

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, BRIGHTBILL, DENT, WAUGH, GREENLEAF, MOWERY, SCHWARTZ AND TILGHMAN, JUNE 11, 2001

SENATOR TILGHMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 18, 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~~ WHO applies to be registered ←

1 to vote as provided for in this act.

2 \* \* \*

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

7 \* \* \*

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

10 \* \* \*

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

17 \* \* \*

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

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

22 Section 105. Existing electors.

23 All electors registered to vote in this Commonwealth on the  
24 effective date of this section ~~shall remain~~ WHO REMAIN QUALIFIED <—  
25 SHALL CONTINUE TO BE registered under this act.

26 Section 106. Administration.

27 The department shall administer this act.

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

30 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

1 local elections.]

2 Section 303. Commissions.

3 \* \* \*

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

15 \* \* \*

16 (k) Correction of errors.--

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

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

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

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

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

30 SUBCHAPTER B

1           STATEWIDE UNIFORM REGISTRY OF ELECTORS (SURE)

2   Section 321. Legislative intent.

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

16 Section 322. Establishment of SURE system.

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

20       (b) Advisory board.--

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

24           (2) The secretary shall appoint ~~five~~ NINE directors of     <—  
25 elections, ~~each from a different~~ ONE FROM EACH class of     <—  
26 counties, and shall appoint three county commissioners, each  
27 from a different class of counties from a list submitted by  
28 the County Commissioners Association of Pennsylvania. The  
29 advisory board shall also be comprised of four members of the  
30 General Assembly who have been appointed to the Joint Select

1 Committee on Election Reform pursuant to House Resolution 14  
2 of 2001 as follows:

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

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

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

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

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

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

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

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

29 (vi) usage and compatibility of the various  
30 equipment and technologies currently possessed by the

1 counties.

2 Section 6. Sections 501, 523(c), 528(d), 529(d), 901(b),  
3 902(a), 903, 904 and 905 of the act are amended to read:

4 Section 501. Qualifications to register.

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

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

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

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

1 \* \* \*

2 (c) Transmission.--

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

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

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

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

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



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

15 (ii) In the case of changes of address within the <—  
16 same county received by the Department of Transportation  
17 which do not contain a signature of the registrant, the  
18 commission receiving the change of address notification  
19 shall mail a notice to the registrant at the new <—  
20 residence address requesting verification of the address  
21 change.] voter's identification card to the registrant at <—  
22 the new residence address. If the voter's identification  
23 card is returned by the post office undeliverable as  
24 addressed or with a forwarding address, the commission  
25 shall send a confirmation notice in accordance with  
26 section 1901. [The verification notice shall be in  
27 substantially the following form: CHANGE. [THE <—  
28 VERIFICATION NOTICE SHALL BE IN SUBSTANTIALLY THE  
29 FOLLOWING FORM:] IF THE CHANGE OF ADDRESS IS TO A NEW  
30 RESIDENCE OUTSIDE THE COMMISSION'S JURISDICTION, THE

1 COMMISSION SHALL MAIL THE FOLLOWING NOTICE:

2 Date.....

3 Office of the Registration Commission

4 ..... County, Pennsylvania

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

6 We have been notified by the Department of Transportation

7 that you recently [moved] CHANGED YOUR ADDRESS from <—

8 ..... (old residence address) to

9 ..... (new residence address) and that this

10 change of address is to serve as a change of address for

11 voter registration purposes. Unless you notify this

12 office within ten days from the date of this notice that

13 this information is not correct, your voter registration

14 will be transferred to ..... County. You may notify

15 this office by [calling the telephone number appearing <—

16 on] WRITING YOUR RESIDENCE ADDRESS, THE DATE AND YOUR <—

17 SIGNATURE ON THE BOTTOM OF this form [or by] AND mailing <—

18 this notice to this office. You need not notify this

19 office if this information is correct.

20 .....

