

## 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

SENATOR LEMMOND, STATE GOVERNMENT, AS AMENDED, DECEMBER 10, 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 f(b) Advisory board.--

<—

2 (1) The secretary shall form an advisory board to  
3 [assist the department in determining and identifying the  
4 necessary 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.]

CONFER WITH THE DEPARTMENT REGARDING THE SURE SYSTEM.

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(2) THE ADVISORY BOARD SHALL BE COMPRISED OF FOUR DIRECTORS OF ELECTIONS WHO HAVE BEEN APPOINTED AS FOLLOWS:

(I) TWO DIRECTORS BY THE SENATE, ONE APPOINTED BY THE MINORITY LEADER AND ONE APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE.

(II) TWO DIRECTORS BY THE HOUSE OF REPRESENTATIVES, ONE APPOINTED BY THE MINORITY LEADER AND ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(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

1 records.

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

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

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

9 (6) Be the general register for a commission once the  
10 commission is connected to the SURE system.

11 (7) Permit each commission and the department to review  
12 and search the system and to permit the sending of notices to  
13 the appropriate officials regarding death, change of address  
14 or other information which could affect the qualifications of  
15 an applicant or the registration of a registered elector.

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

19 (9) Preserve the power of the commissions to make  
20 determinations as to the qualifications of applicants.

21 (10) Assign a unique SURE registration number to each  
22 qualified elector who becomes registered and record the  
23 registered elector in the general register of the appropriate  
24 commission.

25 (11) Permit auditing of each registered elector's  
26 registration record from the day of its creation until the  
27 day it is canceled.

28 (12) Permit the department to implement section  
29 1901(b)(1)(i).

30 (13) Permit the timely printing and transmission by



1 commissions of district registers and all other information  
2 contained in the system as may be necessary for the operation  
3 of the polling places on election days.

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

8 (d) Records.--Within 30 days of receiving notice from the  
9 department, each commission shall provide to the department, in  
10 the manner and form established by the department, an electronic  
11 copy of its registration records. Beginning 60 days after  
12 receiving notice in accordance with this subsection and  
13 continuing until the commission is connected to the SURE system,  
14 each commission shall provide monthly to the department, in the  
15 manner and form established by the department, an electronic  
16 copy of its general register. The provision of records in  
17 accordance with this subsection shall not be considered a part  
18 of the establishment or implementation of the SURE system.

19 (e) Implementation.--The department shall implement the SURE  
20 system as soon as possible. The department shall establish, by  
21 regulation, a schedule for each commission to be connected to  
22 the SURE system. Commissions shall be connected in an order  
23 which maximizes the accuracy, integrity and protection of  
24 registration records on a Statewide basis. Upon being connected,  
25 each commission shall be required to use the SURE system as its  
26 general register. Connection of the commissions shall commence  
27 no later than August 31, 2002, and shall be completed Statewide  
28 by January 1, 2005.

29 (f) Regulations.--The secretary shall promulgate regulations  
30 necessary to establish, implement and administer the SURE

1 system. Regulations shall include all of the following:

2       (1) Uniform procedures for the commissions relating to  
3 the SURE system, including the process and manner of entering  
4 information into the SURE system, the type and form of  
5 information to be entered, the process for identifying and  
6 removing duplicate registrations, the manner and time frame  
7 for updating information in the system and the manner and  
8 form of communications between commissions and between the  
9 department and a commission.

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

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

15       Section 5. The act is amended by adding a section to read:  
16 Section 323. SURE system costs.

17       The cost of establishment, implementation and maintenance of  
18 the SURE system technology and its emergency recovery system  
19 shall be borne by the Commonwealth.

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

22       Section 501. Qualifications to register.

23       (a) Eligibility.--[A qualified elector] An individual who  
24 will be at least 18 years of age on the day of the next  
25 election, who has been a citizen of the United States for at  
26 least one month prior to the next election and who has resided  
27 in this Commonwealth and the election district where the  
28 [qualified elector] individual offers to vote for at least 30  
29 days prior to the next ensuing election and has not been  
30 confined in a penal institution for a conviction of a felony

1 within the last five years shall be [entitled to be registered]  
2 eligible to register as provided in this chapter. [If an  
3 individual is qualified to vote in an election district prior to  
4 removal of residence, the individual may, if a resident of this  
5 Commonwealth, vote in the election district from which residence  
6 was removed within the 30 days preceding the election.]

7 \* \* \*

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

10 Section 522. In-person voter registration.

11 (a) General rule.--Applications may be submitted to register  
12 to vote or change party enrollment or name or address on current  
13 registration record in person before the [registration]  
14 commission or a commissioner, a registrar or a clerk at the  
15 office of the commission or at a place designated by the  
16 commission. The applicant shall be advised that any intentional  
17 false statement on the application constitutes perjury and will  
18 be punishable as such. The applicant shall provide the  
19 information required on the registration application and sign  
20 the registration declaration. The commission shall prepare and  
21 provide voter registration applications for the purpose of  
22 registering qualified electors in accordance with this section.  
23 Notwithstanding any other provision of this act, the commission  
24 may use a mail registration application for in-person  
25 registration. The commission shall mail the [voter's] qualified  
26 elector an identification card in accordance with section  
27 [527(a)(4)(v)] 528.

28 (b) Notice.--The commission shall, within a reasonable time,  
29 publicly announce the address of each place of registration, the  
30 address of each office of the commission established for the

1 registration of qualified electors other than its main office  
2 and the days and hours when the place or office is open for the  
3 registration of qualified electors. The announcement shall be  
4 made by posting notice at the place or office and at the  
5 commission's main office and by other means as the commission  
6 deems advisable.

7 \* \* \*

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

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

11 (a) General rule.--

12 (1) The Department of Transportation shall provide for  
13 simultaneous application for voter registration in  
14 conjunction with the process under 75 Pa.C.S. § 1510  
15 (relating to issuance and content of driver's license). An  
16 application under this subsection shall serve as an  
17 application to register to vote unless the applicant fails to  
18 sign the voter registration application. The secretary has  
19 the primary responsibility for implementing and enforcing the  
20 driver's license voter registration system created under this  
21 section. The secretary, in consultation with the Secretary of  
22 Transportation, may promulgate regulations for implementing  
23 this section.

