

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 4

Session of
2001

INTRODUCED BY LEMMOND, PICCOLA, CONTI, KUKOVICH, TARTAGLIONE,
GERLACH, MADIGAN, MUSTO, M. WHITE, WENGER, BOSCOLA, THOMPSON,
JUBELIRER AND BRIGHTBILL, JUNE 11, 2001

REFERRED TO STATE GOVERNMENT, JUNE 11, 2001

AN ACT

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

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

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

17 Section 102. Definitions.

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

21 "Applicant." An individual that applies to be registered to
22 vote as provided for in this act.

1 * * *

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

6 * * *

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

9 * * *

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

16 * * *

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

20 Section 2. The act is amended by adding sections to read:

21 Section 105. Existing electors.

22 All electors registered to vote in this Commonwealth on the
23 effective date of this section shall remain registered under
24 this act.

25 Section 106. Administration.

26 The department shall administer this act.

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

29 SUBCHAPTER A

30 ADMINISTRATIVE POWERS AND DUTIES

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

3 Section 301. [Regulations.] Departmental responsibilities.

4 The secretary shall promulgate regulations necessary to
5 administer this act. The regulations shall include, but not be
6 limited to, provisions which do all of the following:

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

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

16 (3) [Prescribe a procedure to conduct a study of the
17 technological needs and other aspects of the development and
18 implementation of a Statewide central registry of registered
19 qualified voters, and the study shall be completed by July 1,
20 1996.] Develop and establish a Statewide Uniform Registry of
21 Electors subject to the requirements of section 321.

22 [Section 302. Existing electors.

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

28 Section 303. Commissions.

29 * * *

30 (h) Errors.--A commission has the power to correct an error

1 or irregularity in registration and to cancel the registration
2 of an individual whom it finds to be improperly registered,
3 subject only to this act. Written notice must be mailed or
4 delivered to each individual whose registration is canceled.
5 Whenever a registered elector's name is changed for any reason,
6 [the initial] that elector's registration number shall remain
7 the same, and the file shall reflect the former name change to
8 the new name. A commission shall promptly update information
9 contained in its registration records with regard to such errors
10 or irregularities.

11 * * *

12 (k) Correction of errors.--

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

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

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

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

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

26 SUBCHAPTER B

27 STATEWIDE UNIFORM REGISTRY OF ELECTORS (SURE)

28 Section 321. Legislative intent.

29 It is the intent of the General Assembly that a Statewide
30 system of voter registration be established in this Commonwealth

1 to insure the integrity and accuracy of voter registration
2 records. All commissions shall be linked electronically to a
3 data base containing information pertaining to all registered
4 electors in this Commonwealth. The system shall be in a uniform
5 format and shall be compatible, as far as practicable, with
6 current technologies employed by the commissions with regard to
7 voter registration. The system shall, as far as practicable,
8 preserve the power of the commissions to make determinations as
9 to the qualifications of electors. When commissions fail to
10 perform the duties imposed by this act, the department shall be
11 empowered to enforce compliance.

12 Section 322. Establishment of SURE system.

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

16 (b) Advisory board.--

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

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

29 (i) Two members of the House of Representatives, one
30 of whom shall be a member of the minority party

1 recommended by the Minority Leader, appointed by the
2 Speaker of the House of Representatives.

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

7 (3) On or before September 30, 2001, the secretary shall
8 make a report of the recommendations of the department with
9 regard to the necessary elements and requirements of the SURE
10 system. The report shall be submitted to the State Government
11 Committee of the Senate and the State Government Committee of
12 the House of Representatives. The recommendations shall
13 include, but not necessarily be limited to, the following:

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

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

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

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

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

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

28 Section 6. Sections 501, 523(c), 528(d), 529(d), 901(b),
29 902(a), 903, 904 and 905 of the act are amended to read:

30 Section 501. Qualifications to register.

1 (a) Eligibility.--A qualified elector who will be at least
2 18 years of age on the day of the next election, who has been a
3 citizen of the United States for at least one month prior to the
4 next election and who has resided in this Commonwealth and the
5 election district where the qualified elector offers to vote for
6 at least 30 days prior to the next ensuing election and has not
7 been confined in a penal institution for a conviction of a
8 felony within the last five years shall be entitled to be
9 registered as provided in this chapter. If an individual is
10 qualified to vote in an election district prior to removal of
11 residence, the individual may, if a resident of this
12 Commonwealth, vote in the election district from which residence
13 was removed within the 30 days preceding the election.