21 Chief Clerk

22 If the address change is within the commission's

23 jurisdiction, the county shall [notify the registrant <—

24 what precinct the new address is in using the following

25 form:

26 Date.....

27 Office of the Registration Commission

28 ..... County, Pennsylvania

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

30 We have been notified by the Department of Transportation

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

12 .....  
13 Chief Clerk

14 Such notices must be sent by first class nonforwardable  
15 mail, return postage guaranteed, and must be in a form  
16 approved by the secretary and designed in such a manner  
17 to allow the registrant to indicate that the address  
18 change is incorrect, the reason why such discrepancy  
19 exists and for return to the county commission. Such  
20 notice must be signed by the registrant and dated.] MAIL ←

21 A VOTER'S IDENTIFICATION CARD TO THE REGISTRANT AT THE  
22 NEW RESIDENCE ADDRESS.

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

1 notification OR VOTER IDENTIFICATION CARD is returned by <—  
2 the post office AS UNDELIVERABLE AS ADDRESSED OR WITH A <—  
3 FORWARDING ADDRESS, the commission shall [direct] SEND a <—  
4 confirmation notice to the registrant's address of former  
5 residence in accordance with section 1901(d)(2).‡ <—

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

9 \* \* \*

10 Section 528. Approval of registration applications.

11 \* \* \*

12 (d) Disposition.--

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

19 (i) Name and address of the elector.

20 (ii) Name of municipality.

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

22 (iv) Effective date of registration.

23 (v) Designation of party enrollment †and date of <—  
24 enrollment‡. <—

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

26 (vii) A statement that the card relates only to the  
27 time of issuance of the card and is not of itself  
28 evidence or proof of the qualifications of the elector to  
29 vote at an election or proof of identification for  
30 purposes of applying for or receiving general assistance

1 and that it is not necessary to present the card when  
2 voting. The statements required by this subparagraph  
3 shall be placed on the reverse side of the card from  
4 where all of the other information required by this  
5 paragraph is placed.

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

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

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

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

1 form:

2 Date .....

3 Office of the Registration Commission

4 ..... County, Pennsylvania

5 Cancellation of Previous Registration

6 Name ....., whose date of

7 birth is ....., has now registered

8 as an elector in..... County,

9 Pennsylvania. Our records indicate that this registrant

10 was previously registered in the County of

11 ....., Pennsylvania, at the

12 following address .....

13 .....

14 Chief Clerk

15 (5) Upon receipt of the notice in paragraph (4), the  
16 commission of the county of the elector's last residence  
17 shall transfer the elector's A COPY OF THE ELECTOR'S CANCELED ←

18 registration record to the commission of the county of the  
19 elector's new residence and retain a record of the transfer.

20 The commissions of both counties shall promptly update  
21 information contained in their registration records.

22 Section 529. Challenges.

23 \* \* \*

24 (d) Resolution.--If the challenged individual establishes,  
25 to the satisfaction of the commission, the right to be  
26 registered as required by this act, the challenged individual  
27 shall be registered. If the challenged individual does not  
28 establish to the satisfaction of the commission the right to be  
29 registered as provided in this act, the challenged individual's  
30 registration, if any, shall be canceled, and the commission

1 shall promptly update information contained in its registration  
2 records.

3 Section 901. Removal notices.

4 \* \* \*

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

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

17 (2) An elector who removes residence from one place to  
18 another within the same county and who has not yet filed a  
19 removal notice with the commission shall be permitted to vote  
20 [at the election next] ONCE AT THE ELECTOR'S FORMER POLLING ←  
21 PLACE following removal if, at the time of signing voter's  
22 certificate, the elector files with the judge of election a  
23 signed removal notice properly filled out. Removal notices  
24 under this paragraph shall be returned to the commission with  
25 the voting check list, and the commission shall proceed to  
26 transfer the registration of the electors under section  
27 902[.] and shall promptly update information contained in its  
28 registration records. AN ELECTOR MAY VOTE IN THE ELECTION ←  
29 DISTRICT OF THE ELECTOR'S FORMER RESIDENCE NO MORE THAN ONE  
30 TIME FOLLOWING THE ELECTOR'S REMOVAL.

