
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 608 Session of
2017

INTRODUCED BY HUGHES, SCHWANK, YUDICHAK, FONTANA, HAYWOOD,
FARNESE AND LEACH, MAY 2, 2017

REFERRED TO STATE GOVERNMENT, MAY 2, 2017

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in preliminary provisions, further providing for
3 definitions; in registration system, further providing for
4 departmental responsibilities and for SURE system; in voter
5 registration, further providing for methods of voter
6 registration and for application with driver's license
7 application, providing for Commonwealth agencies and other
8 entities and further providing for time, for preparation and
9 distribution of applications and for approval of registration
10 applications; and providing for privacy and security
11 standards for voter registration in this Commonwealth.

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

14 Section 1. The definitions of "applicant," "registration
15 card" and "registration records" in section 1102 of Title 25 of
16 the Pennsylvania Consolidated Statutes are amended and the
17 section is amended by adding a definition to read:

18 § 1102. Definitions.

19 Subject to additional definitions contained in subsequent
20 provisions of this part which are applicable to specific
21 provisions of this part, the following words and phrases when
22 used in this part shall have the meanings given to them in this

1 section unless the context clearly indicates otherwise:

2 "Applicant." An individual who is automatically registered
3 or who applies to be registered to vote as provided for in this
4 part.

5 * * *

6 "Employment or program application." All of the following:

7 (1) Any application for employment filed with any of the
8 following:

9 (i) The Bureau of State Employment.

10 (ii) Any independent agency of this Commonwealth.

11 (iii) The Pennsylvania Civil Service Commission.

12 (2) An application for any financial assistance,
13 compensation, benefit or service available, offered or to
14 which the person is entitled pursuant to any program
15 administered by the following:

16 (i) The Department of Aging.

17 (ii) The Department of Health.

18 (iii) The Department of Human Services.

19 (iv) The Insurance Department.

20 (v) The Department of Labor and Industry.

21 (vi) The Department of Military and Veterans
22 Affairs.

23 (vii) The Department of Revenue.

24 (viii) The Treasury Department.

25 (ix) The Pennsylvania Housing Finance Agency.

26 (x) Any other offices in this Commonwealth that
27 provide public assistance or that provide State-funded
28 programs primarily engaged in providing services to low-
29 income individuals, the elderly or persons with
30 disabilities.

1 (3) An application for admission to a State-owned or
2 State-related institution of higher education in this
3 Commonwealth.

4 (4) An application for financial assistance filed with
5 the Pennsylvania Higher Education Assistance Agency.

6 * * *

7 "Registration card." A registration record, including an
8 electronic record, containing all information required on the
9 registration application, including the elector's signature or
10 electronic signature, and suitable space for the insertion by
11 the appropriate official of the following information:

12 (1) The ward and election district of residence.

13 (2) The registrant's street address.

14 (3) Data required to be given upon removal from the
15 registrant's residence.

16 (4) The date of each election at which the registrant
17 votes.

18 (5) The number and letter of the stub of the ballot
19 issued to the registrant or the registrant's number in the
20 order of admission to the voting machines.

21 (6) The initials of the election officer who enters the
22 record of voting in the district register.

23 (7) Whether the registrant needs assistance to vote and,
24 if so, the nature of the disability.

25 "Registration records." The general register, district
26 register and any other record of registration, including an
27 electronic record, maintained by a commission. The term includes
28 any record maintained by the commission on the Statewide Uniform
29 Registry of Electors.

30 * * *

1 Section 2. Sections 1201, 1222(c)(8), 1321 and 1323 of Title
2 25 are amended to read:

3 § 1201. Departmental responsibilities.

4 The department shall do all of the following:

5 (1) Provide for applicants to submit their voter
6 registration application to a commission, the Department of
7 Transportation and other agencies designated in section 1325
8 (relating to government agencies).

9 (2) Prescribe a procedure for the return of completed
10 voter registration applications from and the schedule by
11 which the Department of Transportation, the Department of
12 [Public Welfare] Human Services, armed forces recruitment
13 centers, Offices of the Clerk of Orphan's Court and all other
14 offices authorized under [this part to the secretary or the
15 appropriate commission.] sections 1323 (relating to automatic
16 registration with driver's license application), 1325
17 (relating to government agencies) and 1325.1 (relating to
18 Commonwealth agencies and other entities) to register
19 individuals to vote shall provide to the department
20 electronic records containing the legal name, age, residence
21 and citizenship information for, and the electronic signature
22 of, each individual who meets qualifications identified by
23 the secretary by guideline for automatic registration.