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

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

26 Section 523. Application with driver's license application.

27 * * *

28 (c) Transmission.--

29 (1) The Department of Transportation shall forward
30 completed applications or contents of the completed voter

1 registration applications in machine-readable format to the
2 department by the close of registration for the ensuing
3 election.

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

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

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

20 (i) The Department of Transportation shall notify
21 the secretary of changes of address received under
22 subsection (a)(3). The secretary shall notify the
23 commission of the county of the registrant's prior
24 residence. Except as provided in subparagraph (ii), if
25 the registrant has moved outside of the county, the
26 commission shall forward the registrant's registration
27 card to the commission of the registrant's new county of
28 residence. Except as provided in subparagraph (ii), if
29 the registrant has moved to an address within the
30 commission's jurisdiction, the commission shall update

1 the registration record of the registrant. All changes of
2 address received by the Department of Transportation
3 under this section at least 30 days before a primary,
4 general or municipal election must be processed by the
5 commission for the ensuing election. If the registrant
6 has moved outside of the county, the commission shall
7 send a notice in accordance with section 1901(d)(2). If
8 the registrant has moved to an address within the
9 commission's jurisdiction, the commission shall use the
10 notice procedures under subparagraph (ii).

11 (ii) In the case of changes of address within the
12 same county received by the Department of Transportation
13 which do not contain a signature of the registrant, the
14 commission receiving the change of address notification
15 shall mail a [notice to the registrant at the new
16 residence address requesting verification of the address
17 change.] voter's identification card to the registrant at
18 the new residence address. If the voter's identification
19 card is returned by the post office undeliverable as
20 addressed or with a forwarding address, the commission
21 shall send a confirmation notice in accordance with
22 section 1901. [The verification notice shall be in
23 substantially the following form:

24 Date.....

25 Office of the Registration Commission

26 County, Pennsylvania

27 (Address and Telephone No. of County)

28 We have been notified by the Department of Transportation
29 that you recently moved from (old
30 residence address) to (new residence

1 address) and that this change of address is to serve as a
2 change of address for voter registration purposes. Unless
3 you notify this office within ten days from the date of
4 this notice that this information is not correct, your
5 voter registration will be transferred to
6 County. You may notify this office by calling the
7 telephone number appearing on this form or by mailing
8 this notice to this office. You need not notify this
9 office if this information is correct.

10
11 Chief Clerk

12 If the address change is within the commission's
13 jurisdiction, the county shall notify the registrant what
14 precinct the new address is in using the following form:

15 Date.....

16 Office of the Registration Commission
17 County, Pennsylvania
18 (Address and Telephone No. of County)

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

.....

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.

(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 is returned by the post office, the commission shall direct 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.

* * *

Section 528. Approval of registration applications.

* * *

(d) Disposition.--

(1) When the registration of an elector has been [finally] processed under subsection (b)(2), the commission

1 shall transmit to the applicant by first class nonforwardable
2 mail a wallet-sized voter's identification card, which shall
3 serve as notice to the applicant of the disposition of the
4 application. The card shall contain all of the following:

5 (i) Name and address of the elector.

6 (ii) Name of municipality.

7 (iii) Identification of elector's ward and district.

8 (iv) Effective date of registration.

9 (v) Designation of party enrollment [and date of
10 enrollment].

11 (vi) A space for the elector's signature or mark.

