
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

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CONKLIN AND BOROWSKI, SEPTEMBER 21, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 21, 2023

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, for electronic submission of changes to
5 registration and for time for electronic voter registration
6 and further providing for preparation and distribution of
7 applications and for approval of registration applications;
8 in records, further providing for general register, for
9 district registers and for reports; in changes in records,
10 further providing for removal notices and for change of
11 enrollment of political party; and, in penalties, further
12 providing for altering registration.

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

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

17 § 1321. Methods of voter registration.

18 An individual qualified to register to vote under section
19 1301(a) (relating to qualifications to register) may apply to
20 register as follows:

21 * * *

1 (5) Under section 1325.1 (relating to electronic voter
2 registration).

3 Section 2. Title 25 is amended by adding sections to read:

4 § 1325.1. Electronic voter registration.

5 (a) General rule.--An application to register to vote may be
6 submitted by an electronic voter registration application on the
7 publicly accessible Internet website maintained by the
8 department in the manner provided under this section.

9 (b) Establishment.--

10 (1) The department shall develop an electronic voter
11 application on a secure computer system, maintained by the
12 department, that permits a qualified elector to
13 electronically submit a voter registration application or
14 changes to an existing registration.

15 (2) The department shall develop the application within
16 180 days of the effective date of this section.

17 (3) The electronic voter registration application shall
18 comply with the requirements under section 1327 (relating to
19 preparation and distribution of applications) and the
20 department shall implement methods for individuals with
21 disabilities, including individuals who are blind or visually
22 impaired, to submit registration forms through the computer
23 system.

24 (c) Submission.--

25 (1) A qualified elector who applies to register to vote
26 under this section shall do all of the following:

27 (i) Enter the data required on the electronic voter
28 registration application.

29 (ii) Provide one of the following:

30 (A) the last four digits of the applicant's

1 Social Security number;

2 (B) the applicant's driver's license number or
3 identification card number issued by the Department
4 of Transportation under 75 Pa.C.S. § 1510(b)
5 (relating to issuance and content of driver's
6 license); or

7 (C) if the applicant does not have the
8 information required by clause (A) or (B), any other
9 information required by the department to verify the
10 applicant's identity.

11 (iii) Affirmatively attest to the truth of the
12 information provided by the applicant.

13 (2) The department shall obtain an electronic copy of
14 the applicant's signature from the applicant's driver's
15 license or identification card issued by the Department of
16 Transportation under 75 Pa.C.S. § 1510. The department may,
17 in the department's discretion, develop other means of
18 obtaining an electronic signature from an applicant,
19 including obtaining a copy of a signature on file with
20 another Commonwealth agency, so long as the signature is
21 capable of being transmitted to the department in a secure
22 fashion.

23 (3) (i) Notwithstanding the department's ability to
24 obtain an electronic copy of an applicant's signature
25 under paragraph (2), the department shall transfer the
26 application to the SURE system for examination and
27 processing by the appropriate commission in accordance
28 with section 1328 (relating to approval of registration
29 applications). If the department is not able to obtain an
30 electronic copy of the applicant's signature, the

1 department shall include a notation that the applicant
2 must provide a signature at the polling place or, if the
3 applicant votes by absentee ballot, on the absentee
4 ballot application, the first time the applicant votes
5 after submitting an electronic voter registration
6 application.

7 (ii) Nothing in this section shall be deemed to
8 prevent an applicant from printing the completed
9 electronic voter registration application, signing it and
10 mailing it or delivering it in person to the appropriate
11 commission in accordance with the voter registration
12 application deadlines specified in section 1326.1
13 (relating to time for electronic voter registration). If
14 an applicant satisfies the requirements of this
15 subparagraph, no additional signature shall be required.

16 (4) Use of electronic voter registration application by
17 the applicant shall constitute the applicant's consent to the
18 use of the applicant's signature on file with the Department
19 of Transportation or any other Commonwealth agency or
20 otherwise provided to the department under paragraph (2) for
21 voter registration purposes.