24 (3) Develop, establish, implement and administer a
25 Statewide Uniform Registry of Electors in accordance with
26 Subchapter B (relating to Statewide Uniform Registry of
27 Electors (SURE)).

28 (4) Promulgate regulations necessary to administer this
29 part.

30 § 1222. SURE system.

1 * * *

2 (c) Requirements.--The SURE system shall be developed as a
3 single, uniform integrated computer system. All commissions
4 shall be connected electronically to the SURE system and shall
5 maintain their registration records in the system. The SURE
6 system shall, at a minimum, do all of the following:

7 * * *

8 (8) Provide for the electronic transfer of voter
9 registration information transmitted pursuant to section 1502
10 (relating to transfer of registration), completed voter
11 registration applications and changes of address in
12 accordance with this part.

13 * * *

14 § 1321. Methods of voter registration.

15 (a) Application.--An individual qualified to register to
16 vote under section 1301(a) (relating to qualifications to
17 register) may apply to register [as follows] in accordance with:

18 (1) [Under section] Section 1322 (relating to in-person
19 voter registration).

20 (2) [Under section] Section 1323 (relating to
21 [application] automatic registration with driver's license
22 application).

23 (3) [Under section] Section 1324 (relating to
24 application by mail).

25 (4) [Under section] Section 1325 (relating to government
26 agencies).

27 (b) Automatic registration.--An individual qualified to
28 register to vote under section 1301(a) who applies for or uses
29 government services pursuant to section 1323 or 1325.1 (relating
30 to Commonwealth agencies and other entities) shall be registered

1 automatically unless an individual chooses not to register
2 automatically as provided for in this chapter.

3 § 1323. [Application] Automatic registration with driver's
4 license application.

5 (a) General rule.--

6 (1) The Department of Transportation shall provide for
7 simultaneous [application for] voter registration in
8 conjunction with the process under 75 Pa.C.S. § 1510
9 (relating to issuance and content of driver's license). An
10 application under this subsection shall serve as an
11 application to register to vote unless the applicant fails to
12 sign the voter registration application.

13 (1.1) The secretary shall prescribe a procedure and
14 schedule by which the Department of Transportation shall
15 collect voter information and provide to the department
16 electronic registration records containing the legal name,
17 age, residence and the electronic signature of each
18 individual who reports being a citizen of the United States,
19 is subject to penalties under 18 Pa.C.S. § 4904 (relating to
20 unsworn falsification to authorities) and meets
21 qualifications identified by the secretary. The secretary has
22 the primary responsibility for implementing and enforcing the
23 driver's license voter registration system created under this
24 section. The secretary, in consultation with the Secretary of
25 Transportation, may promulgate regulations for implementing
26 this section.

27 (1.2) Upon receiving the electronic registration record
28 for, and electronic signature of, a person described in
29 paragraph (1), the secretary shall provide the information to
30 the commission in which the individual may be registered as

1 an elector under the laws of this Commonwealth and under the
2 National Voter Registration Act of 1993 (Public Law 103-31,
3 52 U.S.C. § 20501 et seq.). The commission shall provide each
4 individual with the process to:

5 (i) Decline being registered as a voter.

6 (ii) Adopt a political party affiliation, along with
7 information as to which elections require a political
8 party affiliation for participation.

9 (1.3) If an individual notified under paragraph (1.2)
10 does not decline to be registered as an elector within 21
11 calendar days after the commission issues the notification,
12 the individual's electronic registration record and
13 electronic signature submitted under paragraph (1) shall
14 constitute a completed voter registration application for
15 purposes of this chapter. The person shall be registered to
16 vote if the individual is eligible to vote under the laws of
17 this Commonwealth and is not already registered to vote.

