

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1240 Session of
2001

INTRODUCED BY PICCOLA, LEMMOND, CONTI, JUBELIRER, BRIGHTBILL,
THOMPSON, WENGER, HELFRICK, RHOADES, TOMLINSON, GREENLEAF,
GERLACH, M. WHITE, MURPHY, D. WHITE, MADIGAN, ERICKSON AND
HOLL, DECEMBER 6, 2001

REFERRED TO STATE GOVERNMENT, DECEMBER 6, 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 the definitions of "district register,"
6 "general register," "qualified elector," "registrant,"
7 "registration records" and "Statewide Uniform Registry of
8 Electors" or "SURE system," for departmental
9 responsibilities, for commissions, for legislative intent,
10 for establishment of SURE system, for qualifications to
11 register, for in-person voter registration, for application
12 with driver's license application, for application by mail,
13 for time, for preparation and distribution of applications,
14 for approval of registration applications, for general
15 register, for district registers, for street lists, for
16 public information lists, for retention of records, for
17 removal notices, for transfer of registration, for court of
18 common pleas, for registration, for votes, for official
19 documents, for law enforcement assistance, for preventing
20 registration, for approval of registration, for power of
21 department, for removal of voters and for files; and
22 providing for SURE system costs, for SURE registration number
23 and for conversion of registration records.

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

26 Section 1. The definitions of "district register," "general
27 register," "qualified elector," "registrant," "registration

1 records" and "Statewide Uniform Registry of Electors," or "SURE
2 system" in section 102 of the act of June 30, 1995 (P.L.170,
3 No.25), known as the Pennsylvania Voter Registration Act, added
4 June 25, 2001 (P.L.674, No.61), are amended to read:

5 Section 102. Definitions.

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

9 * * *

10 ["District register." The registration cards or digitized
11 signature list containing the list of qualified electors:

12 (1) arranged, by election district, alphabetically by
13 last name of the registrant; and

14 (2) prepared by the commission under section 702.]

15 "District register." The list of registered electors
16 prepared by the commission under section 702.

17 * * *

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

22 "General register." The list of registered electors prepared
23 by the commission under section 701.

24 * * *

25 "Qualified elector." An [individual] applicant who possesses
26 all of the qualifications for voting prescribed by the
27 Constitution of Pennsylvania and the laws of this Commonwealth
28 or who, being otherwise qualified by continued residence in the
29 election district, obtains such qualifications before the next
30 ensuing election. The term does not include a military elector.

1 ["Registrant." An] "Registrant" or "registered elector." A
2 qualified elector who is registered to vote in accordance with
3 this act.

4 * * *

5 "Registration records." The general register, district
6 register and any other record of registration [of electors]
7 maintained by a [county. If provided in regulations promulgated
8 under this act, the] commission. The term [shall also refer to]
9 includes any record maintained by the [county] commission on the
10 Statewide Uniform Registry of Electors.

11 * * *

12 "Statewide Uniform Registry of Electors" or "SURE system."
13 The integrated voter registration system [containing a data
14 base] of all registered electors in this Commonwealth
15 established by Subchapter B of Chapter 3 of this act.

16 Section 2. Section 301 of the act, amended June 25, 2001
17 (P.L.674, No.61), is amended to read:

18 Section 301. Departmental responsibilities.

19 The department shall do all of the following:

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

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

29 (3) Develop [and establish], establish, implement and
30 administer a Statewide Uniform Registry of Electors [subject

to the requirements of section 321] in accordance with
Subchapter B.

(4) Promulgate regulations necessary to administer this
act.

Section 3. Section 303(a), (h) and (k) of the act, amended
June 25, 2001 (P.L.674, No.61), are amended and the section is
amended by adding a subsection to read:

Section 303. Commissions.

(a) Establishment.--A [registration] commission is
established in each county. The commission has jurisdiction over
the registration of applicants, qualified electors and
registered electors of the county under this act.

* * *

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

* * *

(k) Correction of errors.--

(1) A commission shall correct its registration records
without requiring action of a registered elector in any of
the following cases:

(i) If the mailing address of the registered elector

1 has been changed by the renaming of a street, the
2 renumbering of a house or the changing of a post office.

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

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

8 (1) Update.--A commission shall promptly update information
9 contained in its registration records.

10 Section 4. Sections 321 and 322 of the act, added June 25,
11 2001 (P.L.674, No.61), are amended to read:

12 [Section 321. Legislative intent.

13 It is the intent of the General Assembly that a Statewide
14 system of voter registration be established in this Commonwealth
15 to ensure the integrity and accuracy of voter registration
16 records. All commissions shall be linked electronically to a
17 data base containing information pertaining to all registered
18 electors in this Commonwealth. The system shall be in a uniform
19 format and shall be compatible, as far as practicable, with
20 current technologies employed by the commissions with regard to
21 voter registration. The system shall, as far as practicable,
22 preserve the power of the commissions to make determinations as
23 to the qualifications of electors. When commissions fail to
24 perform the duties imposed by this act, the department shall be
25 empowered to enforce compliance.]

26 Section 322. [Establishment of] SURE system.

27 (a) Establishment.--The department shall develop and
28 [implement] establish a Statewide Uniform Registry of Electors
29 [containing a data base of all registered electors in this
30 Commonwealth] to be known as the SURE system.

1 [(b) Advisory board.--

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

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

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

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

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

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

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

capabilities;

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

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

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

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

(c) Requirements.--The SURE system shall be developed as a single, uniform integrated computer system. All commissions shall be connected electronically to the SURE system and shall maintain their registration records in the system. The SURE system shall, at a minimum, do all of the following:

(1) Contain a data base of all registered electors in this Commonwealth.

(2) Ensure the integrity and accuracy of all registration records in the system by prohibiting unauthorized entry, modification or deletion of registration records.

(3) Assign a unique SURE registration number to each individual currently registered in this Commonwealth.

(4) Permit the commissions to add, modify and delete information in the system as is necessary and appropriate.

(5) Permit each commission and the department to have instant access to a commission's registration records maintained on the system.

(6) Be the general register for a commission once the

1 commission is connected to the SURE system.

2 (7) Permit each commission and the department to review
3 and search the system and to permit the sending of notices to
4 the appropriate officials regarding death, change of address
5 or other information which could affect the qualifications of
6 an applicant or the registration of a registered elector.

7 (8) Provide for the electronic transfer of completed
8 voter registration applications and changes of address in
9 accordance with the act.

10 (9) Preserve the power of the commissions to make
11 determinations as to the qualifications of applicants.

12 (10) Assign a unique SURE registration number to each
13 qualified elector who becomes registered and record the
14 registered elector in the general register of the appropriate
15 commission.

16 (11) Permit auditing of each registered elector's
17 registration record from the day of its creation until the
18 day it is canceled.

19 (12) Permit the department to implement section
20 1901(b)(1)(i).

21 (13) Permit the timely printing and transmission by
22 commissions of district registers and all other information
23 contained in the system as may be necessary for the operation
24 of the polling places on election days.

25 (14) Be designed with an emergency recovery system to
26 insure that registration records are not lost in the case of
27 an emergency, natural disaster or other such event that could
28 cause the system to malfunction.

29 (d) Records.--Within 30 days of receiving notice from the
30 department, each commission shall provide to the department, in

1 the manner and form established by the department, an electronic
2 copy of its registration records. Beginning 60 days after
3 receiving notice in accordance with this subsection and
4 continuing until the commission is connected to the SURE system,
5 each commission shall provide monthly to the department, in the
6 manner and form established by the department, an electronic
7 copy of its general register. The provision of records in
8 accordance with this subsection shall not be considered a part
9 of the establishment or implementation of the SURE system.

10 (e) Implementation.--The department shall implement the SURE
11 system as soon as possible. The department shall establish, by
12 regulation, a schedule for each commission to be connected to
13 the SURE system. Commissions shall be connected in an order
14 which maximizes the accuracy, integrity and protection of
15 registration records on a Statewide basis. Upon being connected,
16 each commission shall be required to use the SURE system as its
17 general register. Connection of the commissions shall commence
18 no later than August 31, 2002, and shall be completed Statewide
19 by January 1, 2005.

20 (f) Regulations.--The secretary shall promulgate regulations
21 necessary to establish, implement and administer the SURE
22 system. Regulations shall include all of the following:

23 (1) Uniform procedures for the commissions relating to
24 the SURE system, including the process and manner of entering
25 information into the SURE system, the type and form of
26 information to be entered, the process for identifying and
27 removing duplicate registrations, the manner and time frame
28 for updating information in the system and the manner and
29 form of communications between commissions and between the
30 department and a commission.

1 (2) Periodic training requirements for commissions and
2 their employees.

3 (3) Such other regulations as are necessary to ensure
4 that the SURE system shall comply with all other provisions
5 of this act.