22 (d) Duties of department.--

23 (1) Within 24 months following the effective date of
24 this section, the department shall promulgate regulations
25 necessary to implement the provisions of this section and
26 section 1325.2 (relating to electronic submission of changes
27 to registration). Prior to the promulgation, the department
28 shall transmit notice of the implementation guidelines to the
29 Legislative Reference Bureau for publication in the next
30 available issue of the Pennsylvania Bulletin.

1 (2) The department shall develop and employ security
2 measures to ensure the security and integrity of voter
3 registration applications or changes to voter registrations
4 submitted electronically under this section and section
5 1325.2.

6 § 1325.2. Electronic submission of changes to registration.

7 (a) Transfer through SURE system.--If an electronic voter
8 registration application is submitted within 15 days before an
9 election, the application shall be transferred through the SURE
10 system to the appropriate commission. The appropriate commission
11 shall ensure that the registrant is not included in the book of
12 qualified electors until the election at which that voter would,
13 but for the date of the registration, be eligible.

14 (a.1) Changing information.--A registered elector may change
15 information in the registered elector's voter registration
16 records by using the electronic voter registration application
17 developed by the department under section 1325.1 (relating to
18 electronic voter registration) or a form developed by the
19 department for changes, as determined by the department.

20 (b) Submission.--The provisions of section 1325.1 regarding
21 the validity of the information, the requirement for and consent
22 to the use of the elector's signature on file with another
23 Commonwealth agency or otherwise provided to the department
24 under section 1325.1(c)(2) and other verification by the elector
25 of the elector's identity shall apply to a submission for a
26 change to the elector's registration records under this section.

27 (c) Effectiveness of changes.--Changes to information in an
28 elector's voter registration records under this section shall be
29 effective if:

30 (1) the department is able to obtain an electronic copy

1 of the elector's signature. The department shall inform the
2 applicant if the electronic signature cannot be verified; or

3 (2) the elector prints the form on which the changes
4 have been made, signs the form and mails it or delivers it in
5 person to the appropriate commission, and the commission
6 receives the changes in accordance with the voter
7 registration application deadlines specified in section
8 1326.1 (relating to time for electronic voter registration).

9 § 1326.1. Time for electronic voter registration.

10 In the case of electronic voter registration under section
11 1325.1 (relating to electronic voter registration), each
12 commission shall ensure that an applicant who is a qualified
13 elector is registered to vote in an election if the voter
14 transmits the electronic voter registration application through
15 the Internet system maintained by the department no later than
16 11:59 p.m. on the 15th day prior to the election.

17 Section 3. Sections 1327(a) (3), (4), (5) and (6) and (b) (3)
18 and (4), 1328(a) (2), 1401(a) (5), 1402(b) (2), 1406(a), 1501(b)
19 introductory paragraph and (1), 1503 and 1704(a) of Title 25 are
20 amended to read:

21 § 1327. Preparation and distribution of applications.

22 (a) Form.--

23 * * *

24 (3) Any person who assists in the completion of the
25 registration application shall sign or, in the case of
26 registration under section 1325.1 (relating to electronic
27 voter registration), shall electronically sign the
28 application and indicate the person's address. In the case of
29 those registering under sections 1323 (relating to
30 application with driver's license application) and 1325

1 (relating to government agencies), the person providing
2 assistance shall insert the person's initials or employee or
3 agent identification number on a separate or detachable
4 portion of the application or computer data file.

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

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

18 (ii) Instructions on how to fill out and submit the
19 application and notification of when the application must
20 be submitted to a voter registration office or, for
21 electronic voter registration under section 1325.1,
22 electronically, in order to be registered for the ensuing
23 election.

24 (iii) Notice that the applicant must be a citizen of
25 the United States for at least one month prior to the
26 next election and a resident of this Commonwealth and the
27 election district for at least 30 days and must be at
28 least 18 years of age by the day of the next ensuing
29 election and has not been confined in a penal institution
30 for a conviction of a felony within the last five years.

1 The notice required in this subparagraph shall be in
2 print identical to the declaration under subsection (b).

3 (iv) Notice that political party enrollment is
4 mandatory to vote in a primary election of a political
5 party.

