

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 403 Session of 2023

INTRODUCED BY MARKOSEK, SANCHEZ, HANBIDGE, KINSEY, MADDEN, PISCIOTTANO, BURGOS, MERSKI, SCHLOSSBERG, FLEMING, CERRATO, DELLOSO, MULLINS, VENKAT, HILL-EVANS, CIRESI, HARKINS, STURLA, KINKEAD, BRENNAN, FREEMAN, O'MARA, FRANKEL, SHUSTERMAN, CEPEDA-FREYTIZ AND KHAN, MARCH 14, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 14, 2023

AN ACT

1 Establishing the Future Voter Program; providing for prevoter
 2 registration of eligible high school students; and imposing
 3 powers and duties on the Secretary of Education, the
 4 Secretary of the Commonwealth and each county commission.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Future Voters
 9 Act.

10 Section 2. Legislative finding and declaration.

11 (a) Finding.--The General Assembly is committed to promoting
 12 and fostering civic participation and granting equal access to
 13 voter registration for all voters. The General Assembly
 14 recognizes the importance of promoting and fostering lifelong
 15 civic participation and finds that:

16 (1) Many emerging adults are denied access to the most
 17 popular form of voter registration, motor voter. If an

1 individual obtains a driver's license at 16 or 17 years of
2 age, the individual may not understand the importance of the
3 right to vote and may fail to register to vote when the
4 individual reaches 18 years of age.

5 (2) A statistical analysis of all registered voters in
6 this Commonwealth revealed that in 2022, only 8% of
7 registrants were 18 to 24 years of age. Denial of motor voter
8 to so many emerging adults may contribute to lower voter
9 registration levels in the youngest voter age groups.
10 However, some studies show that emerging and young adults who
11 vote are likely to continue to do so.

12 (3) The representational disparities in voter
13 registration rates and voting within the emerging and young
14 adult electorate will improve by enacting election policies
15 that engage all emerging and young adults in this
16 Commonwealth.

17 (b) Declaration.--The General Assembly declares that this
18 act which allows eligible youths at least 16 years of age to
19 preregister to vote is intended to increase voter turnout in
20 emerging and young adults.

21 Section 3. Definitions.

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

25 "County commission." A registration commission established
26 under 25 Pa.C.S. § 1203 (relating to commissions).

27 "Eligible student." An individual enrolled in a school
28 entity in this Commonwealth who is 16 or 17 years of age.

29 "Future voter." An eligible student who, except for age,
30 meets all the qualifications for voting prescribed by the

1 Constitution of Pennsylvania and the laws of this Commonwealth
2 and who provides information related to voter registration to
3 the Department of State or the appropriate county commission to
4 facilitate preregistration to vote.

5 "Program." The Future Voter Program established under this
6 act.

7 "School entity." As defined in section 111.1 of the act of
8 March 10, 1949 (P.L.30, No.14), known as the Public School Code
9 of 1949.

10 "Secretary." The Secretary of Education of the Commonwealth.

11 "Sign up." A procedure that allows an eligible student to
12 register to vote prior to the time that the eligible student
13 will be 18 years of age by the next election.

14 "SURE system." The Statewide Uniform Registry of Electors as
15 defined in 25 Pa.C.S. § 1102 (relating to definitions).

16 Section 4. Future Voter Program.

17 (a) Establishment.--The secretary, in consultation with the
18 Secretary of the Commonwealth, shall establish the Future Voter
19 Program for use by school entities to provide age-appropriate
20 instructions to students in grades 1 through 12 on topics
21 related to civics and civic participation, including educational
22 programming on the history of the Constitution of the United
23 States and the Constitution of Pennsylvania.

24 (b) Program components.--

25 (1) On September 17 of each school year, or on the
26 preceding Friday when September 17 falls on a nonschool day,
27 "Constitution and Citizenship Day" shall be observed by each
28 school entity as part of the school entity's program. As part
29 of this observance, a school entity may designate particular
30 laws or may develop school-entity specific programming

1 related to civics and civic participation for special
2 observance.

3 (2) During the observance of "Constitution and
4 Citizenship Day" in accordance with paragraph (1), each
5 school entity shall, as resources permit, coordinate a voter
6 registration event in each history or social studies class
7 scheduled for eligible students. The voter registration event
8 shall:

9 (i) Be a component of each school entity's program.

10 (ii) Make voter sign-up or voter registration
11 available to all eligible students.

12 (iii) Provide all students who will be 18 years of
13 age or older by the time of the next general election the
14 opportunity to register to vote online in the classroom.

15 (iv) Make voter registration applications available
16 in the classroom. Eligible students who do not possess a
17 driver's license or State identification card shall be
18 provided a voter registration application. This
19 subparagraph shall not be construed to prevent or
20 prohibit eligible students who hold a driver's license or
21 State identification card from requesting and receiving a
22 voter registration application.

23 (v) Include adequate time for eligible students to
24 complete the voter registration process in class.