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

28 (3) Any change of address submitted to the Department of  
29 Transportation for the purposes of driver licensing shall  
30 serve as notification of change of address for voter

1 registration for the registrant involved unless the  
2 registrant indicates that the change of address is not for  
3 voter registration purposes.

4 (b) Process.--

5 (1) The Department of Transportation shall provide for  
6 an application for voter registration as part of a driver's  
7 license application.

8 (2) The format of the driver's license/voter  
9 registration application shall be determined and prescribed  
10 by the secretary and the Secretary of Transportation.

11 (3) The voter registration application portion of the  
12 application shall contain all the requirements of an official  
13 voter registration application specified in section 527. The  
14 voter registration portion of the application:

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

18 (ii) may require only the minimum amount of  
19 information necessary to prevent duplicate voter  
20 registration, to enable the [registration] commission to  
21 assess the eligibility of the applicant and to administer  
22 voter registration and other parts of the election  
23 process.

24 (c) Transmission.--

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

30 (2) The department shall transmit the material to the

1 appropriate commission within ten days after the date of its  
2 receipt by the Department of Transportation. If a voter  
3 registration application is received by the Department of  
4 Transportation within five days before the last day to  
5 register before an election, the application shall be  
6 transmitted to the appropriate commission not later than five  
7 days after the date of its receipt by the Department of  
8 Transportation.

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

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

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

(i) [The] Before the Department of Transportation is connected to the SURE system, the Department of Transportation shall notify the [secretary] department of changes of address received under subsection (a)(3). The [secretary] department shall notify the commission of the county of the registrant's [prior] former residence. After the Department of Transportation is connected to the SURE system, the Department of Transportation shall notify the commission of the county of the registrant's former residence. If the registrant has moved to an address outside this Commonwealth, the commission shall verify the address change in accordance with section 1901. Except as provided in subparagraph (ii), if the registrant confirms in accordance with section 1901(d) that he has moved [outside of the] to another county, the commission shall cancel the registration and forward the registrant's registration [card] information to the commission of the registrant's new county of residence. Except as provided in subparagraph (ii), if the registrant has moved to an address within the commission's jurisdiction, the commission shall promptly update the registration record of the registrant in accordance with section 528. All changes of address received by the Department of Transportation under this section at least 30 days before [a primary, general or municipal] an election must be processed by the commission for the ensuing election. For the purpose of this paragraph, the term "registration information" means the registration card and any other record of

registration maintained by a commission.

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

Date . . . . .

Office of the Registration Commission

..... County, Pennsylvania

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

We have been notified by the Department of Transportation that you recently changed your address from ..... (old residence address) to ..... (new residence address) and that this change of address is to serve as a change of address for voter registration purposes. Unless you notify this office within ten days from the date of this notice that this information is not correct, your voter registration will be transferred to ..... County. You may notify this office by writing your residence address, the date and your signature on the bottom of this form and mailing this notice to this office. You need not notify this office if this information is correct.

.....

Chief Clerk

If the address change is within the commission's



jurisdiction, the [county] commission shall mail a voter's identification card to the registrant at the new residence address.

(iii) If the registrant does not return the notice under subparagraph (ii) within the ten-day period, the commission shall process the change of address according to subparagraph (i). If the registrant notifies the commission that the information is incorrect and the commission is satisfied with the registrant's explanation of the discrepancy, the address of the registrant's registration shall remain unchanged. If the verification notification or voter identification card is returned by the post office as undeliverable as addressed or with a forwarding address, the commission shall send a confirmation notice to the registrant's address of former residence in accordance with section 1901(d)(2).

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

\* \* \*

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

Section 524. Application by mail.

(a) General rule.--An application to register to vote or to change party enrollment or name or address on a current registration may be submitted by voter registration mail application in the manner set forth in this section. An application may be submitted by mail or by representative to the [registration] commission on an official mail registration application, the form of which shall be determined and

1 prescribed by the secretary or the Federal Election Commission  
2 pursuant to the National Voter Registration Act (Public Law 103-  
3 31, 42 U.S.C. § 1973gg et seq.). The applicant must complete the  
4 information required on the registration application and sign  
5 the registration declaration.

6 (b) Time.--Registration under this section may be made at  
7 any time. If a registration application is received by a  
8 commission beyond the deadline for registration provided in  
9 section 526, the application shall be retained by the commission  
10 until the beginning of the next period during which registration  
11 can be made.

12 (c) Military electors.--

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

16 (2) The status of a military elector to register under  
17 this section with respect to residence shall remain as the  
18 same home residence status from which the military elector is  
19 qualified to register. If, at the time of leaving that home  
20 address, the military elector had not resided in this  
21 Commonwealth or in a particular election district for a  
22 sufficient time to have been entitled to be registered but,  
23 by continued residence, would have become entitled to be  
24 registered, the military elector shall be entitled to be  
25 registered at the time the military elector would have been  
26 entitled to register had the military elector not left that  
27 home address but continued to reside there.

28 (3) The commission is authorized to consider a request  
29 for an absentee ballot as a request for an official  
30 registration application and to forward to the requester all

of the following:

(i) An absentee ballot and balloting material.

(ii) An official registration application.

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

(5) The right to be registered pursuant to this subsection shall not be subject to challenge for any reason other than failure to have furnished the commission a properly completed registration application.

Section 526. Time.

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

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

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

(2) In the case of registration by mail under section

1 524, if the valid voter registration mail application is  
2 postmarked not later than the deadline to register for the  
3 ensuing election or, in the case of an illegible or missing  
4 postmark, it is received not later than five days after the  
5 deadline to register for the ensuing election.

6 (3) In the case of voter registration at a voter  
7 registration agency under section 525, if the valid voter  
8 registration application is accepted at the voter  
9 registration agency not later than 30 days before the date of  
10 the election.

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

14 (c) Special rules.--

15 (1) In the case of a special election within a  
16 congressional, senatorial or representative district held on  
17 a day other than the day of a primary, general or municipal  
18 election, the registration application forms shall not be  
19 processed in the wards and election districts comprising the  
20 district for the 30 days prior to the special election for  
21 such election.

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

23 (i) On Sundays.

24 (ii) On holidays.

