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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1917 Session of 2007

INTRODUCED BY JAMES, YOUNGBLOOD, GOODMAN, SOLOBAY, CRUZ, FRANKEL, FREEMAN, LEACH, PARKER, PETRONE AND SHIMKUS, OCTOBER 16, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 16, 2007

AN ACT

Providing for election day registration; and imposing penalties.

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

CHAPTER 1

PRELIMINARY PROVISIONS

Section 101. Short title.

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

Section 102. Definitions.

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

"County board." The county board of elections.

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

CHAPTER 3

ELECTION DAY REGISTRATION

Section 301. Election day registration.

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

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

(1) By displaying a valid driver's license.

(2) By showing any document approved by the department.

(3) By the written statement of an elector registered to vote in that election district, sworn to in the presence of a judge of elections, stating to the effect that the elector personally knows that the individual is a resident of the election district. An individual who proves residence under this paragraph on election day may not sign a proof of residence oath vouching for any other individual on that election day.

Section 302. Procedure.

(a) Judges of elections.--Voter registration under this act shall be conducted by judges of elections. A judge who registers an individual voter may not process that voter's ballot at any time prior to opening of the ballot box after the voting ends.

(b) Registration cards.--Registration cards and forms for oaths shall be available at each polling place. If an individual who registers on election day proves residence under section 301(b)(3), the form containing that statement shall be attached to the individual's registration card. Registration cards completed on election day shall be forwarded to the appropriate county board, which shall add the name of each voter to the registration rolls unless the information forwarded is substantially deficient. Each judge of elections registering a person on election day shall initial the voter registration card of that individual.

(c) Deficient registration.--A county board which finds an election day registration substantially deficient shall mail written notice of same to the individual. An election day registration shall not be found deficient solely because the individual who provided proof of residence was ineligible to do so.

Section 303. Maps.

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

Section 304. Record of attempted registrations.

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

Section 305. Verification by mail.

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

CHAPTER 5

ENFORCEMENT AND PENALTIES

Section 501. Prohibited acts.

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

(1) Cause an individual's name to be registered in any

election district if that individual is not eligible to vote.

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

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

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

(b) Judge of elections.--A judge of elections may not allow an unregistered voter to vote in any election.

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

Section 502. Enforcement.

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

CHAPTER 11

MISCELLANEOUS PROVISIONS

Section 1101. Construction of act.

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

Section 1102. Regulations.

The department may promulgate rules and regulations to administer and enforce this act.

Section 1103. Repeals.

All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 1104. Applicability.

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

Section 1105. Effective date.

This act shall take effect immediately.