18 (1.4) An individual notified under paragraph (1.3) who
19 does not decline to be registered as an elector within 21
20 calendar days after the commission issues the notification
21 and does not adopt a political party affiliation shall be
22 required to adopt a political party affiliation prior to
23 voting at the next primary election at which the individual
24 exercises his right to vote. If no such political affiliation
25 is adopted, an individual shall be permitted to vote at the
26 next election that does not require a political party
27 affiliation to participate.

28 (1.5) A commission may not send a ballot to, or add to
29 an elector registration list, an individual who does not have
30 a completed registration under paragraph (1.2).

1 (2) An application for voter registration or automatic
2 registration submitted to the Department of Transportation
3 under this subsection shall be considered as updating any
4 previous voter registration information by a registrant.

5 (3) Any change of address submitted to the Department of
6 Transportation for the purposes of driver licensing or an
7 identification card under 75 Pa.C.S. § 1510 shall serve as
8 notification of change of address for voter registration for
9 the registrant involved unless the registrant indicates that
10 the change of address is not for voter registration purposes.

11 (b) Process.--

12 (1) The Department of Transportation shall both provide
13 for an application for voter registration as part of a
14 driver's license application[.] and collect voter
15 registration information as part of an application submitted
16 under 75 Pa.C.S. § 1510 by an individual who meets the
17 qualifications to register under section 1301(a) (relating to
18 qualifications to register).

19 (2) The format of the driver's license/voter
20 registration application and information to be collected
21 shall be determined and prescribed by the secretary and the
22 Secretary of Transportation[.] and shall include all the
23 requirements of an official voter registration application
24 specified in section 1327 (relating to preparation and
25 distribution of applications).

26 (3) The voter registration application portion of the
27 application shall contain all the requirements of an official
28 voter registration application specified in section 1327
29 [(relating to preparation and distribution of applications)].
30 The voter registration portion of the application:

1 (i) may not require any information that duplicates
2 information required in the driver's license portion of
3 the form, other than a second signature; and

4 (ii) may require only the minimum amount of
5 information necessary to prevent duplicate voter
6 registration, to enable the commission to assess the
7 eligibility of the applicant and to administer voter
8 registration and other parts of the election process.

9 (c) Transmission.--

10 (1) The Department of Transportation shall forward
11 completed applications or contents of the completed voter
12 registration applications in machine-readable format to the
13 department by the close of registration for the ensuing
14 election. The Department of Transportation shall forward the
15 electronic registration record containing the information set
16 forth in subsection (a)(1) to the secretary as prescribed by
17 section 1201(2) (relating to departmental responsibilities)
18 regarding individuals who report being a citizen of the
19 United States, subject to penalties under 18 Pa.C.S. § 4904.

20 (2) [The] Upon receipt, the department shall transmit
21 the material to the appropriate commission within ten days
22 after the date of its receipt by the Department of
23 Transportation. If a voter registration application is
24 received by the Department of Transportation within five days
25 before the last day to register before an election, the
26 application shall be transmitted to the appropriate
27 commission not later than five days after the date of its
28 receipt by the Department of Transportation.

29 (3) (i) Upon receipt of the completed voter
30 registration information from the department, the

1 commission shall make a record of the date of the receipt
2 of the application or electronic registration record and
3 process the application. No applicant shall be deemed
4 eligible to vote until the commission has received and
5 approved the application. Upon receipt of an electronic
6 registration record from the department, the commission
7 shall notify the individual of the process to:

8 (A) Decline being registered as a voter.

9 (B) Adopt a political party affiliation, along
10 with information as to which elections require a
11 political party affiliation for participation.

12 (ii) If an individual notified under subparagraph
13 (i) does not decline to be registered as an elector
14 within 21 calendar days after the commission issues the
15 notification, the individual's electronic record and
16 electronic signature submitted under paragraph (1) shall
17 constitute a completed voter registration application for
18 purposes of this chapter. The person shall be registered
19 to vote if the individual is eligible to vote under the
20 laws of this Commonwealth and is not already registered
21 to vote.

22 (iii) A commission may not send a ballot to, or add
23 to an elector registration list, an individual who does
24 not have a completed voter registration under
25 subparagraph (ii).