25 (iii) On the day of the election.

26 (iv) During the 30 days next preceding each  
27 general, municipal and primary election, except as  
28 provided in subsection (b).

29 Section 527. Preparation and distribution of applications.

30 (a) Form.--

1           (1) The secretary shall prescribe the form of official  
2 voter registration application. The official voter  
3 registration application shall provide space for the  
4 following information about the applicant:

5           (i) Full name.

6           (ii) Address of residence. If the residence is a  
7 portion only of the house, the location or number of the  
8 room, apartment or floor which is occupied.

9           (iii) Mailing address if different than address of  
10 residence.

11           (iv) Name and residence address on previous  
12 registration and the year of that registration.

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

15           (vi) Date of birth.

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

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

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

23           (3) Any person who assists in the completion of the  
24 registration application shall sign the application and  
25 indicate the person's address. In the case of those  
26 registering under sections 523 and 525, the person providing  
27 assistance shall insert the person's initials or employee or  
28 agent identification number on a separate or detachable  
29 portion of the application or computer data file.

30           (4) A voter registration application shall be printed on

1 stock of good quality and shall be of suitable uniform size.  
2 Nothing in this act shall prohibit the design and use of an  
3 electronic voter registration application which includes the  
4 applicant's digitized or electronic signature. The  
5 registration application shall contain the following  
6 information; however, the information may be provided on a  
7 separate form for voter registration made under section 523  
8 or 525:

9 (i) Notice that [an individual currently] a  
10 registered elector does not need to reregister unless the  
11 [individual] registered elector has moved.

12 (ii) Instructions on how to fill out and submit the  
13 application and notification of when the application must  
14 be submitted to a voter registration office in order to  
15 be registered for the ensuing election.

16 (iii) Notice that the [registrant] applicant must be  
17 a citizen of the United States for at least one month  
18 prior to the next election and a resident of this  
19 Commonwealth and the election district for at least 30  
20 days and must be at least 18 years of age by the day of  
21 the next ensuing election and has not been confined in a  
22 penal institution for a conviction of a felony within the  
23 last five years. The notice required in this subparagraph  
24 shall be in print identical to the declaration under  
25 subsection (b).

26 (iv) Notice that political party enrollment is  
27 mandatory to vote in a primary election of a political  
28 party.

29 (v) Notice that the commission will mail by  
30 nonforwardable mail to the applicant a voter's

1 identification card upon acceptance of the application  
2 and that the [registrant] applicant should contact the  
3 commission if the identification card is not received  
4 within 14 days from the date the application is sent to  
5 the registration office.

6 (vi) Notice that registration is not complete until  
7 the application is processed and accepted by the  
8 commission.

9 (vii) A warning to the [registrant] applicant that  
10 making a false registration or furnishing false  
11 information is perjury. The notice required in this  
12 subparagraph shall be in print identical to the  
13 declaration under subsection (b).

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

17 (ix) Notice that, if an [applicant] individual  
18 declines to register to vote, the fact that the  
19 [applicant] individual has declined to register will  
20 remain confidential and will be used only for voter  
21 registration purposes. The notice required in this  
22 subparagraph shall be in print identical to the  
23 declaration under subsection (b).

24 (x) Notice that, if an [applicant] individual does  
25 register to vote, the office at which the [applicant]  
26 individual submits a voter registration application will  
27 remain confidential and will be used for voter  
28 registration purposes only. The notices required in this  
29 subparagraph shall be in print identical to the  
30 declaration in subsection (b).

1           (5) The official voter registration application may be  
2 designed in a manner to be inserted in the district register  
3 or for transfer to a registration card to be placed in the  
4 district register.

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

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

9                 (i) print a bilingual application; and

10                (ii) conduct a public educational program among that  
11 language group alerting both organizations and  
12 individuals of that group of the availability of the  
13 bilingual application and encouraging [unregistered  
14 voters] individuals to register.

15           (8) To implement section 524, the secretary shall print  
16 an official voter registration mail application designed to  
17 preserve the confidentiality of the information required to  
18 be submitted. The application shall contain information  
19 required by this section and shall include the name of each  
20 county seat, its post office mailing address and zip code and  
21 its telephone number. Voter registration mail applications  
22 shall contain information indicating whether the application  
23 is a new registration, change of party enrollment, change of  
24 address or change of name.

25           (9) Nothing in this act shall prohibit a private  
26 organization or individual from printing blank voter  
27 registration applications or shall prohibit the use of such  
28 applications by any other individual, provided that the form,  
29 content and paper quality of such voter registration  
30 application complies with department regulations for the



1 forms or has received prior approval from the secretary.

2 (b) Registration declaration.--

3 (1) The official voter registration application shall  
4 contain a registration declaration. On the declaration, the  
5 applicant shall state all of the following:

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

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

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

13 (iv) The applicant has not been confined in a penal  
14 institution for a conviction of a felony within the last  
15 five years.

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

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

18 (i) The information provided in the registration  
19 declaration is true.

20 (ii) The applicant understands that:

21 (A) the registration declaration will be  
22 accepted for all purposes as the equivalent of an  
23 affidavit; and

24 (B) if the registration contains a material  
25 false statement, the applicant shall be subject to  
26 penalties for perjury.

27 (3) The registration declaration shall contain the  
28 printed name and signature of the applicant and the date of  
29 signing. An applicant unable to sign the voter registration  
30 application shall make a mark before a person of the

1 applicant's choice other than the applicant's employer or an  
2 agent of the applicant's union. [Such] The person shall  
3 insert the person's name, address and telephone number. If  
4 [such] the person is an employee or agent of the Department  
5 of Transportation or another agency, as provided under  
6 section 525, and is assisting the applicant in an official  
7 capacity, [such] the employee or agent shall insert the  
8 initials and identification number of the employee or agent.  
9 In the case of applicants registering under section 523 or  
10 525, the person providing assistance shall insert initials or  
11 employee or agent identification number on a separate or  
12 detachable portion of the application or computer data file.

13 (4) The official registration application shall contain  
14 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The  
15 notice shall advise the applicant that, if a person signs an  
16 official registration application knowing a statement  
17 declared in the application to be false, the person commits  
18 perjury. The notice shall specify the penalty for perjury.