6 (v) Notice that the commission will mail by
7 nonforwardable mail to the applicant a voter's
8 identification card upon acceptance of the application
9 and that the applicant should contact the commission if
10 the identification card is not received within 14 days
11 from the date the application is sent to the registration
12 office[.] or submitted electronically to the department
13 under section 1325.1. In the event that the applicant's
14 electronic registration application did not contain a
15 signature, the registration card shall contain a notice
16 that the registered elector must provide a signature the
17 first time the registered elector votes after submission
18 of the electronic voter registration application.

19 (vi) Notice that registration is not complete until
20 the application is processed and accepted by the
21 commission or, if submitted electronically under section
22 1325.1, processed and accepted by the department.

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

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

30 (ix) Notice that, if an individual declines to

1 register to vote, the fact that the individual has
2 declined to register will remain confidential and will be
3 used only for voter registration purposes. The notice
4 required in this subparagraph shall be in print identical
5 to the declaration under subsection (b).

6 (x) Notice that, if an individual does register to
7 vote, the office at which the individual submits a voter
8 registration application will remain confidential and
9 will be used for voter registration purposes only. The
10 notices required in this subparagraph shall be in print
11 identical to the declaration in subsection (b).

12 (5) In jurisdictions where there is a single language
13 minority, the [secretary] department may print a bilingual
14 application and develop a bilingual electronic voter
15 registration application.

16 (6) In jurisdictions where a single language minority
17 exceeds 5% of the population, in accordance with applicable
18 law, the [secretary] department shall:

19 (i) print a bilingual application and develop a
20 bilingual electronic voter registration application; and

21 (ii) conduct a public educational program among that
22 language group alerting both organizations and
23 individuals of that group of the availability of the
24 bilingual application and encouraging individuals to
25 register.

26 * * *

27 (b) Registration declaration.--

28 * * *

29 (3) The registration declaration shall contain the
30 printed name [and signature of the applicant and the date of

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

17 (4) The official registration application shall contain
18 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
19 notice shall advise the applicant that if a person signs an
20 official registration application or submits an electronic
21 registration application or a change to registration form
22 under section 1325.1 or 1325.2 (relating to electronic
23 submission of changes to registration), knowing a statement
24 declared in the application to be false, the person commits
25 perjury. The notice shall specify the penalty for perjury.

26 * * *

27 § 1328. Approval of registration applications.

28 (a) Examination.--Upon receiving a voter registration
29 application, a commissioner, clerk or registrar of a commission
30 shall do all of the following:

1 * * *

2 (2) Examine the application to determine all of the
3 following:

4 (i) Whether the application is complete. The lack of
5 an applicant's signature on an application submitted
6 under section 1325.1 (relating to electronic voter
7 registration) shall not be grounds for rejecting an
8 otherwise valid application.

9 (ii) Whether the applicant is a qualified elector.

10 (iii) Whether the applicant has an existing
11 registration record. After the commission is connected to
12 the SURE system, the commissioner, clerk or registrar
13 shall search the SURE system on a Statewide basis to
14 determine if the applicant has an existing registration
15 record.

16 (iv) Whether the applicant is entitled or qualified
17 to receive the requested transfer or change, if
18 applicable.

19 * * *

20 § 1401. General register.

21 (a) General rule.--The general register shall contain all of
22 the following for each registered elector of the county:

23 * * *

24 (5) The digitized or electronic signature of the
25 registered elector. In the case of an elector permitted to
26 submit a signature the first time the elector votes after
27 submitting an electronic voter registration application under
28 section 1325.1 (relating to electronic voter registration),
29 the commission shall enter the elector's signature on the
30 elector's registration record as soon as practicable after

1 the election. The elector shall not be subject to the
2 provisions of section 1210(a.3)(2) of the act of June 3, 1937
3 (P.L.1333, No.320), known as the Pennsylvania Election Code,
4 until the elector's signature has been entered on the
5 elector's registration record.

6 * * *

7 § 1402. District registers.