12 (vii) A statement that the card relates only to the
13 time of issuance of the card and is not of itself
14 evidence or proof of the qualifications of the elector to
15 vote at an election or proof of identification for
16 purposes of applying for or receiving general assistance
17 and that it is not necessary to present the card when
18 voting. The statements required by this subparagraph
19 shall be placed on the reverse side of the card from
20 where all of the other information required by this
21 paragraph is placed.

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

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

30 (3) No registration application shall be deemed to be

1 accepted until ten days after the voter's identification
2 card has been mailed. Upon return by the post office of
3 an identification card under paragraph (2) which the post
4 office is unable to deliver at the given address, the
5 commission shall investigate. If the commission finds
6 that the applicant is not qualified to register from such
7 address, the commission shall reject the application of
8 the applicant and shall notify the applicant by first
9 class forwardable mail of this action.

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

18 Date

19 Office of the Registration Commission
20 County, Pennsylvania

21 Cancellation of Previous Registration

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

29

30 Chief Clerk

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

8 Section 529. Challenges.

9 * * *

10 (d) Resolution.--If the challenged individual establishes,
11 to the satisfaction of the commission, the right to be
12 registered as required by this act, the challenged individual
13 shall be registered. If the challenged individual does not
14 establish to the satisfaction of the commission the right to be
15 registered as provided in this act, the challenged individual's
16 registration, if any, shall be canceled, and the commission
17 shall promptly update information contained in its registration
18 records.

19 Section 901. Removal notices.

20 * * *

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

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

3 (2) An elector who removes residence from one place to
4 another within the same county and who has not yet filed a
5 removal notice with the commission shall be permitted to vote
6 at the election next following removal if, at the time of
7 signing voter's certificate, the elector files with the judge
8 of election a signed removal notice properly filled out.

9 Removal notices under this paragraph shall be returned to the
10 commission with the voting check list, and the commission
11 shall proceed to transfer the registration of the electors
12 under section 902[.] and shall promptly update information
13 contained in its registration records.

14 Section 902. Transfer of registration.

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

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

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

28 (3) If a request for transfer which is determined to be
29 authentic under paragraph (2) shows a removal within the
30 period of 30 days preceding an election, the commission,

1 after such election, shall enter the change of residence on
2 the registration card of the elector in the general register
3 and district register and shall transfer the registration
4 card of the elector from the district register of the
5 election district of previous residence. The commission shall
6 advise the elector promptly in writing of its action.

7 (4) A commission shall promptly update information
8 contained in its registration records.

9 * * *

10 Section 903. Change of enrollment of political party.

11 By the deadline for registration, a registered voter who
12 desires to change the enrollment of political designation or
13 who, although registered, has not previously enrolled as a
14 member of a party may appear before a commissioner, registrar or
15 clerk or may submit an application by mail under section 524 and
16 state in a signed writing the political party in which the voter
17 desires to be enrolled. If the signature of the elector is
18 verified by comparison with the elector's signature as it
19 appears on file with the commission, the commissioner, registrar
20 or clerk shall make the change in the general register and
21 district register. The commission shall also promptly update the
22 information contained in its registration records. If supported
23 by other evidence of identity, a mark may be made in lieu of a
24 signature by an elector who is unable to write. The mark must be
25 made in the presence of a witness who must sign the registration
26 application.

27 Section 904. Physical disability.

28 (a) Eligibility.--If an elector by reason of blindness,
29 disability or inability to read or write is unable to read the
30 names on the ballot or on the voting machine labels or is unable

1 to see or mark the ballot or operate the voting machine or to
2 enter the voting compartment or voting machine booth without
3 assistance, the following apply:

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

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

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

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

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

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

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

24 (a) Department of Health.--The registration commission shall
25 cancel the registration of a registered elector reported dead by
26 the Department of Health. The Department of Health shall, within
27 60 days of receiving notice of the death of an individual 18
28 years of age or older, send the name and address of residence of
29 that individual to the commission in a manner and on a form
30 prescribed by the department. The commission shall promptly

1 update information contained in its registration records.

