procedure.

11       (a) Judges of elections.--Voter registration under this act

12 shall be conducted by judges of elections. A judge who registers

13 an individual voter shall not process that voter's ballot at any

14 time prior to opening of the ballot box after the voting ends.

15       (b) Registration cards.--Registration cards and forms for

16 oaths shall be available at each polling place. If an individual

17 who registers on election day proves residence under section

18 301(b)(B), the form containing that statement shall be attached

19 to the individual's registration card. Registration cards

20 completed on election day shall be forwarded to the appropriate

21 county board, which shall add the name of each voter to the

22 registration rolls unless the information forwarded is

23 substantially deficient. Each judge of elections registering a

24 person on election day shall initial the voter registration card

25 of that person.

26       (c) Deficient registration.--A county board which finds an

27 election day registration substantially deficient shall mail

28 written notice of same to the individual. An election day

29 registration shall not be found deficient solely because the

30 individual who provided proof of residence was ineligible to do

1 so.

2 Section 303. Maps.

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

7 Section 304. Record of attempted registrations.

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

14 Section 305. Verification by mail.

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

26 CHAPTER 5

27 ENFORCEMENT AND PENALTIES

28 Section 501. Prohibited acts.

29 (a) Offenses enumerated.--It shall be unlawful:

30 (1) To cause an individual's name to be registered in

any election district if that individual is not eligible to vote.

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

(3) To misrepresent an individual's identity when attempting to register to vote.

(4) To aid, abet, counsel or procure any other individual to violate this act.

(5) For a judge of elections to allow an unregistered voter to vote in any election.

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

Section 502. Enforcement.

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

## CHAPTER 11

### MISCELLANEOUS PROVISIONS

Section 1101. Construction of act.

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

Section 1102. Rules and regulations.

The department shall, in the manner provided by law, promulgate the rules and regulations necessary to carry out this act.

Section 1103. Repeal.

All acts and parts of acts are repealed insofar as they are

1 inconsistent with this act.

2 Section 1104. Application of act.

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

7 Section 1105. Effective date.

8 This act shall take effect immediately.