26 (3.1) After the Department of Transportation is
27 connected to the SURE system and notwithstanding paragraphs
28 (1), (2) and (3), the Department of Transportation shall
29 transmit electronically the contents of a completed voter
30 registration application within five days of receipt of the

1 application. The Department of Transportation shall transmit
2 the electronic registration records of individuals who have
3 reported, subject to penalties under 18 Pa.C.S. § 4904, that
4 the individual is a citizen of the United States and shall
5 contain the information set forth in subsection (a)(1) within
6 24 hours of collection of the information. Upon receipt of
7 the information from the Department of Transportation, a
8 commission shall, in the case of an application, make a
9 record of the date of the receipt of the application and
10 process the application in accordance with section 1328
11 (relating to approval of registration applications) or, in
12 the case of an electronic registration record, proceed in
13 accordance with paragraph (3). If the commission of the
14 county of residence has not been connected to the SURE
15 system, the Department of Transportation shall forward the
16 completed application or contents of the completed
17 application or the electronic registration record to the
18 department in accordance with paragraph (1). No applicant
19 shall be deemed eligible to vote until the commission has
20 received and approved an application in accordance with
21 section 1328.

22 (4) Changes of address shall comply with the following:

23 (i) Before the Department of Transportation is
24 connected to the SURE system, the Department of
25 Transportation shall notify the department of changes of
26 address received under subsection (a)(3). The department
27 shall notify the commission of the county of the
28 registrant's former residence. After the Department of
29 Transportation is connected to the SURE system, the
30 Department of Transportation shall notify the commission

1 of the county of the registrant's former residence. If
2 the registrant has moved to an address outside this
3 Commonwealth, the commission shall verify the address
4 change in accordance with section 1901 (relating to
5 removal of electors). Except as provided in subparagraph
6 (ii), if the registrant confirms in accordance with
7 section 1901(d) that he has moved to another county, the
8 commission shall cancel the registration and forward the
9 registrant's registration information to the commission
10 of the registrant's new county of residence. Except as
11 provided in subparagraph (ii), if the registrant has
12 moved to an address within the commission's jurisdiction,
13 the commission shall promptly update the registration
14 record of the registrant in accordance with section 1328.
15 All changes of address received by the Department of
16 Transportation under this section at least 30 days before
17 an election must be processed by the commission for the
18 ensuing election. For the purpose of this paragraph, the
19 term "registration information" means the registration
20 card and any other record of registration maintained by a
21 commission.

22 (ii) In the case of changes of address received by
23 the Department of Transportation which do not contain a
24 signature of the registrant, the commission receiving the
25 change of address notification shall mail a notice to the
26 registrant at the new residence address requesting
27 verification of the address change. If the change of
28 address is to a new residence outside the commission's
29 jurisdiction, the commission shall mail the following
30 notice:

1 Date.....

2 Office of the Registration Commission

3 County, Pennsylvania

4 (Address and Telephone No. of County)

5 We have been notified by the Department of Transportation
6 that you recently changed your address

7 from (old residence address)

8 to (new residence address) and that this

9 change of address is to serve as a change of address for

10 voter registration purposes. Unless you notify this

11 office within ten days from the date of this notice that

12 this information is not correct, your voter registration

13 will be transferred to County. You may notify

14 this office by writing your residence address, the date

15 and your signature on the bottom of this form and mailing

16 this notice to this office. You need not notify this

17 office if this information is correct.

18

19 Chief Clerk

20 If the address change is within the commission's

21 jurisdiction, the commission shall mail a voter's

22 identification card to the registrant at the new

23 residence address.

24 (iii) If the registrant does not return the notice

25 under subparagraph (ii) within the ten-day period, the

26 commission shall process the change of address according

27 to subparagraph (i). If the registrant notifies the

28 commission that the information is incorrect and the

29 commission is satisfied with the registrant's explanation

30 of the discrepancy, the address of the registrant's

1 registration shall remain unchanged. If the verification
2 notification or voter identification card is returned by
3 the post office as undeliverable as addressed or with a
4 forwarding address, the commission shall send a
5 confirmation notice to the registrant's address of former
6 residence in accordance with section 1901(d)(2).

7 (5) Upon notification and confirmation of any change of
8 address, a commission shall promptly update information
9 contained in its registration record.

10 (d) Prohibition.--[An] The Department of Transportation may
11 not register to vote under this section an individual who is not
12 a qualified elector [is ineligible to register to vote under
13 this section].

