

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**SENATE BILL**

**No. 343**      Session of  
2007

---

INTRODUCED BY BOSCOLA, MELLOW, FONTANA, KITCHEN, WASHINGTON,  
WAUGH, MUSTO, KASUNIC, FERLO, LAVALLE AND LOGAN,  
MARCH 12, 2007

---

REFERRED TO STATE GOVERNMENT, MARCH 12, 2007

---

AN ACT

1 Providing for election day registration; and prescribing  
2 penalties.

3 TABLE OF CONTENTS

4 Chapter 1. Preliminary Provisions

5 Section 101. Short title.

6 Section 102. Definitions.

7 Chapter 3. Election Day Registration

8 Section 301. Election day registration.

9 Section 302. Procedure.

10 Section 303. Maps.

11 Section 304. Record of attempted registrations.

12 Section 305. Verification by mail.

13 Chapter 5. Enforcement and Penalties

14 Section 501. Prohibited acts.

15 Section 502. Enforcement.

16 Chapter 11. Miscellaneous Provisions

17 Section 1101. Construction of act.

1 Section 1102. Rules and regulations.

2 Section 1103. Repeals.

3 Section 1104. Applicability.

4 Section 1105. Effective date.

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

7 CHAPTER 1

8 PRELIMINARY PROVISIONS

9 Section 101. Short title.

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

12 Section 102. Definitions.

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

16 "Board" or "county board." The county board of elections.

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

18 CHAPTER 3

19 ELECTION DAY REGISTRATION

20 Section 301. Election day registration.

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

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

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

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

1           (3) By the written statement of an elector registered to  
2 vote in that election district, sworn to in the presence of a  
3 judge of elections, stating to the effect that the elector  
4 personally knows that the individual is a resident of the  
5 election district. An individual whose residence has been  
6 sworn to under this paragraph on election day may not sign a  
7 proof of residence oath for any other individual on that  
8 election day.

9 Section 302. Procedure.

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

14       (b) Registration cards.--Registration cards and forms for  
15 oaths shall be available at each polling place. If an individual  
16 who registers on election day proves residence under section  
17 301(b)(3), the form containing that statement shall be attached  
18 to the individual's registration card. Registration cards  
19 completed on election day shall be forwarded to the appropriate  
20 county board, which shall add the name of each voter to the  
21 registration rolls unless the information forwarded is  
22 substantially deficient. Each judge of elections registering a  
23 person on election day shall initial the voter registration card  
24 of that person.

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

1 Section 303. Maps.

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

6 Section 304. Record of attempted registrations.

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

13 Section 305. Verification by mail.

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

25 CHAPTER 5

26 ENFORCEMENT AND PENALTIES

27 Section 501. Prohibited acts.

28 (a) Offenses enumerated.--It shall be unlawful:

29 (1) To cause an individual's name to be registered in  
30 any election district if that individual is not eligible to

1 vote.

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

6 (3) To misrepresent an individual's identity when  
7 attempting to register to vote.

8 (4) To aid, abet, counsel or procure any other  
9 individual to violate this act.

10 (5) For a judge of elections to allow an unregistered  
11 voter to vote in any election.

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

14 Section 502. Enforcement.

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

18 CHAPTER 11

19 MISCELLANEOUS PROVISIONS

20 Section 1101. Construction of act.

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

24 Section 1102. Rules and regulations.

25 The department shall, in the manner provided by law,  
26 promulgate the rules and regulations necessary to carry out this  
27 act.

28 Section 1103. Repeals.

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

1 Section 1104. Applicability.

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

6 Section 1105. Effective date.

7 This act shall take effect immediately.