6 Section 5. The act is amended by adding a section to read:

7 Section 323. SURE system costs.

8 The cost of establishment, implementation and maintenance of
9 the SURE system technology and its emergency recovery system
10 shall be borne by the Commonwealth.

11 Section 6. Section 501(a) of the act, amended June 25, 2001
12 (P.L.674, No.61), is amended to read:

13 Section 501. Qualifications to register.

14 (a) Eligibility.--[A qualified elector] An individual who
15 will be at least 18 years of age on the day of the next
16 election, who has been a citizen of the United States for at
17 least one month prior to the next election and who has resided
18 in this Commonwealth and the election district where the
19 [qualified elector] individual offers to vote for at least 30
20 days prior to the next ensuing election and has not been
21 confined in a penal institution for a conviction of a felony
22 within the last five years shall be [entitled to be registered]
23 eligible to register as provided in this chapter. [If an
24 individual is qualified to vote in an election district prior to
25 removal of residence, the individual may, if a resident of this
26 Commonwealth, vote in the election district from which residence
27 was removed within the 30 days preceding the election.]

28 * * *

29 Section 7. Section 522(a) and (b) of the act are amended to
30 read:

1 Section 522. In-person voter registration.

2 (a) General rule.--Applications may be submitted to register
3 to vote or change party enrollment or name or address on current
4 registration record in person before the [registration]
5 commission or a commissioner, a registrar or a clerk at the
6 office of the commission or at a place designated by the
7 commission. The applicant shall be advised that any intentional
8 false statement on the application constitutes perjury and will
9 be punishable as such. The applicant shall provide the
10 information required on the registration application and sign
11 the registration declaration. The commission shall prepare and
12 provide voter registration applications for the purpose of
13 registering qualified electors in accordance with this section.
14 Notwithstanding any other provision of this act, the commission
15 may use a mail registration application for in-person
16 registration. The commission shall mail the [voter's] qualified
17 elector an identification card in accordance with section
18 [527(a)(4)(v)] 528.

19 (b) Notice.--The commission shall, within a reasonable time,
20 publicly announce the address of each place of registration, the
21 address of each office of the commission established for the
22 registration of qualified electors other than its main office
23 and the days and hours when the place or office is open for the
24 registration of qualified electors. The announcement shall be
25 made by posting notice at the place or office and at the
26 commission's main office and by other means as the commission
27 deems advisable.

28 * * *

29 Section 8. Section 523(a), (b) and (c) of the act, amended
30 June 25, 2001 (P.L.674, No.61), are amended to read:

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

2 (a) General rule.--

3 (1) The Department of Transportation shall provide for
4 simultaneous application for voter registration in
5 conjunction with the process under 75 Pa.C.S. § 1510
6 (relating to issuance and content of driver's license). An
7 application under this subsection shall serve as an
8 application to register to vote unless the applicant fails to
9 sign the voter registration application. The secretary has
10 the primary responsibility for implementing and enforcing the
11 driver's license voter registration system created under this
12 section. The secretary, in consultation with the Secretary of
13 Transportation, may promulgate regulations for implementing
14 this section.

15 (2) An application for voter registration submitted to
16 the Department of Transportation under this subsection shall
17 be considered as updating any previous voter registration
18 information by [the applicant] a registrant.

19 (3) Any change of address submitted to the Department of
20 Transportation for the purposes of driver licensing shall
21 serve as notification of change of address for voter
22 registration for the registrant involved unless the
23 registrant indicates that the change of address is not for
24 voter registration purposes.

25 (b) Process.--

26 (1) The Department of Transportation shall provide for
27 an application for voter registration as part of a driver's
28 license application.

29 (2) The format of the driver's license/voter
30 registration application shall be determined and prescribed

1 by the secretary and the Secretary of Transportation.

2 (3) The voter registration application portion of the
3 application shall contain all the requirements of an official
4 voter registration application specified in section 527. The
5 voter registration portion of the application:

6 (i) may not require any information that duplicates
7 information required in the driver's license portion of
8 the form, other than a second signature; and

9 (ii) may require only the minimum amount of
10 information necessary to prevent duplicate voter
11 registration, to enable the [registration] commission to
12 assess the eligibility of the applicant and to administer
13 voter registration and other parts of the election
14 process.

15 (c) Transmission.--

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

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

30 (3) Upon receipt of the completed voter registration

1 information from the department, the commission shall make a
2 record of the date of the receipt of the application and
3 process the application. No applicant shall be deemed
4 eligible to vote until the commission has received and
5 approved the application.

6 (3.1) After the Department of Transportation is
7 connected to the SURE system and notwithstanding paragraphs
8 (1), (2) and (3), the Department of Transportation shall
9 transmit electronically the contents of a completed voter
10 registration application within five days of receipt of the
11 application. Upon receipt of the information from the
12 Department of Transportation, a commission shall make a
13 record of the date of the receipt of the application and
14 process the application in accordance with section 528. If
15 the commission of the county of residence has not been
16 connected to the SURE system, the Department of
17 Transportation shall forward the completed application or
18 contents of the completed application to the department in
19 accordance with paragraph (1). No applicant shall be deemed
20 eligible to vote until the commission has received and
21 approved an application in accordance with section 528.

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

23 (i) [The] Before the Department of Transportation is
24 connected to the SURE system, the Department of
25 Transportation shall notify the [secretary] department of
26 changes of address received under subsection (a)(3). The
27 [secretary] department shall notify the commission of the
28 county of the registrant's [prior] former residence.
29 After the Department of Transportation is connected to
30 the SURE system, the Department of Transportation shall

1 notify the commission of the county of the registrant's
2 former residence. If the registrant has moved to an
3 address outside this Commonwealth, the commission shall
4 verify the address change in accordance with section
5 1901. Except as provided in subparagraph (ii), if the
6 registrant confirms in accordance with section 1901(d)
7 that he has moved [outside of the] to another county, the
8 commission shall cancel the registration and forward the
9 registrant's registration [card] information to the
10 commission of the registrant's new county of residence.
11 Except as provided in subparagraph (ii), if the
12 registrant has moved to an address within the
13 commission's jurisdiction, the commission shall promptly
14 update the registration record of the registrant in
15 accordance with section 528. All changes of address
16 received by the Department of Transportation under this
17 section at least 30 days before [a primary, general or
18 municipal] an election must be processed by the
19 commission for the ensuing election. For the purpose of
20 this paragraph, the term "registration information" means
21 the registration card and any other record of
22 registration maintained by a commission.

23 (ii) In the case of changes of address received by
24 the Department of Transportation which do not contain a
25 signature of the registrant, the commission receiving the
26 change of address notification shall mail a notice to the
27 registrant at the new residence address requesting
28 verification of the address change. If the change of
29 address is to a new residence outside the commission's
30 jurisdiction, the commission shall mail the following

1 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 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 writing your residence address, the date

16 and your signature on the bottom of this form and mailing

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

18 office if this information is correct.

19

20 Chief Clerk

21 If the address change is within the commission's

22 jurisdiction, the [county] commission shall mail a

23 voter's identification card to the registrant at the new

24 residence address.

25 (iii) If the registrant does not return the notice

26 under subparagraph (ii) within the ten-day period, the

27 commission shall process the change of address according

28 to subparagraph (i). If the registrant notifies the

29 commission that the information is incorrect and the

30 commission is satisfied with the registrant's explanation

1 of the discrepancy, the address of the registrant's
2 registration shall remain unchanged. If the verification
3 notification or voter identification card is returned by
4 the post office as undeliverable as addressed or with a
5 forwarding address, the commission shall send a
6 confirmation notice to the registrant's address of former
7 residence in accordance with section 1901(d)(2).

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

11 * * *

12 Section 9. Sections 524, 526 and 527(a) and (b) of the act
13 are amended to read:

14 Section 524. Application by mail.

15 (a) General rule.--An application to register to vote or to
16 change party enrollment or name or address on a current
17 registration may be submitted by voter registration mail
18 application in the manner set forth in this section. An
19 application may be submitted by mail or by representative to the
20 [registration] commission on an official mail registration
21 application, the form of which shall be determined and
22 prescribed by the secretary or the Federal Election Commission
23 pursuant to the National Voter Registration Act (Public Law 103-
24 31, 42 U.S.C. § 1973gg et seq.). The applicant must complete the
25 information required on the registration application and sign
26 the registration declaration.

27 (b) Time.--Registration under this section may be made at
28 any time. If a registration application is received by a
29 commission beyond the deadline for registration provided in
30 section 526, the application shall be retained by the commission

1 until the beginning of the next period during which registration
2 can be made.

3 (c) Military electors.--

4 (1) A military elector may apply at any time for
5 registration on an official registration application or any
6 form prescribed by the Federal Government for such purpose.

