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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1727 Session of  
2013

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INTRODUCED BY M. DALEY, YOUNGBLOOD, MULLERY, ROZZI, PAINTER,  
PARKER, MUNDY, B. BOYLE, D. MILLER, MCGEEHAN, FLYNN, HELM,  
HAGGERTY, GAINEY, SIMS, KIM, O'BRIEN, BROWNLEE, THOMAS,  
V. BROWN, SCHREIBER, MILLARD, KORTZ, P. DALEY, KIRKLAND,  
STURLA, CLAY, QUINN, DEASY AND CARROLL, SEPTEMBER 30, 2013

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 30, 2013

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AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated  
2 Statutes, in voter registration, further providing for  
3 methods of voter registration, providing for electronic voter  
4 registration application and further providing for  
5 preparation and distribution of applications; in changes in  
6 records, further providing for change of enrollment of  
7 political party and for altering registration; and conferring  
8 powers and imposing duties on the Department of State.

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

11 Section 1. Section 1321 of Title 25 of the Pennsylvania  
12 Consolidated Statutes is amended by adding a paragraph to read:

13 § 1321. Methods of voter registration.

14 An individual qualified to register to vote under section  
15 1301(a) (relating to qualifications to register) may apply to  
16 register as follows:

17 \* \* \*

18 (5) Under section 1325.1 (relating to electronic voter  
19 registration application).

1 Section 2. Title 25 is amended by adding a section to read:  
2 § 1325.1. Electronic voter registration application.

3 (a) General rule.--An application to register to vote or to  
4 change party enrollment or name or address on a current  
5 registration may be submitted by electronic voter registration  
6 application on the Internet website of the department in the  
7 manner provided under this section.

8 (b) Establishment.--An electronic voter application shall be  
9 established and implemented by the department within 90 days of  
10 the effective date of this section provided that electronic  
11 voter application may not be in use until the secretary, the  
12 Department of Transportation and each commission have developed  
13 a process and the infrastructure necessary to implement this  
14 section. The electronic voter registration application shall  
15 comply with the requirements under section 1327 (relating to  
16 preparation and distribution of applications). The applicant  
17 shall enter the data requested on the electronic voter  
18 registration and affirmatively attest to the truth of the  
19 information provided in the application. For voter registration  
20 purposes, the applicant shall assent to the use of the signature  
21 from the applicant's driver's license or State identification  
22 card. For each electronic application, the secretary shall  
23 obtain an electronic copy of the applicant's signature from the  
24 applicant's driver's license or the applicant's identification  
25 card issued by the Department of Transportation under 75 Pa.C.S.  
26 § 1510(b) (relating to issuance and content of driver's license)  
27 and transfer the application to the SURE system. If the  
28 secretary determines that a signature is not in the database of  
29 the Department of Transportation, the secretary shall print and  
30 mail the completed voter registration application to the

1 applicant with instructions to sign and mail the application to  
2 the appropriate commission within five days.

3 (c) Duties of secretary.--The secretary shall:

4 (1) promulgate regulations necessary to establish,  
5 implement and administer the electronic voter registration  
6 application; and

7 (2) employ security measures to ensure the accuracy and  
8 integrity of voter registration applications submitted  
9 electronically under this section.

10 (d) Time.--Registration under this section may be made at  
11 any time. If an electronic voter registration application is  
12 submitted later than 30 days before the election, the  
13 application shall be retained until the beginning of the next  
14 period during which registration can be made.

15 Section 3. Sections 1327(a)(3) and (4) and (b)(3), 1503 and  
16 1704(a) of Title 25 are amended to read:

17 § 1327. Preparation and distribution of applications.

18 (a) Form.--

19 \* \* \*

20 (3) Any person who assists in the completion of the  
21 registration application shall sign or, in the case of  
22 registration under section 1325.1 (relating to electronic  
23 voter registration application), electronically sign the  
24 application and indicate the person's address. In the case of  
25 those registering under sections 1323 (relating to  
26 application with driver's license application) and 1325  
27 (relating to government agencies), the person providing  
28 assistance shall insert the person's initials or employee or  
29 agent identification number on a separate or detachable  
30 portion of the application or computer data file.

1           (4) A voter registration application, except a  
2 registration application under section 1325.1, shall be  
3 printed on stock of good quality and shall be of suitable  
4 uniform size. [Nothing in this part shall prohibit the design  
5 and use of an electronic voter registration application which  
6 includes the applicant's digitized or electronic signature.]  
7 The registration application, including a registration  
8 application under section 1325.1, shall contain the following  
9 information; however, the information may be provided on a  
10 separate form for voter registration made under section 1323  
11 or 1325:

12           (i) Notice that a registered elector does not need  
13 to reregister unless the registered elector has moved.