19 \* \* \*

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

22 Section 528. Approval of registration applications.

23 [(a) Examination.--

24 (1) Official registration applications submitted to a  
25 registration commission shall be examined by the commissioner  
26 or a clerk or registrar upon receipt.

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

30 (3) Upon receipt of any other voter registration

1 application, the commission shall make an entry of the date  
2 received on the application. If the applicant does not reside  
3 within the commission's county but resides elsewhere in this  
4 Commonwealth, the commission shall forward the application  
5 card to the proper commission and make a record of the  
6 forwarding.

7 (b) Decision.--

8 (1) If the commission finds the official registration  
9 application not properly completed, the application shall be  
10 rejected. The commission should make reasonable efforts to  
11 complete the registration before rejecting it for omissions  
12 and inconsistencies. If the commission rejects an application  
13 under this paragraph, it shall indicate "REJECTED" on the  
14 application and state there the reason for rejection and  
15 notify the applicant by first class nonforwardable mail,  
16 return postage guaranteed.

17 (2) If the official registration application contains  
18 the required information indicating that the applicant is  
19 legally qualified to register as stated in the application,  
20 the commission shall mail to the applicant a voter's  
21 identification card in accordance with subsection (d)(1).

22 (3) For an application for a transfer of registration or  
23 a change in address or name, if the application contains the  
24 required information and the applicant is legally qualified  
25 to transfer registration or change name or address as stated  
26 in the application, the commission shall make the transfer or  
27 change. If the commission suspects that the applicant is not  
28 entitled to transfer registration or to change name or  
29 address, the commission may investigate. If the commission  
30 finds that the applicant is not entitled to the transfer or

1 change, the application shall be rejected. The applicant  
2 shall be notified of the rejection and the reason for it.  
3 Rejection shall be made no later than ten days before the  
4 election succeeding the filing of the application.

5 (c) Result.--If an application is designed to serve as a  
6 registration card, the accepted application of an elector may  
7 serve as the elector's official registration card, if it was so  
8 designed, and shall be filed in the office of the commission in  
9 accordance with Chapter 7. If the application is not designed to  
10 serve as a registration card, the information contained on the  
11 application, including the elector's signature, shall be  
12 transferred to the registration card. If a commission utilizes a  
13 signature digitization list, it shall transfer all information  
14 contained on the application, including the signature, to the  
15 registry or, until the registry is established, to a computer  
16 file. Applicants for registration shall be challenged under  
17 section 529.

18 (d) Disposition.--

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

25 (i) Name and address of the elector.

26 (ii) Name of municipality.

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

28 (iv) Effective date of registration.

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

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

2 (vii) A statement that the card relates only to the  
3 time of issuance of the card and is not of itself  
4 evidence or proof of the qualifications of the elector to  
5 vote at an election or proof of identification for  
6 purposes of applying for or receiving general assistance  
7 and that it is not necessary to present the card when  
8 voting. The statements required by this subparagraph  
9 shall be placed on the reverse side of the card from  
10 where all of the other information required by this  
11 paragraph is placed.

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

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

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

30 (4) If the applicant discloses that the elector's last

1 residence address upon registration was a location within  
2 another county, the commission of the county of the elector's  
3 new residence shall direct a cancellation notice to the  
4 commission of the county of the elector's last residence.  
5 This cancellation notice shall be in a form approved by the  
6 secretary in substantially the following form:

7 Date .....

8 Office of the Registration Commission

9 ..... County, Pennsylvania

10 Cancellation of Previous Registration

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

18 .....

19 Chief Clerk

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

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

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

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

3           (i) Whether the application is complete.

4           (ii) Whether the applicant is a qualified elector.

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

11          (iv) Whether the applicant is entitled or qualified  
12 to receive the requested transfer or change, if  
13 applicable.

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

15          (1) Forward application.--Record and forward a voter  
16 registration application to the proper commission if the  
17 commission finds during its examination under subsection (a)  
18 that the applicant does not reside within the commission's  
19 county but resides elsewhere in this Commonwealth.

20          (2) Reject application.--Reject a voter registration  
21 application, indicate the rejection and the reasons for the  
22 rejection on the application and notify the applicant by  
23 first class nonforwardable mail, return postage guaranteed of  
24 the rejection and the reason if the commission finds during  
25 its examination under subsection (a) any of the following:

26           (i) The application was not properly completed and  
27 after reasonable efforts by the commission to ascertain  
28 the necessary information, the application remains  
29 incomplete or inconsistent.

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

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

3           (iv) The applicant is not legally qualified to a  
4           change of name.

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

7           (3) New applicant registration.--Process a voter  
8           registration application in accordance with subsection (c) if  
9           the commission finds during its examination under subsection  
10          (a) all of the following:

11           (i) The application requests registration.

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

15           (4) Update existing registration.--Process a voter  
16           registration application in accordance with subsection (c)  
17           and update its registration records if the commission finds  
18           during its examination under subsection (a) all of the  
19           following:

20           (i) The application requests registration.

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

24           (iii) The applicant is currently a registered  
25           elector of the county.

26           (5) Transfer existing registration.--Process a voter  
27           registration application in accordance with subsection (c)  
28           and request transfer of registration records in accordance  
29           with subsection (d) if the commission finds during its  
30           examination under subsection (a) all of the following:



1           (i) The application requests registration.

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

5           (iii) The applicant is currently a registered  
6           elector of another county.

7           (6) Transfer request.--Process a voter registration  
8           application in accordance with subsection (c) and request  
9           transfer of registration records in accordance with  
10           subsection (d) if the commission finds during its examination  
11           under subsection (a) all of the following:

12           (i) The application requests a transfer of  
13           registration.

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

17           (iii) The applicant is currently a registered  
18           elector of another county.

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

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

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

27           (iii) The applicant is currently a registered  
28           elector of the county.

29           (8) Change of name request.--Process a voter  
30           registration application in accordance with subsection (c)

1 and update its registration records if the commission finds  
2 during its examination under subsection (a) all of the  
3 following:

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

5 (ii) The applicant is legally qualified to a change  
6 of name.

7 (iii) The application contains the required  
8 information indicating that the applicant is a qualified  
9 elector of the county.

10 (iv) The applicant is currently a registered elector  
11 of the county.