7 (2) The status of a military elector to register under
8 this section with respect to residence shall remain as the
9 same home residence status from which the military elector is
10 qualified to register. If, at the time of leaving that home
11 address, the military elector had not resided in this
12 Commonwealth or in a particular election district for a
13 sufficient time to have been entitled to be registered but,
14 by continued residence, would have become entitled to be
15 registered, the military elector shall be entitled to be
16 registered at the time the military elector would have been
17 entitled to register had the military elector not left that
18 home address but continued to reside there.

19 (3) The commission is authorized to consider a request
20 for an absentee ballot as a request for an official
21 registration application and to forward to the requester all
22 of the following:

23 (i) An absentee ballot and balloting material.

24 (ii) An official registration application.

25 (4) The military elector must complete and file these
26 documents in accordance with the applicable provisions of the
27 act of June 3, 1937 (P.L.1333, No.320), known as the
28 Pennsylvania Election Code.

29 (5) The right to be registered pursuant to this
30 subsection shall not be subject to challenge for any reason

1 other than failure to have furnished the commission a
2 properly completed registration application.

3 Section 526. Time.

4 (a) General rule.--Except as provided in subsection (b),
5 each [registration] commission, commissioners and registrars or
6 clerks appointed by the commission shall receive, during
7 ordinary business hours and during additional hours as the
8 commission prescribes, at the office of the commission and at
9 additional places as the commission designates, applications
10 from individuals who appear and claim that they are entitled to
11 be registered as electors of a municipality.

12 (b) Deadlines.--In the administration of voter registration,
13 each commission shall ensure that any [eligible] applicant who
14 is a qualified elector is registered to vote in an election when
15 the applicant has met any of the following conditions:

16 (1) In the case of voter registration with a motor
17 vehicle driver's license application under section 523, if
18 the valid voter registration application is submitted to the
19 appropriate Department of Transportation office not later
20 than 30 days before the date of the election.

21 (2) In the case of registration by mail under section
22 524, if the valid voter registration mail application is
23 postmarked not later than the deadline to register for the
24 ensuing election or, in the case of an illegible or missing
25 postmark, it is received not later than five days after the
26 deadline to register for the ensuing election.

27 (3) In the case of voter registration at a voter
28 registration agency under section 525, if the valid voter
29 registration application is accepted at the voter
30 registration agency not later than 30 days before the date of

1 the election.

2 (4) In any other case, if the valid voter registration
3 application of the applicant is received by the appropriate
4 commission not later than 30 days before the election.

5 (c) Special rules.--

6 (1) In the case of a special election within a
7 congressional, senatorial or representative district held on
8 a day other than the day of a primary, general or municipal
9 election, the registration application forms shall not be
10 processed in the wards and election districts comprising the
11 district for the 30 days prior to the special election for
12 such election.

13 (2) No applications shall be received as follows:

14 (i) On Sundays.

15 (ii) On holidays.

16 (iii) On the day of the election.

17 (iv) During the 30 days next preceding each
18 general, municipal and primary election, except as
19 provided in subsection (b).

20 Section 527. Preparation and distribution of applications.

21 (a) Form.--

22 (1) The secretary shall prescribe the form of official
23 voter registration application. The official voter
24 registration application shall provide space for the
25 following information about the applicant:

26 (i) Full name.

27 (ii) Address of residence. If the residence is a
28 portion only of the house, the location or number of the
29 room, apartment or floor which is occupied.

30 (iii) Mailing address if different than address of

1 residence.

2 (iv) Name and residence address on previous
3 registration and the year of that registration.

4 (v) Designation of political party, for the purpose
5 of voting at a primary election.

6 (vi) Date of birth.

7 (vii) Telephone number. An application shall not be
8 rejected because of noncompliance with this subparagraph.

9 (viii) Race. An application shall not be rejected
10 because of noncompliance with this subparagraph.

11 (2) Data required on the voter registration application
12 shall not be more nor less than the minimum data elements
13 permissible for Federal voter registration.

14 (3) Any person who assists in the completion of the
15 registration application shall sign the application and
16 indicate the person's address. In the case of those
17 registering under sections 523 and 525, the person providing
18 assistance shall insert the person's initials or employee or
19 agent identification number on a separate or detachable
20 portion of the application or computer data file.

21 (4) A voter registration application shall be printed on
22 stock of good quality and shall be of suitable uniform size.
23 Nothing in this act shall prohibit the design and use of an
24 electronic voter registration application which includes the
25 applicant's digitized or electronic signature. The
26 registration application shall contain the following
27 information; however, the information may be provided on a
28 separate form for voter registration made under section 523
29 or 525:

30 (i) Notice that [an individual currently] @

1 registered elector does not need to reregister unless the
2 [individual] registered elector has moved.

3 (ii) Instructions on how to fill out and submit the
4 application and notification of when the application must
5 be submitted to a voter registration office in order to
6 be registered for the ensuing election.

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

17 (iv) Notice that political party enrollment is
18 mandatory to vote in a primary election of a political
19 party.

20 (v) Notice that the commission will mail by
21 nonforwardable mail to the applicant a voter's
22 identification card upon acceptance of the application
23 and that the [registrant] applicant should contact the
24 commission if the identification card is not received
25 within 14 days from the date the application is sent to
26 the registration office.

27 (vi) Notice that registration is not complete until
28 the application is processed and accepted by the
29 commission.

30 (vii) A warning to the [registrant] applicant that

1 making a false registration or furnishing false
2 information is perjury. The notice required in this
3 subparagraph shall be in print identical to the
4 declaration under subsection (b).

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

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

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

22 (5) The official voter registration application may be
23 designed in a manner to be inserted in the district register
24 or for transfer to a registration card to be placed in the
25 district register.

26 (6) In jurisdictions where there is a single language
27 minority, the secretary may print a bilingual application.

28 (7) In jurisdictions where a single language minority
29 exceeds 5% of the population, the secretary shall:

30 (i) print a bilingual application; and

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

6 (8) To implement section 524, the secretary shall print
7 an official voter registration mail application designed to
8 preserve the confidentiality of the information required to
9 be submitted. The application shall contain information
10 required by this section and shall include the name of each
11 county seat, its post office mailing address and zip code and
12 its telephone number. Voter registration mail applications
13 shall contain information indicating whether the application
14 is a new registration, change of party enrollment, change of
15 address or change of name.

16 (9) Nothing in this act shall prohibit a private
17 organization or individual from printing blank voter
18 registration applications or shall prohibit the use of such
19 applications by any other individual, provided that the form,
20 content and paper quality of such voter registration
21 application complies with department regulations for the
22 forms or has received prior approval from the secretary.

23 (b) Registration declaration.--

24 (1) The official voter registration application shall
25 contain a registration declaration. On the declaration, the
26 applicant shall state all of the following:

27 (i) The applicant has been a citizen of the United
28 States for at least one month prior to the next election.

29 (ii) On the day of the next ensuing election, the
30 applicant shall be at least 18 years of age.

1 (iii) On the day of the next ensuing election, the
2 applicant shall have resided in this Commonwealth and in
3 the election district for at least 30 days.

4 (iv) The applicant has not been confined in a penal
5 institution for a conviction of a felony within the last
6 five years.

7 (v) The applicant is legally qualified to vote.

8 (2) The applicant shall affirm all of the following:

9 (i) The information provided in the registration
10 declaration is true.

11 (ii) The applicant understands that:

12 (A) the registration declaration will be
13 accepted for all purposes as the equivalent of an
14 affidavit; and

15 (B) if the registration contains a material
16 false statement, the applicant shall be subject to
17 penalties for perjury.

18 (3) The registration declaration shall contain the
19 printed name and signature of the applicant and the date of
20 signing. An applicant unable to sign the voter registration
21 application shall make a mark before a person of the
22 applicant's choice other than the applicant's employer or an
23 agent of the applicant's union. [Such] The person shall
24 insert the person's name, address and telephone number. If
25 [such] the person is an employee or agent of the Department
26 of Transportation or another agency, as provided under
27 section 525, and is assisting the applicant in an official
28 capacity, [such] the employee or agent shall insert the
29 initials and identification number of the employee or agent.

30 In the case of applicants registering under section 523 or

1 525, the person providing assistance shall insert initials or
2 employee or agent identification number on a separate or
3 detachable portion of the application or computer data file.

4 (4) The official registration application shall contain
5 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
6 notice shall advise the applicant that, if a person signs an
7 official registration application knowing a statement
8 declared in the application to be false, the person commits
9 perjury. The notice shall specify the penalty for perjury.

10 * * *

11 Section 10. Section 528 of the act, amended June 25, 2001
12 (P.L.674, No.61), is amended to read:

13 Section 528. Approval of registration applications.

14 [(a) Examination.--

15 (1) Official registration applications submitted to a
16 registration commission shall be examined by the commissioner
17 or a clerk or registrar upon receipt.