14           (ii) Instructions on how to fill out and submit the  
15 application and notification of when the application must  
16 be submitted to a voter registration office or, for  
17 registration under section 1325.1, electronically in  
18 order to be registered for the ensuing election.

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

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

1           (v) Notice that the commission will mail by  
2 nonforwardable mail to the applicant a voter's  
3 identification card upon acceptance of the application  
4 and that the applicant should contact the commission if  
5 the identification card is not received within 14 days  
6 from the date the application is sent to the registration  
7 office.

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

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

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

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

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

30           \* \* \*

1 (b) Registration declaration.--

2 \* \* \*

3 (3) The registration declaration shall contain the  
4 printed name [and signature of the applicant and the date of  
5 signing], date of signing and, except for applicants  
6 submitting a registration under section 1325.1, the signature  
7 of the applicant. An applicant unable to sign the voter  
8 registration application shall make a mark before a person of  
9 the applicant's choice other than the applicant's employer or  
10 an agent of the applicant's union. The person shall insert  
11 the person's name, address and telephone number. If the  
12 person is an employee or agent of the Department of  
13 Transportation or another agency as provided under section  
14 1325 and is assisting the applicant in an official capacity,  
15 the employee or agent shall insert the initials and  
16 identification number of the employee or agent. In the case  
17 of applicants registering under section 1323 or 1325, the  
18 person providing assistance shall insert initials or employee  
19 or agent identification number on a separate or detachable  
20 portion of the application or computer data file. In the case  
21 of an applicant registering under section 1325.1, the  
22 applicant shall be required to verify the applicant's  
23 identity by:

24 (i) providing the last four digits of the  
25 applicant's Social Security number; and

26 (ii) the applicant's driver's license number or the  
27 applicant's identification number issued by the  
28 Department of Transportation under 75 Pa.C.S. § 1510(b)  
29 (relating to issuance and content of driver's license).

30 In the case of an applicant submitting an electronic

1 voter registration application to change party enrollment or  
2 name or address on a current registration, the applicant may  
3 also verify identity by providing the applicant's voter  
4 identification number issued by the Department of  
5 Transportation under section 206(b) of the act of June 3,  
6 1937 (P.L.1333, No.320), known as the Pennsylvania Election  
7 Code.

8 \* \* \*

9 § 1503. Change of enrollment of political party.

10 By the deadline for registration, a registered elector who  
11 desires to change the enrollment of political designation or  
12 who, although registered, has not previously enrolled as a  
13 member of a party may appear before a commissioner, registrar or  
14 clerk or may submit an application by mail under section 1324  
15 (relating to application by mail) [and state in a signed] or  
16 electronically under section 1325.1 (relating to electronic  
17 voter registration application). The elector may state in a  
18 signed or, in the case of an application submitted under section  
19 1325.1, verified writing the political party in which the  
20 registered elector desires to be enrolled. If the signature or  
21 verification information of the elector is verified by  
22 comparison with the registered elector's signature or  
23 verification information as it appears on file with the  
24 commission, the commissioner, registrar or clerk shall make the  
25 change in its registration records. [If] In cases other than  
26 submission of an application under section 1325.1, if supported  
27 by other evidence of identity, a mark may be made in lieu of a  
28 signature by a registered elector who is unable to write. The  
29 mark must be made in the presence of a witness who must sign the  
30 registration application. For applications submitted under

1 section 1325.1, an elector may verify identity by:

2 (1) providing the last four digits of the elector's  
3 Social Security number; and

4 (2) the elector's driver's license number, the elector's  
5 identification number issued by the Department of  
6 Transportation under 75 Pa.C.S. § 1510(b) (relating to  
7 issuance and content of driver's license) or the applicant's  
8 voter identification number issued by the Department of  
9 Transportation under section 206(b) of the act of June 3,  
10 1937 (P.L.1333, No.320), known as the Pennsylvania Election  
11 Code.

12 § 1704. Altering registration.

13 (a) Prohibition.--No registrar, commissioner, clerk or  
14 assistant [or], commission employee or individual may do any of  
15 the following:

16 (1) Intentionally insert or permit to be inserted an  
17 entry in a registration record without a proper application  
18 under this part or without requiring the proper evidence of  
19 the right of the applicant to be registered.

20 (2) Intentionally materially alter a registration record  
21 after the entries have been made unless the alteration is in  
22 accordance with this part. This paragraph does not apply to  
23 an alteration pursuant to an order of a court of common pleas  
24 or of a commission.

25 (3) Intentionally submit false information regarding a  
26 change of party enrollment or name or address on a  
27 registration record of another individual under section  
28 1325.1 (relating to electronic voter registration  
29 application).

30 \* \* \*



1 Section 4. This act shall take effect in 60 days.