12 (c) Processing of voter registration.--

13 (1) When a commission has accepted a voter registration  
14 application under subsection (b)(3), the commission shall  
15 assign each applicant a unique identification number in the  
16 SURE system. The commission shall mail a wallet-sized voter's  
17 identification card to the individual by first class  
18 nonforwardable mail, return postage guaranteed, which shall  
19 serve as notice of the acceptance of the application. The  
20 card shall contain all of the following:

21 (i) Name and address of the individual.

22 (ii) Name of municipality of residence.

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

25 (iv) The effective date of registration.

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

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

29 (vii) The unique identification number of the  
30 individual.

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

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

13                   (i) Name and address of the individual.

14                   (ii) Name of municipality of residence.

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

17                   (iv) The effective date of registration.

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

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

21                   (vii) The SURE registration number of the  
22                   individual.

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

28           (3) An envelope containing a voter identification card  
29           shall be marked on the outside with a request to the  
30           postmaster to return it within five days if it cannot be

1 delivered to the addressee at the address given.

2 (4) (i) If an envelope containing a voter  
3 identification card has been mailed in accordance with  
4 paragraphs (1) and (3) and has not been returned to the  
5 commission by the postmaster within ten days from the  
6 date it was mailed, the individual shall be deemed a  
7 registered elector of the county and the commission shall  
8 enter the individual's registration information in the  
9 general register. The unique identification number shall  
10 be entered as the registered elector's SURE registration  
11 number. No person shall be deemed a registered elector of  
12 the county until ten days after the voter identification  
13 card has been mailed.

14 (ii) If an envelope containing a voter  
15 identification card has been mailed in accordance with  
16 paragraphs (2) and (3) and has not been returned to the  
17 commission by the postmaster within ten days from the  
18 date it was mailed, the individual shall be deemed a  
19 registered elector of the county and the commission shall  
20 enter the individual's registration information in the  
21 general register. No person shall be deemed a registered  
22 elector of the county until ten days after the voter  
23 identification card has been mailed.

24 (5) If an envelope containing a voter identification  
25 card is returned by the postmaster because the envelope is  
26 undeliverable at the given address, the commission shall  
27 investigate. If the commission finds that the individual is  
28 not qualified to register from the address, the commission  
29 shall reject the application and shall notify the individual  
30 by first class forwardable mail of this action.

1     (d) Transfer of registration records.--

2         (1) If during application an individual discloses that  
3     the individual is a registered elector of another county, the  
4     commission of the individual's new county of residence shall  
5     direct a cancellation notice to the commission of the  
6     individual's former county of residence in accordance with  
7     regulations promulgated under this act.

8         (2) Upon receipt of a notice transmitted in accordance  
9     with paragraph (1), the commission of the individual's former  
10    county of residence shall investigate. If the commission  
11    finds that the individual is a registered elector of the  
12    county, the commission shall verify the address change with  
13    the registered elector in accordance with this act. Upon  
14    verifying that the registered elector has moved to another  
15    county of residence, the commission shall cancel the  
16    registered elector's registration, transfer a copy of the  
17    canceled registration record to the commission of the  
18    registered elector's new county of residence and retain a  
19    record of the transfer. The commission of both counties shall  
20    promptly update information contained in their registration  
21    records.

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

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

26    Each registered elector shall be assigned a single and unique  
27    SURE registration number in accordance with sections 528 and  
28    913. Once assigned, a SURE registration number shall not be  
29    changed, modified or altered.

30    Section 12. Section 701 of the act is amended to read:

1 Section 701. General register.

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

4 (1) The ward and election district of residence.

5 (2) The registered elector's street address.

6 (3) Data required to be given upon removal from the  
7 registered elector's residence.

8 (4) The date of each election at which the registered  
9 elector votes.

10 (5) The digitized or electronic signature of the  
11 registered elector.

12 (6) The SURE registration number.

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

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

17 (c) SURE system.--After a commission is connected to the  
18 SURE system, the general register of the commission shall  
19 consist of the registration information contained on the SURE  
20 system as maintained by the commission.

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

22 (d) Registration cards.--Before a commission is connected to  
23 the SURE system, if a commission uses the original registration  
24 cards for registered electors in the county as the district  
25 register, the duplicate registration cards or photocopies of the  
26 original registration cards shall be placed in exact  
27 alphabetical order by last name of the registrant, shall be  
28 indexed and shall be kept at the office of the registration  
29 commission in a manner as to be properly safeguarded. These  
30 cards constitute the general register of the county. They may

1 not be removed from the office of the commission except upon  
2 order of a court of record. Nothing in this act shall preclude  
3 the use of duplicate registration cards from applications  
4 provided under the act of March 30, 1937 (P.L.115, No.40), known  
5 as The First Class City Permanent Registration Act, or the act  
6 of April 29, 1937 (P.L.487, No.115), known as The Permanent  
7 Registration Act for Cities of the Second Class, Cities of the  
8 Second Class A, Cities of the Third Class, Boroughs, Towns, and  
9 Townships.

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

29 [(c)] (f) Duplicate files.--[If] Before a commission is  
30 connected to the SURE system, if the commission deems a

1 duplicate file of registration cards necessary for  
2 administrative purposes, the commission may prepare a  
3 reproduction in compliance with the following:

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

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

9 (3) The photographs, microphotographs or other  
10 reproductions are open to public inspection and provision is  
11 made for preserving, examining and using them.

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

14 Section 702. District registers.

15 (a) Registration card file.--

16 (1) Except as provided in subsection (b) and in section  
17 [701(b)] 701(e), the original registration cards shall be  
18 filed by election districts in exact alphabetical order by  
19 last name of the registrant and shall be indexed.

20 (2) The cards constitute the district register.

21 (3) The commission shall provide binders, which are  
22 capable of being locked, for filing and indexing the  
23 registration cards. The keys to the binders shall at all  
24 times be retained by the commission.

25 (4) The district register shall be kept at the office of  
26 the commission, except as provided in subsection (b), and  
27 shall be open to public inspection, subject to reasonable  
28 safeguards and regulations.