18 (2) If the official voter registration application
19 submission is in person, the application shall be attested
20 and dated by the commissioner, clerk or registrar.

21 (3) Upon receipt of any other voter registration
22 application, the commission shall make an entry of the date
23 received on the application. If the applicant does not reside
24 within the commission's county but resides elsewhere in this
25 Commonwealth, the commission shall forward the application
26 card to the proper commission and make a record of the
27 forwarding.

28 (b) Decision.--

29 (1) If the commission finds the official registration
30 application not properly completed, the application shall be

1 rejected. The commission should make reasonable efforts to
2 complete the registration before rejecting it for omissions
3 and inconsistencies. If the commission rejects an application
4 under this paragraph, it shall indicate "REJECTED" on the
5 application and state there the reason for rejection and
6 notify the applicant by first class nonforwardable mail,
7 return postage guaranteed.

8 (2) If the official registration application contains
9 the required information indicating that the applicant is
10 legally qualified to register as stated in the application,
11 the commission shall mail to the applicant a voter's
12 identification card in accordance with subsection (d)(1).

13 (3) For an application for a transfer of registration or
14 a change in address or name, if the application contains the
15 required information and the applicant is legally qualified
16 to transfer registration or change name or address as stated
17 in the application, the commission shall make the transfer or
18 change. If the commission suspects that the applicant is not
19 entitled to transfer registration or to change name or
20 address, the commission may investigate. If the commission
21 finds that the applicant is not entitled to the transfer or
22 change, the application shall be rejected. The applicant
23 shall be notified of the rejection and the reason for it.
24 Rejection shall be made no later than ten days before the
25 election succeeding the filing of the application.

26 (c) Result.--If an application is designed to serve as a
27 registration card, the accepted application of an elector may
28 serve as the elector's official registration card, if it was so
29 designed, and shall be filed in the office of the commission in
30 accordance with Chapter 7. If the application is not designed to

1 serve as a registration card, the information contained on the
2 application, including the elector's signature, shall be
3 transferred to the registration card. If a commission utilizes a
4 signature digitization list, it shall transfer all information
5 contained on the application, including the signature, to the
6 registry or, until the registry is established, to a computer
7 file. Applicants for registration shall be challenged under
8 section 529.

9 (d) Disposition.--

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

- 16 (i) Name and address of the elector.
- 17 (ii) Name of municipality.
- 18 (iii) Identification of elector's ward and district.
- 19 (iv) Effective date of registration.
- 20 (v) Designation of party enrollment and date of
21 enrollment.
- 22 (vi) A space for the elector's signature or mark.
- 23 (vii) A statement that the card relates only to the
24 time of issuance of the card and is not of itself
25 evidence or proof of the qualifications of the elector to
26 vote at an election or proof of identification for
27 purposes of applying for or receiving general assistance
28 and that it is not necessary to present the card when
29 voting. The statements required by this subparagraph
30 shall be placed on the reverse side of the card from

1 where all of the other information required by this
2 paragraph is placed.

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

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

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

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

28 Date

29 Office of the Registration Commission

30 County, Pennsylvania

Cancellation of Previous Registration

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

.....

Chief Clerk

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

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

(1) Initial and date the receipt of the application.

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

(i) Whether the application is complete.

(ii) Whether the applicant is a qualified elector.

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

1 record.

2 (iv) Whether the applicant is entitled or qualified
3 to receive the requested transfer or change, if
4 applicable.

5 (b) Decision.--A commission shall do one of the following:

6 (1) Forward application.--Record and forward a voter
7 registration application to the proper commission if the
8 commission finds during its examination under subsection (a)
9 that the applicant does not reside within the commission's
10 county but resides elsewhere in this Commonwealth.

11 (2) Reject application.--Reject a voter registration
12 application, indicate the rejection and the reasons for the
13 rejection on the application and notify the applicant by
14 first class nonforwardable mail, return postage guaranteed of
15 the rejection and the reason if the commission finds during
16 its examination under subsection (a) any of the following:

17 (i) The application was not properly completed and
18 after reasonable efforts by the commission to ascertain
19 the necessary information, the application remains
20 incomplete or inconsistent.

21 (ii) The applicant is not a qualified elector.

22 (iii) The applicant is not entitled to a transfer of
23 registration or a change of address.

24 (iv) The applicant is not legally qualified to a
25 change of name.

26 A rejection shall be made no later than ten days before the
27 election succeeding the filing of the application.

28 (3) New applicant registration.--Process a voter
29 registration application in accordance with subsection (c) if
30 the commission finds during its examination under subsection

1 (a) all of the following:

2 (i) The application requests registration.

3 (ii) The application contains the required
4 information indicating that the applicant is qualified
5 elector of the county.

6 (4) Update existing registration.--Process a voter
7 registration application in accordance with subsection (c)
8 and update its registration records if the commission finds
9 during its examination under subsection (a) all of the
10 following:

11 (i) The application requests registration.

12 (ii) The application contains the required
13 information indicating that the applicant is a qualified
14 elector of the county.

15 (iii) The applicant is currently a registered
16 elector of the county.

17 (5) Transfer existing registration.--Process a voter
18 registration application in accordance with subsection (c)
19 and request transfer of registration records in accordance
20 with subsection (d) if the commission finds during its
21 examination under subsection (a) all of the following:

22 (i) The application requests registration.

23 (ii) The application contains the required
24 information indicating that the applicant is a qualified
25 elector of the county.

26 (iii) The applicant is currently a registered
27 elector of another county.

28 (6) Transfer request.--Process a voter registration
29 application in accordance with subsection (c) and request
30 transfer of registration records in accordance with

1 subsection (d) if the commission finds during its examination
2 under subsection (a) all of the following:

3 (i) The application requests a transfer of
4 registration.

5 (ii) The application contains the required
6 information indicating that the applicant is a qualified
7 elector of the county.

8 (iii) The applicant is currently a registered
9 elector of another county.

10 (7) Change of address request.--Process a voter
11 registration application in accordance with subsection (c)
12 and update its registration if the commission finds during
13 its examination under subsection (a) all of the following:

14 (i) The application requests a change of address.

15 (ii) The application contains the required
16 information indicating that the applicant is a qualified
17 elector of the county.

18 (iii) The applicant is currently a registered
19 elector of the county.

20 (8) Change of name request.--Process a voter
21 registration application in accordance with subsection (c)
22 and update its registration records if the commission finds
23 during its examination under subsection (a) all of the
24 following:

25 (i) The application requests a change of name.

26 (ii) The applicant is legally qualified to a change
27 of name.

28 (iii) The application contains the required
29 information indicating that the applicant is a qualified
30 elector of the county.

1 (iv) The applicant is currently a registered elector
2 of the county.

3 (c) Processing of voter registration.--

4 (1) When a commission has accepted a voter registration
5 application under subsection (b)(3), the commission shall
6 assign each applicant a unique identification number in the
7 SURE system. The commission shall mail a wallet-sized voter's
8 identification card to the individual by first class
9 nonforwardable mail, return postage guaranteed, which shall
10 serve as notice of the acceptance of the application. The
11 card shall contain all of the following:

12 (i) Name and address of the individual.

13 (ii) Name of municipality of residence.

14 (iii) Identification of the individual's ward and
15 district.

16 (iv) The effective date of registration.

17 (v) Designation of party enrollment and date of
18 enrollment.

19 (vi) A space for the individual's signature or mark.

20 (vii) The unique identification number of the
21 individual.

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

27 (2) When a commission has accepted a voter registration
28 application under subsection (b)(4), (5), (6), (7) or (8),
29 the commission shall mail a wallet-sized voter's
30 identification card to the individual by first class

nonforwardable mail, return postage guaranteed, which shall serve as notice of the acceptance of the application. The card shall contain all of the following:

(i) Name and address of the individual.

(ii) Name of municipality of residence.

(iii) Identification of the individual's ward and district.

(iv) The effective date of registration.

(v) Designation of party enrollment and date of enrollment.

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

(vii) The SURE registration number of the individual.

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

(3) An envelope containing a voter identification card shall be marked on the outside with a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given.

(4) (i) If an envelope containing a voter identification card has been mailed in accordance with paragraphs (1) and (3) and has not been returned to the commission by the postmaster within ten days from the date it was mailed, the individual shall be deemed a registered elector of the county and the commission shall enter the individual's registration information in the general register. The unique identification number shall

1 be entered as the registered elector's SURE registration
2 number. No person shall be deemed a registered elector of
3 the county until ten days after the voter identification
4 card has been mailed.

5 (ii) If an envelope containing a voter
6 identification card has been mailed in accordance with
7 paragraphs (2) and (3) and has not been returned to the
8 commission by the postmaster within ten days from the
9 date it was mailed, the individual shall be deemed a
10 registered elector of the county and the commission shall
11 enter the individual's registration information in the
12 general register. No person shall be deemed a registered
13 elector of the county until ten days after the voter
14 identification card has been mailed.