8 * * *

9 (b) Computer lists.--

10 * * *

11 (2) After a commission is connected to the SURE system,
12 each commission shall create from its general register a
13 computer list to be used as the district register. For each
14 election district, the list shall contain the names of the
15 registered electors of the election district, alphabetically
16 by last name of each registered elector. Each page of the
17 list shall contain the name of the county, the election
18 district, the date of the election and the date and time the
19 list was prepared. The computer list shall be in a form
20 prescribed by the secretary and must contain necessary
21 information that would otherwise be available in the general
22 register, including, except for an elector permitted to
23 submit a signature at the polling place the first time the
24 elector votes after submitting an electronic voter
25 registration application under section 1325.1 (relating to
26 electronic voter registration), a legible digitized or
27 electronic signature, the street address and political party
28 of each registered elector, and suitable space for insertion
29 of the signature of the registered elector and for insertion
30 by the proper election official of the number and letter of

1 the stub of the ballot issued to the registered elector or
2 the registered elector's number in the order of admission to
3 the voting systems and the initials of the election official
4 who enters the record of voting in the district register and
5 whether the elector needs assistance to vote and, if so, the
6 nature of the disability. The district register shall be kept
7 at the office of the commission and shall be open to public
8 inspection, subject to reasonable safeguards, rules and
9 regulations.

10 * * *

11 § 1406. Reports.

12 (a) Commission.--By March 1, a commission shall submit to
13 the secretary an annual report setting forth the number of
14 electors registered under sections 1322 (relating to in-person
15 voter registration), 1323 (relating to application with driver's
16 license application), 1324 (relating to application by mail)
17 [and], 1325 (relating to government agencies) and 1325.1
18 (relating to electronic voter registration). The report shall
19 specify the number of electors whose registration has been
20 canceled under Chapter 15 (relating to changes in records) and
21 any other information required by the secretary.

22 * * *

23 § 1501. Removal notices.

24 * * *

25 (b) Use.--A registered elector who removes residence from
26 one place to another within the same county must notify the
27 commission by filing a removal notice under subsection (a) or a
28 signed request for [renewal] removal that contains the
29 information required in subsection (a) with the commission not
30 later than the registration deadline before an election. If

1 mailed, the notice or request must be postmarked not later than
2 the deadline for registration or, in the case of an illegible or
3 missing postmark, received within five days of the close of
4 registration. The following apply:

5 (1) An official registration application of an elector
6 who has registered by mail or electronic voter registration
7 application qualifies as a removal notice.

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 1325.2 (relating to electronic
17 submission of changes to registration). In a case other than
18 submission under section 1325.2, the registered elector shall
19 state in a signed writing the political party in which the
20 registered elector desires to be enrolled. If the signature of
21 the elector is verified by comparison with the registered
22 elector's signature as it appears on file with the commission,
23 the commissioner, registrar or clerk shall make the change in
24 its registration records. [If] In a case other than submission
25 under section 1325.2, if supported by other evidence of
26 identity, a mark may be made in lieu of a signature by a
27 registered elector who is unable to write. The mark must be made
28 in the presence of a witness who must sign the registration
29 application. For submissions under section 1325.2, the
30 registered elector shall follow the procedure for verification

1 of the registered elector's identity specified in section 1325.1
2 (relating to electronic voter registration).

3 § 1704. Altering registration.

4 (a) Prohibition.--No registrar, commissioner, clerk or
5 assistant [or], commission employee or other individual may do
6 any of the following:

7 (1) Intentionally insert or permit to be inserted an
8 entry in a registration record without a proper application
9 under this part or without requiring the proper evidence of
10 the right of the applicant to be registered.

11 (2) Intentionally materially alter a registration record
12 after the entries have been made unless the alteration is in
13 accordance with this part. This paragraph does not apply to
14 an alteration pursuant to an order of a court of common pleas
15 or of a commission.

16 (3) Intentionally submit false information regarding a
17 change of party enrollment or name or address on a
18 registration record of another individual.

19 * * *

20 Section 4. This act shall take effect immediately.