

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 647 Session of
2011

INTRODUCED BY CRUZ, YOUNGBLOOD, METCALFE, AUMENT, CUTLER,
EVANKOVICH, GABLER, REED, ROAE, SAYLOR AND SWANGER,
FEBRUARY 14, 2011

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 14, 2011

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, further providing for approval of registration
3 applications, street lists, public information lists and
4 applications.

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

7 Section 1. Section 1328(c) of Title 25 of the Pennsylvania
8 Consolidated Statutes is amended and the section is amended by
9 adding a subsection to read:

10 § 1328. Approval of registration applications.

11 * * *

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 department approved
17 instructions on the required photograph for the voter
18 registration card, if the registrant has not already

1 submitted a photograph and a temporary wallet-sized voter's
2 identification card to the individual by first class
3 nonforwardable mail, return postage guaranteed, which shall
4 serve as notice of the acceptance of the application. The
5 card shall contain all of the following:

6 (i) Name and address of the individual.

7 (ii) Name of municipality of residence.

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

10 (iv) The effective date of registration.

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

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

14 (vii) The unique identification number of the
15 individual.

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

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

28 (i) Name and address of the individual.

29 (ii) Name of municipality of residence.

30 (iii) Identification of the individual's ward and

1 district.

2 (iv) The effective date of registration.

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

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

6 (vii) The SURE registration number of the
7 individual.

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

13 (ix) A high-quality copy of the registrant's
14 photograph that is on file from the previous voter
15 registration.

16 * * *

17 (f) Photographic card.--

18 (1) As prescribed in regulations promulgated by the
19 department, the registrant shall submit two photographs
20 either in person to the county voter registration office or
21 through the local department of motor vehicles location. One
22 photograph shall be kept on record by the department and one
23 photograph shall be incorporated into the voter registration
24 card that was received by the registrant. The photograph kept
25 on file shall remain confidential and not be accessible to
26 the public under the act of February 14, 2008 (P.L.6, No.3),
27 known as the Right-to-Know Law, or its successor laws.

28 (2) If there is a financial hardship, and in other cases
29 as determined by the department, the registrant may obtain
30 the two required photographs for free from the Department of

1 of Transportation.

2 (3) If a registrant can give the department just cause
3 as to why he is unable or cannot provide two photographs, the
4 department shall waive the requirement. Just cause shall be
5 determined by the department in a case-by-case basis in a
6 uniform fashion. If the request to waive the photograph
7 requirement is denied, the registrant may appeal by following
8 the same procedure set forth in section 1330 (relating to
9 appeals).

10 (4) The photographic card shall be displayed to verify
11 the registrant's identity when signing the register before
12 voting.

13 (5) The department shall promulgate regulations that
14 will ensure the photographs are accurate and provide for
15 requiring updated photographs as needed.

16 Section 2. Section 1403(a) of Title 25 is amended to read:

17 § 1403. Street lists.

18 (a) Preparation.--Commencing not later than the 15th day
19 prior to each election, each commission shall prepare for each
20 election district a list of the names and addresses of all
21 registered electors as of that date resident in the district.
22 The list may not include the digitized or electronic signature
23 of a registered elector. The list may not include any images
24 based on or derived from the photographs kept on file under
25 section 1328(f) (relating to approval of registration
26 applications). The list shall be arranged in one of the
27 following manners:

28 (1) By streets and house numbers.

29 (2) Alphabetically by last name of each registered
30 elector.

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

* * *

Section 3. Sections 1404 and 1703 of Title 25 are amended by adding subsections to read:

§ 1404. Public information lists.

* * *

(d) Records of photographs.--The photographs kept on record under section 1328(f) (relating to approval of registration applications) shall not be considered public records and shall not be accessible to the public under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

§ 1703. Application.

* * *

(c) Failure to submit a photograph.--The department shall promulgate regulations that set forth the time frame for the registrant to submit a photograph under section 1328(f) (relating to approval of registration applications). If the time frame expires before the registrant has submitted a photograph, the application will be deemed incomplete. If the expiration occurs during an election, the registrant shall be eligible to complete a provisional ballot pending the submission of the photographs.

Section 4. The Department of State shall promulgate rules and regulations as are necessary to carry out this act.

Section 5. This act shall take effect as follows:

(1) Section 4 of this act shall take effect in 60 days.

(2) This section shall take effect in 60 days.

(3) The remainder of this act shall take effect in one year.