14 (e) Effect.--Failure to properly complete a voter
15 registration application or refusal to provide voter
16 registration information shall not affect the validity of an
17 application for a driver's license, a renewal application or an
18 identification card application.

19 (f) Use of information.--No information regarding a
20 declination to register to vote in connection with an
21 application [made] submitted or not submitted if an individual
22 has not certified that the individual is a citizen of the United
23 States, subject to penalties under 18 Pa.C.S. § 4904, under this
24 section may be used for any purpose other than voter
25 registration.

26 (g) Staff.--Agents and employees working on behalf of the
27 Department of Transportation assisting in the completion of
28 voter registration applications or collecting voter registration
29 information under this section shall conduct themselves in a
30 manner consistent with the following principles:

1 (1) They shall not seek to influence an applicant's
2 political preference or party registration or display
3 political preference or party allegiance.

4 (2) They shall not make a statement to an applicant or
5 take an action the purpose or effect of which is to
6 discourage the applicant from registering to vote or
7 providing voter registration information.

8 (3) Applicants wishing to register to vote under this
9 section shall be given the same degree of assistance with the
10 voter registration application as with all other Department
11 of Transportation forms.

12 Agency employees who violate this subsection or who fail to
13 collect the information required under subsection (a)(1) or fail
14 to forward the information to the department or the SURE system
15 shall be removed from employment, provided that the agency at
16 its discretion may impose a penalty of suspension without pay
17 for at least 30 days, but not more than 120 days, if it finds
18 that the violation does not warrant termination.

19 Section 3. Title 25 is amended by adding a section to read:

20 § 1325.1. Commonwealth agencies and other entities.

21 (a) Administration.--The secretary shall administer a system
22 whereby each individual submitting an employment or program
23 application shall provide for simultaneous voter registration in
24 conjunction with an employment or program application filed with
25 the agency or entity.

26 (b) Procedure.--The secretary shall prescribe a procedure
27 and schedule by which each entity under this section shall
28 provide to the department electronic records containing the
29 legal name, age, residence and citizenship information for, and
30 the electronic signature of, each individual who has certified

1 that the individual is a citizen of the United States, subject
2 to penalties under 18 Pa.C.S. § 4904 (relating to unsworn
3 falsification to authorities), and any other information
4 required under this chapter.

5 (c) Effect.--Refusal to provide voter registration
6 information shall not affect the validity of an employment or
7 program application, consideration of the application or
8 eligibility for any financial assistance, compensation, benefit
9 or service available, offered or to which the person is entitled
10 pursuant to any program.

11 (d) Staff.--

12 (1) Agency or entity employees collecting voter
13 registration information under this section shall conduct
14 themselves in a manner consistent with the following
15 principles:

16 (i) The employee may not seek to influence an
17 applicant's political preference or party registration or
18 display political preference or party allegiance.

19 (ii) The employee may not make a statement to an
20 applicant or take an action the purpose of or effect of
21 which is to discourage the applicant from providing voter
22 registration information.

23 (iii) The employee may not make a statement to an
24 applicant or take an action the purpose of or effect of
25 which is to lead the applicant to believe that refusing
26 to provide voter registration information has any bearing
27 on the application, including its consideration, the
28 likelihood of employment or, in the case of an
29 application to a State-owned or State-related university,
30 acceptance, or the availability of services or benefits.

1 (2) Agency or entity employees who violate this
2 subsection, who fail to collect the information required
3 under subsection (a)(1) or fail to forward the information to
4 the department shall be removed from employment, except that
5 the agency or entity at its discretion may impose a penalty
6 of suspension without pay for at least 30 days, but not more
7 than 120 days, if it finds that the violation does not
8 warrant termination.

9 (e) Encouraging registration.--Agencies and entities subject
10 to this section must provide reasonable space for nonpartisan
11 signs or posters advising individuals of automatic voter
12 registration. The signs and posters shall be provided by the
13 secretary.

14 (f) Transmission.--The following shall apply:

15 (1) Agencies and entities subject to this section shall
16 forward the electronic registration record of individuals who
17 certify that the individual is a citizen of the United
18 States, subject to penalties under 18 Pa.C.S. § 4904,
19 containing the information set forth in subsection (a)(1) to
20 the secretary as prescribed by section 1201(2) (relating to
21 departmental responsibilities).