15 (5) If an envelope containing a voter identification
16 card is returned by the postmaster because the envelope is
17 undeliverable at the given address, the commission shall
18 investigate. If the commission finds that the individual is
19 not qualified to register from the address, the commission
20 shall reject the application and shall notify the individual
21 by first class forwardable mail of this action.

22 (d) Transfer of registration records.--

23 (1) If during application an individual discloses that
24 the individual is a registered elector of another county, the
25 commission of the individual's new county of residence shall
26 direct a cancellation notice to the commission of the
27 individual's former county of residence in accordance with
28 regulations promulgated under this act.

29 (2) Upon receipt of a notice transmitted in accordance
30 with paragraph (1), the commission of the individual's former

1 county of residence shall investigate. If the commission
2 finds that the individual is a registered elector of the
3 county, the commission shall verify the address change with
4 the registered elector in accordance with this act. Upon
5 verifying that the registered elector has moved to another
6 county of residence, the commission shall cancel the
7 registered elector's registration, transfer a copy of the
8 canceled registration record to the commission of the
9 registered elector's new county of residence and retain a
10 record of the transfer. The commission of both counties shall
11 promptly update information contained in their registration
12 records.

13 (e) Challenges.--All challenges to applications for
14 registration shall be made as provided in section 529.

15 Section 11. The act is amended by adding a section to read:
16 Section 528.1. SURE registration number.

17 Each registered elector shall be assigned a single and unique
18 SURE registration number in accordance with sections 528 and
19 913. Once assigned, a SURE registration number shall not be
20 changed, modified or altered.

21 Section 12. Section 701 of the act is amended to read:
22 Section 701. General register.

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

- 25 (1) The ward and election district of residence.
- 26 (2) The registered elector's street address.
- 27 (3) Data required to be given upon removal from the
28 registered elector's residence.
- 29 (4) The date of each election at which the registered
30 elector votes.

1 (5) The digitized or electronic signature of the
2 registered elector.

3 (6) The SURE registration number.

4 (7) Whether the registered elector needs assistance to
5 vote and, if so, the nature of the disability.

6 (b) District register.--The general register shall be used
7 by the commission to prepare the district register.

8 (c) SURE system.--After a commission is connected to the
9 SURE system, the general register of the commission shall
10 consist of the registration information contained on the SURE
11 system as maintained by the commission.

12 [(a) Original registration cards.--If]

13 (d) Registration cards.--Before a commission is connected to
14 the SURE system, if a commission uses the original registration
15 cards for registered electors in the county as the district
16 register, the duplicate registration cards or photocopies of the
17 original registration cards shall be placed in exact
18 alphabetical order by last name of the registrant, shall be
19 indexed and shall be kept at the office of the registration
20 commission in a manner as to be properly safeguarded. These
21 cards constitute the general register of the county. They may
22 not be removed from the office of the commission except upon
23 order of a court of record. Nothing in this act shall preclude
24 the use of duplicate registration cards from applications
25 provided under the act of March 30, 1937 (P.L.115, No.40), known
26 as The First Class City Permanent Registration Act, or the act
27 of April 29, 1937 (P.L.487, No.115), known as The Permanent
28 Registration Act for Cities of the Second Class, Cities of the
29 Second Class A, Cities of the Third Class, Boroughs, Towns, and
30 Townships.

1 [(b)] (e) Digitized signature lists.--[If] Before a
2 commission is connected to the SURE system, if a commission uses
3 digitized signature lists as the district register, the original
4 registration cards shall be placed in exact alphabetical order
5 by last name of the registrant, indexed and kept at the office
6 of the commission in a manner as to be properly safeguarded.
7 These original cards constitute the general register of the
8 county. They may not be removed from the office of the
9 commission except upon order of a court of record. The
10 commission shall safely retain all registration cards used in
11 the registration of electors or in conducting an election. If a
12 commission has the capability to accept an electronic
13 application, the secretary may require the commission to produce
14 a computer-generated card to file in the general register. If
15 the commission finds a record for a registrant on the computer
16 data base which is not contained in the general register, it
17 shall replace the original card with a computer-generated
18 duplicate card upon written permission from the registrant or
19 upon order of a court of record.

20 [(c)] (f) Duplicate files.--[If] Before a commission is
21 connected to the SURE system, if the commission deems a
22 duplicate file of registration cards necessary for
23 administrative purposes, the commission may prepare a
24 reproduction in compliance with the following:

25 (1) The registration form shall be photographed,
26 microphotographed or reproduced in a manner approved for
27 permanent records by the secretary.

28 (2) The device used to reproduce the card is one which
29 accurately reproduces the original in all details.

30 (3) The photographs, microphotographs or other

1 reproductions are open to public inspection and provision is
2 made for preserving, examining and using them.

3 Section 13. Sections 702, 703, 704 and 705 of the act are
4 amended to read:

5 Section 702. District registers.

6 (a) Registration card file.--

7 (1) Except as provided in subsection (b) and in section
8 [701(b)] 701(e), the original registration cards shall be
9 filed by election districts in exact alphabetical order by
10 last name of the registrant and shall be indexed.

11 (2) The cards constitute the district register.

12 (3) The commission shall provide binders, which are
13 capable of being locked, for filing and indexing the
14 registration cards. The keys to the binders shall at all
15 times be retained by the commission.

16 (4) The district register shall be kept at the office of
17 the commission, except as provided in subsection (b), and
18 shall be open to public inspection, subject to reasonable
19 safeguards and regulations.

20 (b) Computer lists.--

21 (1) [Instead] Before a commission is connected to the
22 SURE system, instead of using registration cards as the
23 district register as provided in subsection (a), a commission
24 may use a computer list or computer-generated cards
25 containing the registered electors arranged by election
26 district, alphabetically by last name of the registrant.

27 [(2)] The computer list or computer-generated cards must
28 be in a form prescribed by the secretary and must contain
29 necessary information that would otherwise be available on
30 the registration cards, including a legible digitized

1 signature of the registrant copied from the signature on the
2 registration card. The district election officials shall have
3 computer printouts at the polling places containing the
4 necessary information needed to verify the identity of the
5 elector. The digitized signature list shall be open to public
6 inspection, subject to reasonable safeguards, rules and
7 regulations.

8 (2.1) After a commission is connected to the SURE
9 system, each commission shall create from its general
10 register a computer list to be used as the district register.
11 For each election district, the list shall contain the names
12 of the registered electors of the election district,
13 alphabetically by last name of each registered elector. Each
14 page of the list shall contain the name of the county, the
15 election district, the date of the election and the date and
16 time the list was prepared. The computer list shall be in a
17 form prescribed by the secretary and must contain necessary
18 information that would otherwise be available in the general
19 register, including a legible digitized or electronic
20 signature, the street address and political party of each
21 registered elector, and suitable space for insertion of the
22 signature of the registered elector and for insertion by the
23 proper election official of the number and letter of the stub
24 of the ballot issued to the registered elector or the
25 registered elector's number in the order of admission to the
26 voting systems and the initials of the election official who
27 enters the record of voting in the district register and
28 whether the elector needs assistance to vote and, if so, the
29 nature of the disability. The district register shall be kept
30 at the office of the commission and shall be open to public

1 inspection, subject to reasonable safeguards, rules and
2 regulations.

3 (3) [A] Before connection to the SURE system, a
4 commission may, during systems conversion periods or
5 emergency conditions, provide for a district register
6 containing the original registration cards. The following
7 apply:

8 (i) The original registration cards shall be filed
9 by election district, in one of the following orders, as
10 determined by the commission:

11 (A) Exact alphabetical order by last name of
12 registrant.

13 (B) Order in which registrants' residences
14 appear upon the streets of the election district, in
15 exact alphabetical order by last name of registrant
16 for each residence.

17 (ii) The district register containing registration
18 cards shall be kept at the office of the commission and
19 shall be open for public inspection, subject to
20 reasonable safeguards and regulations and to the
21 provisions of this act.

22 (c) [Currency] Accuracy.--It is the duty of the commission
23 to compare and correct the general register and district
24 registers to ensure their accuracy. By noon of the third day
25 preceding an election, the commission shall [have] correct the
26 district register for each election district [and the registry
27 accurately corrected to date] consistent with the information
28 contained in the general register.

29 (d) Delivery.--The commission shall deliver, in the manner
30 required by law for delivery of election materials, the district

1 register to the election officers for use on election day.

2 (e) Form.--District registers shall be enclosed within a
3 case or container and shall be locked and sealed by the
4 commission before delivery. The district register shall have
5 printed or written thereon the words "District Register of
6 [Voters] Electors" and the district and ward, if any.