25 (vi) Allow students who are 16 or 17 years of age to
26 sign up to register to vote, including by mail. Except as
27 provided in subsection (d), the name of a student who
28 signs up to register to vote under this subparagraph may
29 not be added to the SURE system until the student reaches
30 18 years of age.

1 (c) Duties of secretary.--The secretary, in consultation
2 with the Secretary of the Commonwealth or the county
3 commissions, shall:

4 (1) Distribute voter registration materials to school
5 entities for use by eligible students to register to vote at
6 school on "Constitution and Citizenship Day" or on any other
7 school day that may be designated by a school entity.

8 (2) Notify each school entity of the availability of
9 voter registration materials by electronic mail or in any
10 other appropriate manner.

11 (3) Consult with the Secretary of the Commonwealth to
12 provide registration methods that enable the electronic
13 collection of information on the number of eligible students
14 who registered to vote on "Constitution and Citizenship Day."

15 (d) Duties of Secretary of the Commonwealth.--The Secretary
16 of the Commonwealth shall, in consultation with the county
17 commissions, do the following:

18 (1) Provide for the registration of students who have
19 attained 16 years of age and who hold a valid Pennsylvania
20 driver's license or identification card as part of the
21 program by submitting a voter registration application
22 electronically on the Department of State's publicly
23 accessible Internet website. The Secretary of the
24 Commonwealth may accept the last four digits of a student's
25 Social Security number if the student does not hold a valid
26 driver's license or identification card. Each student must
27 attest to the truth of the information provided on the
28 application by affirmatively accepting the information as
29 true.

30 (2) For each electronic registration application

1 received under paragraph (1), obtain a digital copy of the
2 applicant's driver's license or State identification card
3 signature from the Department of Transportation.

4 (3) Provide for the maintenance and storage of pending
5 registration records for all future voters who are not 18
6 years of age in a database engineered to ensure that no
7 pending registration record will be recorded in or otherwise
8 transferred to the SURE system until the future voter is 18
9 years of age and is no longer in pending status.

10 (4) Assign a unique identifier to future voters who are
11 under 18 years of age.

12 (5) Permit each county commission to have access to the
13 future voter database and to allow a county commission to
14 send notices to future voters related to registration status
15 or any other information related to voter registration.

16 (e) Disclosure not authorized.--Notwithstanding any other
17 provision of law, information that is otherwise disclosable
18 under the act of February 14, 2008 (P.L.6, No.3), known as the
19 Right-to-Know Law, shall not be deemed public information and,
20 except for the purpose of processing and delivering ballots,
21 shall not be disclosed on any eligible student until the
22 eligible student reaches 18 years of age.

23 (f) Construction.--Nothing in this section shall be
24 construed to prohibit a school entity from designating any other
25 school day or time to facilitate the intent and purpose of this
26 act.

27 Section 5. Voter registration applications.

28 (a) Completeness.--

29 (1) A voter registration application received by the
30 Department of State or a county commission through the

1 program shall be considered complete only if the application
2 contains the information required under 25 Pa.C.S. § 1301
3 (relating to qualifications to register), provided that an
4 eligible student who registers to vote through the program
5 shall not be considered to be registered unless the eligible
6 student will be 18 years of age by the date of the next
7 election. An eligible student shall:

8 (i) Attest to the truth of the information provided
9 on the application by affirmatively accepting the
10 information as true.

11 (ii) If signing up to register by mail, provide a
12 signature for voter registration purposes.

13 (iii) Affirmatively acknowledge that the student
14 will not vote until the student reaches 18 years of age.

15 (2) Notwithstanding any other provision of law or
16 regulation, an eligible student who signs up to register to
17 vote through the program shall be classified as pending,
18 unless the eligible student will be 18 years of age by the
19 date of the next election.

20 (b) Incomplete application.--If an application is not
21 complete, the county commission shall promptly mail a
22 verification notice to the eligible student. The verification
23 notice shall require the eligible student to provide the missing
24 information.

25 (c) Removal from pending status.--When a future voter
26 reaches 18 years of age, the future voter's registration
27 application shall be removed from pending status.

28 (d) Disclosure not authorized.--

29 (1) The personal identifiable information of eligible
30 students under 18 years of age who sign up or register to

1 vote through the program shall be exempt from public
2 inspection, copying and disclosure under the act of February
3 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law,
4 except for the purpose of processing and delivering ballots.

5 (2) A county commission shall not include the personal
6 identifiable information contained in an eligible student's
7 voter registration application on the master list of
8 prospective jurors prepared by the county under 42 Pa.C.S. §
9 4521 (relating to selection of prospective jurors) and no
10 eligible student shall be qualified to serve as a juror under
11 42 Pa.C.S. § 4521 until the eligible student reaches 18 years
12 of age.

13 Section 6. Guidelines.

14 The secretary, in consultation with the Secretary of the
15 Commonwealth, shall promulgate and adopt guidelines to
16 administer the provisions of this act.

17 Section 7. Effective date.

18 This act shall take effect immediately.