1           (3) A REGISTERED ELECTOR WHO REMOVES RESIDENCE FROM ONE  
2           COUNTY ANOTHER COUNTY AND WHO IS NOT REGISTERED TO VOTE IN  
3           THE NEW COUNTY OF RESIDENCE, SHALL BE PERMITTED TO VOTE IN  
4           THE ELECTION DISTRICT IN THE FORMER COUNTY OF RESIDENCE IF,  
5           AT THE TIME OF SIGNING THE ELECTOR'S CERTIFICATE, THE ELECTOR  
6           FILES WITH THE JUDGE OF ELECTION A SIGNED AFFIRMATION  
7           DECLARING THE ELECTOR'S NEW RESIDENCE. AN ELECTOR MAY VOTE IN  
8           THE ELECTION DISTRICT OF THE ELECTOR'S FORMER RESIDENCE NO  
9           MORE THAN ONE TIME FOLLOWING THE ELECTOR'S REMOVAL.  
10           AFFIRMATIONS MADE UNDER THIS PARAGRAPH SHALL BE RETURNED TO  
11           THE COMMISSION OF THE ELECTOR'S FORMER COUNTY OF RESIDENCE  
12           WITH THE VOTING CHECKLIST, AND THAT COMMISSION SHALL PROCEED  
13           TO TRANSFER THE REGISTRATION OF THE ELECTOR UNDER SECTION  
14           902. UPON RECEIPT OF THE TRANSFER NOTICE, THE COMMISSION OF  
15           THE ELECTOR'S NEW COUNTY OF RESIDENCE SHALL IMMEDIATELY  
16           PROCESS THE TRANSFER OF THE ELECTOR IN ACCORDANCE WITH  
17           SECTION 528(D)(3). BOTH COMMISSIONS SHALL PROMPTLY UPDATE  
18           INFORMATION CONTAINED IN THEIR REGISTRATION RECORDS.

19 Section 902. Transfer of registration.

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

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

26           (2) If the signature appears authentic, the commission  
27 shall enter the change of residence on the registration card  
28 of the elector in the general register and district register  
29 and shall transfer the registration card of the elector from  
30 the district register of the election district of previous



1 residence to the district register of the election district  
2 of new residence.

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

12 (4) WHEN A REGISTERED ELECTOR HAS FILED WITH A ←  
13 COMMISSION A NOTICE THAT THE ELECTOR HAS MOVED FROM THE  
14 COUNTY TO ANOTHER COUNTY, IF THE SIGNATURE APPEARS AUTHENTIC,  
15 THE COMMISSION SHALL ENTER THE CHANGE OF RESIDENCE ON THE  
16 ELECTOR'S REGISTRATION RECORDS, CANCEL THE REGISTRATION OF  
17 THE ELECTOR AND NOTIFY THE COMMISSION OF THE ELECTOR'S NEW  
18 COUNTY OF RESIDENCE TO REGISTER THE ELECTOR. UPON RECEIPT OF  
19 THE TRANSFER NOTICE, THE COMMISSION OF THE ELECTOR'S NEW  
20 COUNTY OF RESIDENCE SHALL IMMEDIATELY PROCESS THE TRANSFER OF  
21 THE ELECTOR IN ACCORDANCE WITH SECTION 528(D)(3).