7 (f) Examination.--Immediately following each election, the
8 commission shall cause each district register to be examined.
9 The commission specifically shall compare the signature of each
10 elector on each voter's certificate with his signature in the
11 district register and shall report in writing to the district
12 attorney any evidence or indication of probable fraud,
13 impersonation or forgery which may appear to the commission by
14 reason of the comparison. In the case of any elector whom the
15 election officers shall have recorded as removed, deceased, or
16 challenged and prevented from voting, the commission shall
17 ascertain the facts and shall correct the general and district
18 registers in accordance with Chapter 9.

19 Section 703. Street lists.

20 (a) Preparation.--Commencing not later than the 15th day
21 prior to each election, [the registration] each commission shall
22 prepare for each election district a list of the names and
23 addresses of all registered electors as of that date resident in
24 the district. The list may not include the digitized or
25 electronic signature of a registered [voter] elector. The list
26 shall be arranged in one of the following manners:

27 (1) By streets and house numbers.

28 (2) Alphabetically by last name of [registrant] each
29 registered elector.

30 (3) In a manner whereby the location of the elector's

1 residence can be identified.

2 (b) Copies.--The commission shall retain two copies of the
3 list under subsection (a) on file at its office and forward one
4 copy of the list under subsection (a) to the department. These
5 copies shall be available for public inspection during business
6 hours, subject to reasonable safeguards and regulations.

7 (c) Distribution.--The department and each commission shall
8 distribute the list under subsection (a) upon request as
9 follows:

10 (1) To officials concerned with the conduct of
11 elections.

12 (2) To political parties and political bodies.

13 (3) To candidates.

14 (d) Organizations.--The commission may, for a reasonable fee
15 [approved by the secretary], distribute the list under
16 subsection (a), to organized bodies of citizens.

17 Section 704. Public information lists.

18 (a) Establishment.--

19 (1) The [registration] commission shall provide for
20 computer inquiries concerning individual registered [voters]
21 electors. With respect to each [voter] registered elector who
22 is the subject of an inquiry, the information provided shall
23 contain the name, address, date of birth and voting history.
24 Upon request, the commission shall supply a printed record
25 for each such [voter] elector subject to the provisions of
26 this act. In addition, the commission may make available for
27 inspection a printed or computerized public information list
28 containing the name, address, date of birth and voting
29 history of each registered [voter] elector in the county.

30 (2) The list may also include information on voting

1 districts.

2 (3) The list may not contain the digitized or electronic
3 signature or SURE registration number of the registered
4 elector.

5 (b) Access.--

6 (1) The secretary may promulgate reasonable regulations
7 governing access to the list.

8 (2) No individual inspecting the list may tamper with or
9 alter it.

10 (3) No individual who inspects the list or who acquires
11 names of registered [voters] electors from the list may use
12 information contained in the list for purposes unrelated to
13 elections, political activities or law enforcement. Before
14 inspecting the list or obtaining names of [voters] registered
15 electors or other information from the list, the individual
16 must provide identification to the public official having
17 custody of the public information list and must state in
18 writing that any information obtained from the list will not
19 be used for purposes unrelated to elections, political
20 activities or law enforcement.

21 (c) Copies.--

22 (1) The commission shall provide paper copies of the
23 public information lists and may provide copies in some other
24 form to any [voter] registered elector in this Commonwealth
25 within ten days of receiving a written request accompanied by
26 payment of the cost of reproduction and postage. The cost of
27 the copies shall be determined by the office providing
28 copies.

29 (2) An individual who inspects or acquires a copy of a
30 public information list may not use any information contained

1 in it for purposes unrelated to elections, political
2 activities or law enforcement.

3 Section 705. Retention of records.

4 (a) Computer lists.--Each commission shall preserve
5 [computer lists used as] district registers for at least five
6 years in the manner, form and time frame established by the
7 department.

8 (b) Records.--

9 (1) The department and each commission shall preserve
10 for two years and shall make available for public inspection
11 and, where available, photocopying at a reasonable cost all
12 records concerning the implementation of programs and
13 activities conducted for the purposes of ensuring the
14 accuracy and currency of official lists of [eligible voters]
15 registered electors, except to the extent that the records
16 relate to a declination to register to vote or to the
17 identity of a voter registration agency through which any
18 particular [voter] qualified elector is registered.

19 (2) The records preserved under paragraph (1) shall
20 include lists of the names and addresses of all [individuals]
21 electors to whom notices described in section 901 are sent,
22 and information concerning whether or not the individual has
23 responded to the notice as of the date that inspection of the
24 record is made.

25 (c) Original and existing records.--After a commission is
26 connected to the SURE system, the registration cards and
27 applications utilized under this act, under prior versions of
28 this act under the former act of March 30, 1937 (P.L.115,
29 No.40), known as The First Class City Permanent Registration
30 Act, or under the former act of April 29, 1937 (P.L.487,

No.115), known as The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships, shall be placed in alphabetical order by last name of the registered elector, indexed and kept at the office of the commission in a manner as to be properly safeguarded. They may not be removed from the office of the commission except upon order of a court of record. The commission shall safely retain all registration cards used in the registration of registered electors for a period of five years after connection at which time they may be destroyed.

Section 14. Sections 901, 902 and 903 of the act, amended June 25, 2001 (P.L.674, No.61), are amended to read:

Section 901. Removal notices.

(a) Form.--

(1) The commission shall make removal notices available to electors who are registered in the county.

(2) The notice shall be printed upon cards suitable for mailing, addressed to the office of the commission. The notice shall provide the following information:

(i) The address of present residence, including municipality.

(ii) The address of last registration, including municipality.

(iii) Date of removal to present residence.

(iv) Signature.

(3) The notice shall contain a statement that the registered elector may, by filling out properly and signing a removal notice and returning it to the office of the commission, secure the transfer of registration effective as to elections at least 30 days after the date of removal into

1 the new district.

2 (4) The notice shall contain a warning to the registered
3 elector that the notice will not be accepted as an
4 application for transfer of the elector's registration unless
5 the signature thereon can be identified by the commission as
6 the elector's signature as it appears on file with the
7 commission.

8 (5) The notice shall contain a warning to the registered
9 elector that the notice must be received by the commission
10 not later than 30 days before the election. If mailed, the
11 notice 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.

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

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

27 (2) [An] A registered elector who removes residence from
28 one place to another within the same county and who has not
29 yet filed a removal notice with the commission shall be
30 permitted to vote once at the elector's former polling place

1 following removal if, at the time of signing the voter's
2 certificate, the elector files with the judge of election a
3 signed removal notice properly filled out. Removal notices
4 under this paragraph shall be returned to the commission with
5 the voting check list, and the commission shall proceed to
6 transfer the registration of the electors under section 902
7 and shall promptly update information contained in its
8 registration records. [An] A registered elector may vote in
9 the election district of the elector's former residence no
10 more than one time following the elector's removal.

11 (3) A registered elector who removes residence from one
12 county to another county and who is not registered to vote in
13 the new county of residence shall be permitted to vote in the
14 election district in the former county of residence if, at
15 the time of signing the elector's certificate, the elector
16 files with the judge of election a signed affirmation
17 declaring the elector's new residence. [An] A registered
18 elector may vote in the election district of the elector's
19 former residence no more than one time following the
20 elector's removal. Affirmations made under this paragraph
21 shall be returned to the commission of the elector's former
22 county of residence with the voting checklist, and that
23 commission shall proceed to transfer the registration of the
24 elector under section 902. Upon receipt of the transfer
25 notice, the commission of the elector's new county of
26 residence shall immediately process the transfer of the
27 elector in accordance with section [528(d)(3)] 528. Both
28 commissions shall promptly update information contained in
29 their registration records.

30 Section 902. Transfer of registration.

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

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

7 (2) If the signature appears authentic, the commission
8 shall enter the change of residence [on the registration card
9 of the elector in the general register and district register
10 and shall transfer the registration card of the elector from
11 the district register of the election district of previous
12 residence to the district register of the election district
13 of new residence] on the registered elector's registration
14 records.

15 (3) If a request for transfer which is determined to be
16 authentic under paragraph (2) shows a removal within the
17 period of 30 days preceding an election, the commission,
18 after such election, shall enter the change of residence [on
19 the registration card of the elector in the general register
20 and district register and shall transfer the registration
21 card of the elector from the district register of the
22 election district of previous residence] on the registered
23 elector's registration records. The commission shall advise
24 the registered elector promptly in writing of its action.

25 (4) When a registered elector has filed with a
26 commission a notice that the elector has moved from the
27 county to another county, if the signature appears authentic,
28 the commission shall enter the change of residence on the
29 elector's registration records, cancel the registration of
30 the elector and notify the commission of the elector's new

1 county of residence to register the elector. Upon receipt of
2 the transfer notice, the commission of the elector's new
3 county of residence shall immediately process the transfer of
4 the elector in accordance with section [528(d)(3)] 528.