29 (b) Computer lists.--

30 (1) [Instead] Before a commission is connected to the



1     SURE system, instead of using registration cards as the  
2     district register as provided in subsection (a), a commission  
3     may use a computer list or computer-generated cards  
4     containing the registered electors arranged by election  
5     district, alphabetically by last name of the registrant.

6         [(2)] The computer list or computer-generated cards must  
7     be in a form prescribed by the secretary and must contain  
8     necessary information that would otherwise be available on  
9     the registration cards, including a legible digitized  
10    signature of the registrant copied from the signature on the  
11    registration card. The district election officials shall have  
12    computer printouts at the polling places containing the  
13    necessary information needed to verify the identity of the  
14    elector. The digitized signature list shall be open to public  
15    inspection, subject to reasonable safeguards, rules and  
16    regulations.

17         (2.1) After a commission is connected to the SURE  
18         system, each commission shall create from its general  
19         register a computer list to be used as the district register.  
20         For each election district, the list shall contain the names  
21         of the registered electors of the election district,  
22         alphabetically by last name of each registered elector. Each  
23         page of the list shall contain the name of the county, the  
24         election district, the date of the election and the date and  
25         time the list was prepared. The computer list shall be in a  
26         form prescribed by the secretary and must contain necessary  
27         information that would otherwise be available in the general  
28         register, including a legible digitized or electronic  
29         signature, the street address and political party of each  
30         registered elector, and suitable space for insertion of the

1 signature of the registered elector and for insertion by the  
2 proper election official of the number and letter of the stub  
3 of the ballot issued to the registered elector or the  
4 registered elector's number in the order of admission to the  
5 voting systems and the initials of the election official who  
6 enters the record of voting in the district register and  
7 whether the elector needs assistance to vote and, if so, the  
8 nature of the disability. The district register shall be kept  
9 at the office of the commission and shall be open to public  
10 inspection, subject to reasonable safeguards, rules and  
11 regulations.

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

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

20 (A) Exact alphabetical order by last name of  
21 registrant.

22 (B) Order in which registrants' residences  
23 appear upon the streets of the election district, in  
24 exact alphabetical order by last name of registrant  
25 for each residence.

26 (ii) The district register containing registration  
27 cards shall be kept at the office of the commission and  
28 shall be open for public inspection, subject to  
29 reasonable safeguards and regulations and to the  
30 provisions of this act.

1 (c) [Currency] Accuracy.--It is the duty of the commission  
2 to compare and correct the general register and district  
3 registers to ensure their accuracy. By noon of the third day  
4 preceding an election, the commission shall [have] correct the  
5 district register for each election district [and the registry  
6 accurately corrected to date] consistent with the information  
7 contained in the general register.

8 (d) Delivery.--The commission shall deliver, in the manner  
9 required by law for delivery of election materials, the district  
10 register to the election officers for use on election day.

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

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

28 Section 703. Street lists.

29 (a) Preparation.--Commencing not later than the 15th day  
30 prior to each election, [the registration] each commission shall

1 prepare for each election district a list of the names and  
2 addresses of all registered electors as of that date resident in  
3 the district. The list may not include the digitized or  
4 electronic signature of a registered [voter] elector. The list  
5 shall be arranged in one of the following manners:

6 (1) By streets and house numbers.

7 (2) Alphabetically by last name of [registrant] each  
8 registered elector.

9 (3) In a manner whereby the location of the elector's  
10 residence can be identified.

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

16 (c) Distribution.--The department and each commission shall  
17 distribute the list under subsection (a) upon request as  
18 follows:

19 (1) To officials concerned with the conduct of  
20 elections.

21 (2) To political parties and political bodies.

22 (3) To candidates.

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

26 Section 704. Public information lists.

27 (a) Establishment.--

28 (1) The [registration] commission shall provide for  
29 computer inquiries concerning individual registered [voters]  
30 electors. With respect to each [voter] registered elector who

1 is the subject of an inquiry, the information provided shall  
2 contain the name, address, date of birth and voting history.  
3 Upon request, the commission shall supply a printed record  
4 for each such [voter] elector subject to the provisions of  
5 this act. In addition, the commission may make available for  
6 inspection a printed or computerized public information list  
7 containing the name, address, date of birth and voting  
8 history of each registered [voter] elector in the county.

9 (2) The list may also include information on voting  
10 districts.

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

14 (b) Access.--

15 (1) The secretary may promulgate reasonable regulations  
16 governing access to the list.

17 (2) No individual inspecting the list may tamper with or  
18 alter it.

19 (3) No individual who inspects the list or who acquires  
20 names of registered [voters] electors from the list may use  
21 information contained in the list for purposes unrelated to  
22 elections, political activities or law enforcement. Before  
23 inspecting the list or obtaining names of [voters] registered  
24 electors or other information from the list, the individual  
25 must provide identification to the public official having  
26 custody of the public information list and must state in  
27 writing that any information obtained from the list will not  
28 be used for purposes unrelated to elections, political  
29 activities or law enforcement.

30 (c) Copies.--

1           (1) The commission shall provide paper copies of the  
2 public information lists and may provide copies in some other  
3 form to any [voter] registered elector in this Commonwealth  
4 within ten days of receiving a written request accompanied by  
5 payment of the cost of reproduction and postage. The cost of  
6 the copies shall be determined by the office providing  
7 copies.

8           (2) An individual who inspects or acquires a copy of a  
9 public information list may not use any information contained  
10 in it for purposes unrelated to elections, political  
11 activities or law enforcement.

12 Section 705. Retention of records.

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

17       (b) Records.--

18           (1) The department and each commission shall preserve  
19 for two years and shall make available for public inspection  
20 and, where available, photocopying at a reasonable cost all  
21 records concerning the implementation of programs and  
22 activities conducted for the purposes of ensuring the  
23 accuracy and currency of official lists of [eligible voters]  
24 registered electors, except to the extent that the records  
25 relate to a declination to register to vote or to the  
26 identity of a voter registration agency through which any  
27 particular [voter] qualified elector is registered.

28           (2) The records preserved under paragraph (1) shall  
29 include lists of the names and addresses of all [individuals]  
30 electors to whom notices described in section 901 are sent,

1 and information concerning whether or not the individual has  
2 responded to the notice as of the date that inspection of the  
3 record is made.

