
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 198 Session of
2021

INTRODUCED BY BOSCOLA, COSTA, CAPPELLETTI, BLAKE, FONTANA,
HAYWOOD, KANE, KEARNEY, SANTARSIERO, STREET AND TARTAGLIONE,
FEBRUARY 10, 2021

REFERRED TO STATE GOVERNMENT, FEBRUARY 10, 2021

AN ACT

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

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

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

9 CHAPTER 1

10 PRELIMINARY PROVISIONS

11 Section 101. Short title.

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

14 Section 102. Definitions.

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

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

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

20 CHAPTER 3

21 ELECTION DAY REGISTRATION

22 Section 301. Election day registration.

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

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

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

11 Section 302. Procedure.

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

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

27 (c) Deficient registration.--A county board that finds an
28 election day registration substantially deficient shall mail
29 written notice of the same to the individual. An election day
30 registration shall not be found deficient solely because the

1 individual who provided proof of residence was ineligible to do
2 so.

3 Section 303. Maps.

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

8 Section 304. Record of attempted registrations.

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

15 Section 305. Verification by mail.

16 Within 10 days of an election, each county board shall send a
17 notice to a random sampling of no less than 25% of individuals
18 registered on election day. The random sampling shall be
19 determined in accordance with the rules of the department. As
20 soon as practicable after the election, the board shall mail
21 registration verification notices to all individuals registered
22 on election day. If a notice is returned as not deliverable, the
23 board shall attempt to determine the reason for the return. A
24 county board which does not receive or obtain satisfactory proof
25 of an individual's eligibility to vote shall immediately notify
26 the district attorney and the department.

27 CHAPTER 5

28 ENFORCEMENT AND PENALTIES

29 Section 501. Prohibited acts.

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

1 (1) To cause an individual's name to be registered in
2 any election district if that individual is not eligible to
3 vote.

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

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

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

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

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

16 Section 502. Enforcement.

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

20 CHAPTER 11

21 MISCELLANEOUS PROVISIONS

22 Section 1101. Construction of act.

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

26 Section 1102. Rules and regulations.

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

30 Section 1103. Repeals.

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

3 Section 1104. Applicability.

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

8 Section 1105. Effective date.

9 This act shall take effect immediately.