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

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

17 (b) Electors unable to write.--[An] A registered elector who
18 is unable to sign the notification document may affix a mark to
19 the notification document. The mark must be affixed in the
20 presence of a witness who must sign the notification document.

21 Section 903. Change of enrollment of political party.

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

1 on file with the commission, the commissioner, registrar or
2 clerk shall make the change in [the general register and
3 district register. The commission shall also promptly update the
4 information contained in] its registration records. If supported
5 by other evidence of identity, a mark may be made in lieu of a
6 signature by [an] a registered elector who is unable to write.
7 The mark must be made in the presence of a witness who must sign
8 the registration application.

9 Section 15. The act is amended by adding a section to read:

10 Section 913. Conversion of registration records.

11 The department shall convert the registration records of each
12 commission in accordance with section 322. In converting the
13 registration records of each commission, the department shall
14 assign each registered elector a SURE registration number which
15 the commission shall add to the registration records of the
16 registered elector.

17 Section 16. Sections 1301(a), 1502, 1505, 1507(a), 1509,
18 1511, 1512 and 1701 of the act are amended to read:

19 Section 1301. Court of common pleas.

20 (a) Standing.--The following have standing to appeal an
21 action of a [registration] commission to the appropriate court
22 of common pleas:

23 (1) An [individual] applicant whose claim for
24 registration has been denied.

25 (2) An individual whose registration has been canceled
26 by the commission.

27 (3) A qualified elector of a municipality whose rights
28 are impaired by any general order made by the commission.

29 * * *

30 Section 1502. Registration.

1 (a) Improper.--A registrar, commissioner or clerk who
2 knowingly registers or permits the registration of an
3 [individual] applicant not lawfully entitled to be registered
4 commits a misdemeanor of the first degree and shall, upon
5 conviction, be sentenced to pay a fine of not more than \$10,000
6 or to imprisonment for not more than five years, or both.

7 (b) Denial.--A registrar, commissioner or clerk who, without
8 reasonable cause, refuses to register [an individual] a
9 qualified elector lawfully entitled to be registered commits a
10 misdemeanor of the first degree and shall, upon conviction, be
11 sentenced to pay a fine of not more than \$10,000 or to
12 imprisonment for not more than five years, or both.

13 Section 1505. Votes.

14 (a) Prohibition.--An election officer may not do any of the
15 following:

16 (1) Knowingly refuse the vote of a registered [and
17 qualified] elector.

18 (2) Knowingly accept the vote of [a person] an
19 individual not registered under this act. This paragraph does
20 not apply to a person in actual military service or [a
21 person] an individual having an order of court.

22 (3) Knowingly receive a vote from a person falsely
23 claiming to be a registered [voter] elector.

24 (b) Penalty.--A person who violates subsection (a) commits a
25 misdemeanor of the first degree and shall, upon conviction, be
26 sentenced to pay a fine of not more than \$10,000 or to
27 imprisonment for not more than five years, or both.

28 Section 1507. Official documents and electronic records.

29 (a) Prohibition.--A person may not do any of the following:

30 (1) Intentionally insert or permit to be inserted a

1 material entry in any registration card, the SURE system,
2 street list, affidavit, petition, subpoena, certificate,
3 report or other record, authorized or required by this act to
4 be made or prepared for a purpose set forth in this act,
5 which entry is not in accordance with this act.

6 (2) Intentionally materially alter or intentionally
7 destroy an entry which has been made in any registration
8 card, the SURE system, street list, affidavit, petition,
9 subpoena, certificate, report or other record, authorized or
10 required by this act to be made or prepared for a purpose set
11 forth in this act, which alteration or destruction is not in
12 accordance with this act.

13 (3) Remove a record from lawful custody with the intent
14 to prevent the record from being used, inspected or copied.

15 (4) Access the SURE system, its component parts, or any
16 other official documents or records without lawful
17 authorization or with the intent to publicize or otherwise
18 unlawfully misuse the equipment or information contained
19 therein.

20 * * *

21 Section 1509. Law enforcement assistance.

22 A law enforcement officer who, upon demand of any
23 commissioner or inspector of registration, or of the secretary,
24 fails to render demanded assistance in the maintenance of peace
25 and in the making of arrests without warrant as provided in this
26 act or who intentionally hinders or attempts to hinder any
27 commissioner or inspector of registration in the performance of
28 a duty commits a misdemeanor of the second degree and shall,
29 upon conviction, be sentenced to pay a fine of not more than
30 \$5,000 or to imprisonment for not more than two years, or both.

1 Section 1511. Preventing registration.

2 (a) Prohibition.--No person may do any of the following:

3 (1) Knowingly and intentionally prevent [an individual]
4 an applicant who is a qualified elector from being
5 registered.

6 (2) By coercion, threats of bodily injury or
7 intimidation, intentionally prevent or attempt to prevent [an
8 individual] an applicant who is a qualified elector from
9 being registered or a registered elector from changing
10 political enrollment in accordance with the provisions of
11 this act.

12 (3) Intentionally give or promise or offer to give money
13 or goods to an individual as an inducement for the individual
14 to enroll in a particular party or for a registrant to change
15 political enrollment.

16 (4) Prevent a record from being used, inspected or
17 copied.

18 (b) Penalty.--A person who violates subsection (a) commits a
19 misdemeanor of the first degree and shall, upon conviction, be
20 sentenced to pay a fine of not more than \$10,000 or to
21 imprisonment for not more than five years, or both.

22 Section 1512. Approval of registration.

23 (a) Prohibition.--A person may not do any of the following:

24 (1) Intentionally alter a party designation [on a
25 registration card under section 528(c)] without a request
26 from the registered elector.

27 (2) Intentionally fail to make a transmission under
28 section [528(d)] 528.

29 (b) Penalty.--A person who violates subsection (a) commits a
30 misdemeanor of the third degree and shall, upon conviction, be

1 sentenced to pay a fine of \$2,500 or to imprisonment for not
2 more than one year, or both.

3 Section 1701. Attorney General.

4 (a) Investigation.--The secretary shall investigate alleged
5 violations of sections 523 and 525 and report apparent
6 violations to the Attorney General.

7 (b) Prosecution.--Under section 205(a)(6) of the act of
8 October 15, 1980 (P.L.950, No.164), known as the Commonwealth
9 Attorneys Act, the Attorney General shall have prosecutorial
10 jurisdiction over violations reported under subsection (a).

11 (c) Notifications.--The Attorney General shall notify the
12 State Treasurer in accordance with section 1704(b) if the
13 secretary fails to notify the State Treasurer as required by
14 section 1703(b).

15 Section 17. Sections 1703, 1704, 1901, 1902 and 1904 of the
16 act, amended or added June 25, 2001 (P.L.674, No.61), are
17 amended to read:

18 Section 1703. Power of department.

19 (a) General rule.--The department shall have the authority
20 to take any actions, including the authority to audit the
21 registration records of a commission, which are necessary to
22 ensure compliance and participation by the [counties.]
23 commissions.

24 (b) Notifications.--The secretary shall notify the State
25 Treasurer to withhold funds in accordance with section 1704(b)
26 if a commission fails or refuses to comply with the provisions
27 of this act.

28 Section 1704. Relief.

29 (a) Injunctive.--In the event that a commission fails to
30 adhere to any provision of this act, the secretary is authorized

1 to seek declaratory and injunctive relief in Commonwealth Court.

2 (b) Withholding of appropriations.--In accordance with
3 sections 1701 and 1703 and in addition to any remedy provided in
4 subsection (a), the State Treasurer shall, upon notification,
5 withhold any part or all of the State appropriations to which a
6 county is entitled, including funding for the court of common
7 pleas but excluding funding for human services, if the
8 commission of the county fails or refuses to comply with the
9 provisions of this act.

10 Section 1901. Removal of [voters] electors.

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

19 (1) At the request of the elector.

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

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

23 (4) Under a voter removal program as provided for under
24 subsection (b) and in compliance with the National Voter
25 Registration Act of 1993 (Public Law 103-31, 42 U.S.C. §
26 1973gg et seq.).

27 (b) Voter removal program.--

28 (1) [The] Each commission shall establish a program to
29 identify registered electors whose address may have changed
30 by establishing one of the following programs:

1 (i) National change of address. The secretary shall
2 establish by regulation a program whereby information
3 supplied by the United States Postal Service through its
4 licensees is used on a periodic basis, but not less than
5 once every calendar year, to identify registered electors
6 who may have changed addresses. The information shall be
7 incorporated in the SURE system and shall be forwarded to
8 the commissions in a manner determined by the secretary
9 by regulation.

