
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1937 Session of
2024

INTRODUCED BY BRENNAN, FREEMAN, SANCHEZ, MADDEN, KINSEY,
SCHLOSSBERG, HADDOCK AND CEPEDA-FREYTIZ, JANUARY 2, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 2, 2024

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in voter registration, further providing for
3 residence of electors; and, in uniform military and overseas
4 voters, further providing for definitions.

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

7 Section 1. Section 1302(a)(1) and (b) of Title 25 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 1302. Residence of electors.

10 (a) General rule.--

11 (1) For the purpose of registration and voting, no
12 individual shall be deemed to have gained a residence by
13 reason of presence or lost a residence by reason of absence
14 in any of the following circumstances:

15 (i) Being employed in the service, either civil or
16 military, of this Commonwealth or of the United States.

17 (ii) Being engaged in the navigation of the waters
18 of this Commonwealth or of the United States or on the
19 high seas.

1 (iii) Being in an institution at public expense.

2 This subparagraph does not apply to a veteran who resides
3 in a home for disabled and indigent soldiers and sailors
4 maintained by the Commonwealth. Such a veteran may elect
5 to utilize that residence for registration and voting or
6 elect to vote as an absentee elector by the use of an
7 absentee ballot.

8 (iv) Being born outside of the United States and
9 meeting the definition of "overseas voter" under section
10 3502 (relating to definitions).

11 * * *

12 (b) Rules for determination.--The following apply:

13 (1) That the place shall be considered the residence of
14 an individual in which habitation is fixed and to which,
15 whenever the individual is absent, the individual has the
16 intention of returning.

17 (2) An individual shall not be considered to have lost
18 residence if the individual leaves home and goes into another
19 state or another election district for temporary purposes
20 only, with the intention of returning.

21 (3) An individual shall not be considered to have gained
22 a residence in an election district if the individual comes
23 into that district for temporary purposes only, without the
24 intention of making that election district a permanent place
25 of abode.

26 (4) If an individual removes to another state with the
27 intention of making that state the permanent residence, the
28 individual shall be considered to have lost residence in this
29 Commonwealth.

30 (5) If an individual removes to another state with the

1 intention of remaining there an indefinite time and making
2 that state the place of residence, the individual shall be
3 considered to have lost residence in this Commonwealth,
4 notwithstanding an intention to return at some indefinite
5 future period.

6 (6) If an individual goes into another state and, while
7 there, votes in an election held by that state, the
8 individual shall be considered to have lost residence in this
9 Commonwealth.

10 (7) An individual employed in the service of the Federal
11 Government or of the Commonwealth and required thereby to be
12 absent from the municipality where the individual resided
13 when entering that employment and the spouse of the
14 individual may remain registered in the district where the
15 individual resided immediately prior to entering that
16 employment, and the individual and the spouse shall be
17 enrolled in the political party designated by the individual
18 or spouse without declaring a residence by street and number.

19 (i) An individual who registers under this paragraph
20 for Commonwealth employment must produce a certificate
21 from the head of the State agency, under the seal of
22 office, setting forth that the individual or the
23 individual's spouse is actually employed in the service
24 of the Commonwealth and setting forth the nature of the
25 employment and the time when the employee first entered
26 the employment. The commission shall retain certificates
27 under this subparagraph.

28 (ii) The commission shall note on the registration
29 record of each individual registered under this paragraph
30 the fact of Federal or State employment.

1 (iii) At least once every two years the commission
2 shall verify the employment of the individuals registered
3 under this paragraph at the proper Federal or State
4 office. If an individual is found to be no longer a
5 Federal or State employee, the individual's registration
6 shall be canceled under Chapter 15 (relating to changes
7 in records).

8 (8) If an individual was born outside of the United
9 States and meets the definition of "overseas voter" under
10 section 3502, the place where the individual's parent or
11 guardian last domiciled immediately before leaving the United
12 States shall be considered the election district of the
13 individual.

14 Section 2. The definition of "overseas voter" in section
15 3502 of Title 25 is amended to read:

16 § 3502. Definitions.

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

20 * * *

21 "Overseas voter." A qualified elector who is outside the
22 United States. The term includes a citizen of the United States
23 residing abroad who:

- 24 (1) was born outside of the United States;
25 (2) is not registered to vote in another state;
26 (3) has not previously voted in another state;
27 (4) except for the residency requirement under section
28 1301 (relating to qualifications to register), otherwise
29 satisfies the voter eligibility requirements of this
30 Commonwealth; and

1 (5) has a parent or legal guardian who last domiciled in
2 this Commonwealth immediately before leaving the United
3 States.

4 * * *

5 Section 3. This act shall take effect in 60 days.