22 (5) IF A REQUEST FOR TRANSFER WHICH IS DETERMINED TO BE  
23 AUTHENTIC UNDER PARAGRAPH (4) SHOWS A REMOVAL WITHIN THE  
24 PERIOD OF 30 DAYS PRECEDING AN ELECTION, THE COMMISSION,  
25 AFTER SUCH ELECTION, SHALL ENTER THE CHANGE OF RESIDENCE ON  
26 THE ELECTOR'S REGISTRATION RECORDS, CANCEL THE REGISTRATION  
27 OF THE ELECTOR AND NOTIFY THE COMMISSION OF THE ELECTOR'S NEW  
28 COUNTY OF RESIDENCE TO REGISTER THE ELECTOR. UPON RECEIPT OF  
29 THE TRANSFER NOTICE, THE COMMISSION OF THE ELECTOR'S NEW  
30 COUNTY OF RESIDENCE SHALL IMMEDIATELY PROCESS THE TRANSFER OF

1 THE ELECTOR IN ACCORDANCE WITH SECTION 528(D)(3).

2 ~~(4)~~ (6) A commission shall promptly update information <—  
3 contained in its registration records.

4 \* \* \*

5 Section 903. Change of enrollment of political party.

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

22 Section 904. [Physical disability.] DISABILITY. <—

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

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

1 registrar or a clerk.

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

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

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

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

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

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

19 (a) Department of Health.--The registration commission shall  
20 cancel the registration of a registered elector reported dead by  
21 the Department of Health. The Department of Health shall, within  
22 60 days of receiving notice of the death of an individual 18  
23 years of age or older, send the name and address of residence of  
24 that individual to the commission in a manner and on a form  
25 prescribed by the department. The commission shall promptly  
26 update information contained in its registration records.

27 (b) Other sources.--A registration commission may also  
28 utilize published newspaper obituaries, letters testamentary or  
29 letters of administration issued by the office of the registrar  
30 of wills to cancel and remove the registration of an elector,

1 provided that such removals are uniform, nondiscriminatory and  
2 in compliance with the Voting Rights Act of 1965 (Public Law 89-  
3 110, 42 U.S.C. § 1973 et seq.). The commission shall promptly  
4 update information contained in its registration records.

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

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

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

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

18 Section 1901. Removal of voters.

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

27 (1) At the request of the elector.

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

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

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

5 (b) Voter removal program.--

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

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

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

30 (B) If it appears from the information provided

1 through the United States Postal Service that an  
2 elector has moved to a different residence address  
3 outside the county, the commission shall use the  
4 notice procedure described in clause (A).

5 (ii) Confirmation mailing:

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

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

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

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

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

27 (iii) The commission shall leave at the address of  
28 each person referred to in subparagraph (ii) a notice  
29 requiring him to communicate with the commission on or  
30 before a date which the commission shall designate, and

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

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

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

25                 (3) In conjunction with and not as an alternative to a  
26                 program established under paragraph (1), the commission shall  
27                 send a notice pursuant to subsection (d) to any elector who  
28                 has not voted nor appeared to vote during the period  
29                 beginning five years before the date of the notice and ending  
30                 on the date of the notice and for whom the board of elections

1 did not during that period in any other way receive any  
2 information that the voter still resides in the registered  
3 election district.

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

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

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

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

20 (d) Cancellation of registration.--

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

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

27 (ii) The elector:

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

30 (B) has not voted nor appeared to vote and, if



1           necessary, corrected the commission's record of the  
2           elector's address, in an election during the period  
3           beginning on the date of the notice and ending on the  
4           day after the date of the second general election for  
5           Federal office that occurs after the date of the  
6           notice.

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

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

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

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

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

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

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

11 \* \* \*

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

22 Section 1903. Incorrect records.

23 If registration records incorrectly indicate that an elector  
24 has moved from an address in the area covered by a polling  
25 place, the elector shall, upon written affirmation before an  
26 election official at that polling place, be permitted to vote at  
27 that polling place. Upon receipt of the written affirmation, the  
28 commission shall promptly update information contained in its  
29 registration records.

30 Section 1904. Files.

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

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

13 Section 1905. Errors in cancellation.

14 \* \* \*

15 (c) Action.--

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

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

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

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

29 (1) Section 9 and this section shall take effect  
30 immediately.

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

4           (3) The remainder of this act shall take effect in 60  
5           days.