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

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

26 (ii) Confirmation mailing:

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

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

5 (2) In conjunction with and not as an alternative to a
6 program established under paragraph (1), a commission may use
7 a canvass [may be used] as follows:

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

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

18 (iii) The commission shall leave at the address of
19 each [person] registered elector referred to in
20 subparagraph (ii) a notice requiring him to communicate
21 with the commission on or before a date which the
22 commission shall designate, and which shall be not less
23 than seven days and not more than 15 days from the date
24 of the notice and in any case not later than the 15th day
25 preceding the election next ensuing, and satisfy the
26 commission of his qualifications as an elector. The
27 commission shall cause a confirmation of each such notice
28 to be sent by mail promptly to [such person] the
29 registered elector at the address from which he is
30 registered. The envelope containing such information is

1 to be plainly marked that it is not to be forwarded. At
2 the expiration of the time specified in the notice, the
3 commission shall cancel the registration of [such person]
4 the registered elector who has not communicated with the
5 commission and proved his qualifications as [an] a
6 registered elector.

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

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

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

27 (4) [Commissions] A commission shall complete, not later
28 than 90 days before each [primary] municipal or general
29 election, at least once per year the voter removal programs
30 under this section and shall promptly update information

1 contained in its registration records. This paragraph shall
2 not be construed to preclude any of the following:

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

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

7 (c) Identification of inactive [voters] electors.--A
8 commission shall mark an "I" on the registration [card] records
9 of each registered elector who has been mailed a form under
10 subsection (b)(1) or (3) and has failed to respond, which shall
11 be included with all other registration [cards] records for that
12 polling site and located at the [individual's] elector's polling
13 site on the day of the election. The commission shall promptly
14 update the information contained in its registration records.

15 (d) Cancellation of registration.--

16 (1) A commission shall not cancel the registration of
17 [an] a registered elector on the ground that the registered
18 elector has changed residence unless any of the following
19 apply:

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

23 (ii) The registered elector:

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

26 (B) has not voted nor appeared to vote and, if
27 necessary, corrected the commission's record of the
28 elector's address, in an election during the period
29 beginning on the date of the notice and ending on the
30 day after the date of the second general election for

1 Federal office that occurs after the date of the
2 notice.

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

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

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

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

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

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

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

7 (a) Same county.--

8 (1) [An] A registered elector who has moved from an
9 address in the county covered by a polling place to an
10 address covered by the same polling place shall,
11 notwithstanding failure to notify the commission prior to the
12 date of an election, be permitted to vote in that polling
13 place upon written affirmation by the elector of the change
14 of address before an election official at that polling place.

15 (2) [An] A registered elector who has moved from one
16 address in the county to another address in the same county
17 covered by a different polling place and who has failed to
18 notify the commission of the change of address prior to the
19 date of an election shall be permitted to correct the voting
20 records and vote at the elector's former polling place upon
21 written affirmation by the elector of the new address before
22 an election official at the former polling place.

23 (b) Different county.--[An] A registered elector who has
24 moved from one county to another county and who has failed to
25 notify the commission of the change of address prior to the date
26 of the election shall be permitted to correct the voting records
27 and vote at the elector's former polling place upon written
28 affirmation by the elector of the new address before an election
29 official at the former polling place. Upon receipt of the
30 written affirmation, the commission shall follow the procedures

1 in this act for change of address to a new county and shall
2 update information contained in its registration records.
3 Section 1904. Files.

4 (a) Cancellation.--If the registration of [an] a registered
5 elector is canceled, the [registration] commission shall mark on
6 [the] all registration [cards] records of the elector the word
7 "canceled" and the date and cause of cancellation. The
8 commission shall remove [the card from the general register and
9 the district register] any registration records pertaining to
10 the elector. Removed [cards] records shall be retained separate
11 from registered electors for five years. The commission shall
12 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] registered
16 elector may be destroyed by the commission three years from the
17 date the commission marks them as nonessential.

18 Section 18. The Secretary of the Commonwealth shall
19 promulgate regulations to establish and implement the SURE
20 system in accordance with section 322 and to implement this act.
21 The promulgation of regulations under this section shall be
22 exempt from:

23 (1) section 204(b) of the act of October 15, 1980
24 (P.L.950, No.164), known as the Commonwealth Attorneys Act;
25 and

26 (2) the act of June 25, 1982 (P.L.633, No.181), known as
27 the Regulatory Review Act.

28 Section 19. (1) The provisions of 62 Pa.C.S. shall apply to
29 the implementation of Ch. 3 Subch. B of the act except as
30 provided in this section.

1 (2) If a bidder or offeror, a prospective bidder or
2 offeror or a prospective contractor is aggrieved in
3 connection with the solicitation or award of the contract, he
4 may protest to the head of the purchasing agency in writing.

5 (3) If the protestant is a bidder or offeror or a
6 prospective contractor, the protest shall be filed with the
7 head of the purchasing agency within seven days after the
8 aggrieved bidder or offeror or prospective contractor knew or
9 should have known of the facts giving rise to the protest
10 except that in no event may a protest be filed later than
11 seven days after the date the contract was awarded. If the
12 protestant is a prospective bidder or offeror, a protest
13 shall be filed with the head of the purchasing agency prior
14 to the bid opening time or the proposal receipt date. If a
15 bidder or offeror, a prospective bidder or offeror, or a
16 prospective contractor fails to file a protest or files an
17 untimely protest, the bidder or offeror, the prospective
18 bidder or offeror, or the prospective contractor shall be
19 deemed to have waived its right to protest the solicitation
20 or award of the contract in any forum. Untimely filed
21 protests shall be disregarded by the purchasing agency.

22 (4) A protest shall state all grounds upon which the
23 protestant asserts the solicitation or award of the contract
24 was improper. The protestant may submit with the protest any
25 documents or information it deems relevant to the protest.

26 (5) Within 15 days of receipt of a protest, the
27 contracting officer may submit to the head of the purchasing
28 agency and the protestant a response to the protest,
29 including any documents or information he deems relevant to
30 the protest. The protestant may file a reply to the response

1 within ten days of the date of the response.

2 (6) The head of the purchasing agency or his designee
3 shall review the protest and any response or reply and may
4 request and review such additional documents or information
5 he deems necessary to render a decision, and may, at his sole
6 discretion, conduct a hearing. The head of the purchasing
7 agency or his designee shall provide to the protestant and
8 the contracting officer a reasonable opportunity to review
9 and address any additional documents or information deemed
10 necessary by the head of the purchasing agency or his
11 designee to render a decision.

12 (7) Upon completing an evaluation of the protest in
13 accordance with paragraph (6), the head of the purchasing
14 agency or his designee shall issue a written determination
15 stating the reasons for the decision. The determination shall
16 be issued within 60 days of the receipt of the protest unless
17 extended by consent of the head of the purchasing agency and
18 the protestant. The determination shall be the final order of
19 the purchasing agency. If the head of the purchasing agency
20 or his designee determines that the solicitation or award of
21 the contract was contrary to law, he may enter an order
22 authorized by 62 Pa.C.S. Ch. 17 Subch. D.

23 (8) Within 15 days of the mailing date of a final
24 determination denying a protest, a protestant may file an
25 appeal with the Commonwealth Court. Issues not raised by the
26 protestant before the purchasing agency are deemed waived and
27 may not be raised before the court.

28 (9) The record of determination for review by the court
29 shall consist of the solicitation or award; the contract, if
30 any; the protest and any response, reply or any additional

1 documents or information considered by the head of the
2 purchasing agency or his designee; the hearing transcript and
3 exhibits, if any; and the final determination.

4 (10) The court shall hear the appeal, without a jury, on
5 the record of determination certified by the purchasing
6 agency. The court shall affirm the determination of the
7 purchasing agency unless it finds from the record that the
8 determination is arbitrary and capricious, an abuse of
9 discretion or is contrary to law.

10 (11) If the determination is not affirmed, the court may
11 enter any order authorized by 42 Pa.C.S. § 706, provided,
12 that if the court determines that the solicitation or award
13 of the contract is contrary to law, then the remedy the court
14 shall order is limited to canceling the solicitation or award
15 and declaring void any resulting contract.

16 (12) In the event a protest is filed timely under this
17 section and until the time has elapsed for the protestant to
18 file a petition for review in Commonwealth Court, the
19 purchasing agency may elect not to proceed further with the
20 solicitation or with the award of the contract.

21 (13) This section shall be the exclusive procedure for
22 protesting a solicitation or award of the contract by a
23 bidder or offeror, a prospective bidder or offeror, or a
24 prospective contractor that is aggrieved in connection with
25 the solicitation or award of the contract. The provisions of
26 2 Pa.C.S. shall not apply to this section.

27 Section 20. Section 18 shall expire on December 31, 2002.

28 Section 21. This act shall take effect as follows:

29 (1) This section and sections 4, 18 and 19 of this act
30 shall take effect immediately.

1 (2) The remainder of this act shall take effect in 45
2 days.