4 (c) Original and existing records.--After a commission is  
5 connected to the SURE system, the registration cards and  
6 applications utilized under this act, under prior versions of  
7 this act under the former act of March 30, 1937 (P.L.115,  
8 No.40), known as The First Class City Permanent Registration  
9 Act, or under the former act of April 29, 1937 (P.L.487,  
10 No.115), known as The Permanent Registration Act for Cities of  
11 the Second Class, Cities of the Second Class A, Cities of the  
12 Third Class, Boroughs, Towns, and Townships, shall be placed in  
13 alphabetical order by last name of the registered elector,  
14 indexed and kept at the office of the commission in a manner as  
15 to be properly safeguarded. They may not be removed from the  
16 office of the commission except upon order of a court of record.  
17 The commission shall safely retain all registration cards used  
18 in the registration of registered electors for a period of five  
19 years after connection at which time they may be destroyed.

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

22 Section 901. Removal notices.

23 (a) Form.--

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

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

29 (i) The address of present residence, including  
30 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 the new district.

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

(5) The notice shall contain a warning to the registered elector that the notice must be received by the commission not later than 30 days before the election. If mailed, the notice must be postmarked not later than the deadline for registration or, in the case of an illegible or missing postmark, received within five days of the close of registration.

(b) Use.--[An] A registered elector who removes residence from one place to another within the same county must notify the commission by filing a removal notice under subsection (a), or a signed request for renewal that contains the information required in subsection (a), with the commission not later than the registration deadline before the election. If mailed, the notice or request must be postmarked not later than the deadline



1 for registration or, in the case of an illegible or missing  
2 postmark, received within five days of the close of  
3 registration. The following apply:

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

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

20 (3) A registered elector who removes residence from one  
21 county to another county and who is not registered to vote in  
22 the new county of residence shall be permitted to vote in the  
23 election district in the former county of residence if, at  
24 the time of signing the elector's certificate, the elector  
25 files with the judge of election a signed affirmation  
26 declaring the elector's new residence. [An] A registered  
27 elector may vote in the election district of the elector's  
28 former residence no more than one time following the  
29 elector's removal. Affirmations made under this paragraph  
30 shall be returned to the commission of the elector's former

1 county of residence with the voting checklist, and that  
2 commission shall proceed to transfer the registration of the  
3 elector under section 902. Upon receipt of the transfer  
4 notice, the commission of the elector's new county of  
5 residence shall immediately process the transfer of the  
6 elector in accordance with section [528(d)(3)] 528. Both  
7 commissions shall promptly update information contained in  
8 their registration records.

9 Section 902. Transfer of registration.

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

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

16 (2) If the signature appears authentic, the commission  
17 shall enter the change of residence [on the registration card  
18 of the elector in the general register and district register  
19 and shall transfer the registration card of the elector from  
20 the district register of the election district of previous  
21 residence to the district register of the election district  
22 of new residence] on the registered elector's registration  
23 records.

24 (3) If a request for transfer which is determined to be  
25 authentic under paragraph (2) shows a removal within the  
26 period of 30 days preceding an election, the commission,  
27 after such election, shall enter the change of residence [on  
28 the registration card of the elector in the general register  
29 and district register and shall transfer the registration  
30 card of the elector from the district register of the

election district of previous residence] on the registered  
elector's registration records. The commission shall advise  
the registered elector promptly in writing of its action.

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

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

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

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

Section 903. Change of enrollment of political party.

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

18 Section 15. The act is amended by adding a section to read:  
19 Section 913. Conversion of registration records.

20 The department shall convert the registration records of each  
21 commission in accordance with section 322. In converting the  
22 registration records of each commission, the department shall  
23 assign each registered elector a SURE registration number which  
24 the commission shall add to the registration records of the  
25 registered elector.

26 Section 16. Sections 1301(a), 1502, 1505, 1507(a), 1509,  
27 1511, 1512 and 1701 of the act are amended to read:  
28 Section 1301. Court of common pleas.

29 (a) Standing.--The following have standing to appeal an  
30 action of a [registration] commission to the appropriate court

1 of common pleas:

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

4 (2) An individual whose registration has been canceled  
5 by the commission.

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

8 \* \* \*

9 Section 1502. Registration.

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

16 (b) Denial.--A registrar, commissioner or clerk who, without  
17 reasonable cause, refuses to register [an individual] a  
18 qualified elector lawfully entitled to be registered 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 1505. Votes.

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

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

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

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

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

Section 1507. Official documents and electronic records.

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

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

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

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

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

\* \* \*

Section 1509. Law enforcement assistance.

1 A law enforcement officer who, upon demand of any  
2 commissioner or inspector of registration, or of the secretary,  
3 fails to render demanded assistance in the maintenance of peace  
4 and in the making of arrests without warrant as provided in this  
5 act or who intentionally hinders or attempts to hinder any  
6 commissioner or inspector of registration in the performance of  
7 a duty commits a misdemeanor of the second degree and shall,  
8 upon conviction, be sentenced to pay a fine of not more than  
9 \$5,000 or to imprisonment for not more than two years, or both.  
10 Section 1511. Preventing registration.

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

12 (1) Knowingly and intentionally prevent [an individual]  
13 an applicant who is a qualified elector from being  
14 registered.

15 (2) By coercion, threats of bodily injury or  
16 intimidation, intentionally prevent or attempt to prevent [an  
17 individual] an applicant who is a qualified elector from  
18 being registered or a registered elector from changing  
19 political enrollment in accordance with the provisions of  
20 this act.

21 (3) Intentionally give or promise or offer to give money  
22 or goods to an individual as an inducement for the individual  
23 to enroll in a particular party or for a registrant to change  
24 political enrollment.

25 (4) Prevent a record from being used, inspected or  
26 copied.

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

1 Section 1512. Approval of registration.

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

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

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

8 (b) Penalty.--A person who violates subsection (a) commits a  
9 misdemeanor of the third degree and shall, upon conviction, be  
10 sentenced to pay a fine of \$2,500 or to imprisonment for not  
11 more than one year, or both.

12 Section 1701. Attorney General.

13 (a) Investigation.--The secretary shall investigate alleged  
14 violations of sections 523 and 525 and report apparent  
15 violations to the Attorney General.