2 (b) Other sources.--A registration commission may also
3 utilize published newspaper obituaries, letters testamentary or
4 letters of administration issued by the office of the registrar
5 of wills to cancel and remove the registration of an elector,
6 provided that such removals are uniform, nondiscriminatory and
7 in compliance with the Voting Rights Act of 1965 (Public Law 89-
8 110, 42 U.S.C. § 1973 et seq.). The commission shall promptly
9 update information contained in its registration records.

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

16 Section 7. The act is amended by adding a section to read:
17 Section 1703. Power of department.

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

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

23 Section 1901. Removal of voters.

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

1 follows:

2 (1) At the request of the elector.

3 (2) Upon the death of the elector under section 905.

4 (3) Upon confirmation that the elector has moved to a
5 residence outside the county.

6 (4) Under a voter removal program as provided for under
7 subsection (b), and in compliance with the National Voter
8 Registration Act of 1993 (Public Law 103-31, 42 U.S.C. §
9 1973gg et seq.).

10 (b) Voter removal program.--

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

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

24 (A) If it appears from the information provided
25 through the United States Postal Service that an
26 elector has moved to a different residence address
27 within the same county as the elector is currently
28 registered, the commission shall change the
29 registration records to show the new address and
30 shall send the elector, to the address recorded on

1 the elector's registration, a notice of the change of
2 address by forwardable mail and a postage prepaid,
3 preaddressed return form by which the elector may
4 verify or correct the address information.

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

10 (ii) Confirmation mailing:

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

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

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

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

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

1 registered election district.

2 (iii) The commission shall leave at the address of
3 each person referred to in subparagraph (ii) a notice
4 requiring him to communicate with the commission on or
5 before a date which the commission shall designate, and
6 which shall be not less than seven days and not more than
7 15 days from the date of the notice and in any case not
8 later than the 15th day preceding the election next
9 ensuing, and satisfy the commission of his qualifications
10 as an elector. The commission shall cause a confirmation
11 of each such notice to be sent by mail promptly to such
12 person at the address from which he is registered. The
13 envelope containing such information is to be plainly
14 marked that it is not to be forwarded. At the expiration
15 of the time specified in the notice, the commission shall
16 cancel the registration of such person who has not
17 communicated with the commission and proved his
18 qualifications as an elector.

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

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

30 (3) In conjunction with and not as an alternative to a

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

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

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

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

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

25 (d) Cancellation of registration.--

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

29 (i) The elector confirms in writing that the elector
30 has changed residence to a location outside the county in

1 which the elector is registered.

2 (ii) The elector:

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

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

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

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

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

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

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

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

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

16 * * *

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

27 Section 1903. Incorrect records.

28 If registration records incorrectly indicate that an elector
29 has moved from an address in the area covered by a polling
30 place, the elector shall, upon written affirmation before an

1 election official at that polling place, be permitted to vote at
2 that polling place. Upon receipt of the written affirmation, the
3 commission shall promptly update information contained in its
4 registration records.

5 Section 1904. Files.

6 (a) Cancellation.--If the registration of an elector is
7 canceled, the registration commission shall mark on the
8 registration cards of the elector the word "canceled" and the
9 date and cause of cancellation. The commission shall remove the
10 card from the general register and the district register.

11 Removed cards shall be retained for five years. The commission
12 shall promptly update information contained in its registration
13 records.

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

18 Section 1905. Errors in cancellation.

19 * * *

20 (c) Action.--

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

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

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

1 for the requirements and elements of the Statewide Uniform
2 Registry of Electors.

3 Section 10. This act shall take effect as follows:

4 (1) Section 9 and this section shall take effect
5 immediately.

6 (2) The amendment or addition of sections 102, 105, 301,
7 302, Subchapter B of Chapter 3 and section 905 of the act
8 shall take effect immediately.

9 (3) The remainder of this act shall take effect in 60
10 days.