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

20 (c) Notifications.--The Attorney General shall notify the  
21 State Treasurer in accordance with section 1704(b) if the  
22 secretary fails to notify the State Treasurer as required by  
23 section 1703(b).

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

27 Section 1703. Power of department.

28 (a) General rule.--The department shall have the authority  
29 to take any actions, including the authority to audit the  
30 registration records of a commission, which are necessary to



1 ensure compliance and participation by the [counties.]

2 commissions.

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

7 Section 1704. Relief.

8 (a) Injunctive.--In the event that a commission fails to  
9 adhere to any provision of this act, the secretary is authorized  
10 to seek declaratory and injunctive relief in Commonwealth Court.

11 (b) Withholding of appropriations.--In accordance with  
12 sections 1701 and 1703 and in addition to any remedy provided in  
13 subsection (a), the State Treasurer shall, upon notification,  
14 withhold any part or all of the State appropriations to which a  
15 county is entitled, including funding for the court of common  
16 pleas but excluding funding for human services, if the  
17 commission of the county fails or refuses to comply with the  
18 provisions of this act.

19 Section 1901. Removal of [voters] electors.

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

28 (1) At the request of the elector.

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

30 (3) Upon confirmation that the elector has moved to a

1 residence outside the county.

2 (4) Under a voter removal program as provided for under  
3 subsection (b) and in compliance with the National Voter  
4 Registration Act of 1993 (Public Law 103-31, 42 U.S.C. §  
5 1973gg et seq.).

6 (b) Voter removal program.--

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

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

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

30 (B) If it appears from the information provided

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

5 (ii) Confirmation mailing:

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

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

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

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

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

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

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

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

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

27 (3) In conjunction with and not as an alternative to a  
28 program established under paragraph (1), [the] a commission  
29 shall send a notice pursuant to subsection (d) to any  
30 registered elector who has not voted nor appeared to vote

1 during the period beginning five years before the date of the  
2 notice and ending on the date of the notice and for whom the  
3 board of elections did not during that period in any other  
4 way receive any information that the [voter] elector still  
5 resides in the [registered] election district.

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

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

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

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

24 (d) Cancellation of registration.--

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

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

1 the county in which the elector is registered.

2 (ii) The registered elector:

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

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

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

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

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

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

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

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

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

16 (a) Same county.--

17 (1) [An] A registered elector who has moved from an  
18 address in the county covered by a polling place to an  
19 address covered by the same polling place shall,  
20 notwithstanding failure to notify the commission prior to the  
21 date of an election, be permitted to vote in that polling  
22 place upon written affirmation by the elector of the change  
23 of address before an election official at that polling place.

24 (2) [An] A registered elector who has moved from one  
25 address in the county to another address in the same county  
26 covered by a different polling place and who has failed to  
27 notify the commission of the change of address prior to the  
28 date of an election shall be permitted to correct the voting  
29 records and vote at the elector's former polling place upon  
30 written affirmation by the elector of the new address before

1 an election official at the former polling place.

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

12 Section 1904. Files.

13 (a) Cancellation.--If the registration of [an] a registered  
14 elector is canceled, the [registration] commission shall mark on  
15 [the] all registration [cards] records of the elector the word  
16 "canceled" and the date and cause of cancellation. The  
17 commission shall remove [the card from the general register and  
18 the district register] any registration records pertaining to  
19 the elector. Removed [cards] records shall be retained separate  
20 from registered electors for five years. The commission shall  
21 promptly update information contained in its registration  
22 records.

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

27 Section 18. The Secretary of the Commonwealth shall  
28 promulgate regulations to establish and implement the SURE  
29 system in accordance with section 322 and to implement this act.  
30 The promulgation of regulations under this section shall be



1 exempt from:

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

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

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

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

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

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

5           (5) Within 15 days of receipt of a protest, the  
6 contracting officer may submit to the head of the purchasing  
7 agency and the protestant a response to the protest,  
8 including any documents or information he deems relevant to  
9 the protest. The protestant may file a reply to the response  
10 within ten days of the date of the response.

11          (6) The head of the purchasing agency or his designee  
12 shall review the protest and any response or reply and may  
13 request and review such additional documents or information  
14 he deems necessary to render a decision, and may, at his sole  
15 discretion, conduct a hearing. The head of the purchasing  
16 agency or his designee shall provide to the protestant and  
17 the contracting officer a reasonable opportunity to review  
18 and address any additional documents or information deemed  
19 necessary by the head of the purchasing agency or his  
20 designee to render a decision.

21          (7) Upon completing an evaluation of the protest in  
22 accordance with paragraph (6), the head of the purchasing  
23 agency or his designee shall issue a written determination  
24 stating the reasons for the decision. The determination shall  
25 be issued within 60 days of the receipt of the protest unless  
26 extended by consent of the head of the purchasing agency and  
27 the protestant. The determination shall be the final order of  
28 the purchasing agency. If the head of the purchasing agency  
29 or his designee determines that the solicitation or award of  
30 the contract was contrary to law, he may enter an order

1 authorized by 62 Pa.C.S. Ch. 17 Subch. D.

2 (8) Within 15 days of the mailing date of a final  
3 determination denying a protest, a protestant may file an  
4 appeal with the Commonwealth Court. Issues not raised by the  
5 protestant before the purchasing agency are deemed waived and  
6 may not be raised before the court.

7 (9) The record of determination for review by the court  
8 shall consist of the solicitation or award; the contract, if  
9 any; the protest and any response, reply or any additional  
10 documents or information considered by the head of the  
11 purchasing agency or his designee; the hearing transcript and  
12 exhibits, if any; and the final determination.

13 (10) The court shall hear the appeal, without a jury, on  
14 the record of determination certified by the purchasing  
15 agency. The court shall affirm the determination of the  
16 purchasing agency unless it finds from the record that the  
17 determination is arbitrary and capricious, an abuse of  
18 discretion or is contrary to law.

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

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

30 (13) This section shall be the exclusive procedure for

1 protesting a solicitation or award of the contract by a  
2 bidder or offeror, a prospective bidder or offeror, or a  
3 prospective contractor that is aggrieved in connection with  
4 the solicitation or award of the contract. The provisions of  
5 2 Pa.C.S. shall not apply to this section.

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

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

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

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