22 (2) Upon receipt, the department shall transmit the
23 material to the appropriate commission.

24 (3) Upon receipt of the electronic record from the
25 department, the commission shall notify the individual of the
26 process to:

27 (i) Decline being registered as a voter.

28 (ii) Adopt a political party affiliation, along with
29 information as to which elections require a political
30 party affiliation for participation.

1 (4) The individual's electronic record and electronic
2 signature submitted under paragraph (1) shall constitute a
3 completed voter registration card for purposes of this
4 chapter. The person shall be registered to vote if the
5 individual is eligible to vote under the laws of this
6 Commonwealth and is not already registered to vote.

7 (5) An individual notified under paragraph (3) who does
8 not decline to be registered as an elector within 21 calendar
9 days after the commission issues the notification and does
10 not adopt a political party affiliation shall be required to
11 adopt a political party affiliation prior to voting at the
12 next primary election at which the individual exercises his
13 right to vote. If no such political affiliation is adopted,
14 an individual shall be permitted to vote at the next election
15 that does not require a political party affiliation to
16 participate.

17 (6) A commission may not send a ballot to, or add to an
18 elector registration list, an individual who does not have a
19 completed voter registration pursuant to paragraph (4).

20 (g) Confidentiality.--The identity of an agency or entity
21 through which a particular voter is registered in accordance
22 with this section shall not be disclosed to the public.

23 (h) Use of information.--No information relating to voter
24 registration collected by agencies or entities, including, but
25 not limited to, an individual's citizenship status under this
26 section or information relating to an individual's election to
27 decline to register as a voter may be used for a purpose other
28 than voter registration.

29 (i) Regulation.--The secretary shall promulgate regulations
30 regarding the maintenance and destruction of forms used pursuant

1 to this section.

2 Section 4. Sections 1326(b) and (c), 1327(a) and (b) and
3 1328(b) and (c) are amended to read:

4 § 1326. Time.

5 * * *

6 (b) Deadlines.--In the administration of voter registration,
7 each commission shall ensure that any applicant who is a
8 qualified elector is registered to vote in an election when the
9 applicant has met any of the following conditions:

10 (1) In the case of voter registration with a motor
11 vehicle driver's license application under section 1323
12 (relating to [application] automatic registration with
13 driver's license application), if the valid application or
14 electronic voter registration application is submitted to the
15 appropriate Department of Transportation office or received
16 by the department not later than 30 days before the date of
17 the election.

18 (2) In the case of registration by mail under section
19 1324 (relating to application by mail), if the valid voter
20 registration mail application is postmarked not later than
21 the deadline to register for the ensuing election or, in the
22 case of an illegible or missing postmark, it is received not
23 later than five days after the deadline to register for the
24 ensuing election.

25 (3) In the case of voter registration at a voter
26 registration agency under section 1325 (relating to
27 government agencies) or 1325.1 (relating to Commonwealth
28 agencies or other entities), if the valid voter registration
29 application is accepted at the voter registration agency or
30 electronic voter registration record is received by the

1 department not later than 30 days before the date of the
2 election.

3 (4) In any other case, if the valid voter registration
4 application of the applicant is received by the appropriate
5 commission not later than 30 days before the election.

6 (c) Special rules.--

7 (1) In the case of a special election within a
8 congressional, senatorial or representative district held on
9 a day other than the day of a primary, general or municipal
10 election, the registration application forms and electronic
11 records shall not be processed in the wards and election
12 districts comprising the district for the [30] five days
13 prior to the special election for such election.

14 (2) No applications shall be received as follows:

15 (i) On Sundays.

16 (ii) On holidays.

17 (iii) On the day of the election.

18 (iv) During the [30] five days next preceding each
19 general, municipal and primary election except as
20 provided in subsection (b).

21 § 1327. Preparation and distribution of applications.

22 (a) Form.--

23 (1) The secretary shall prescribe the form of an
24 official voter registration application. The official voter
25 registration application shall provide space for the
26 following information about the applicant:

27 (i) Full name.

28 (ii) Address of residence. If the residence is a
29 portion only of the house, the location or number of the
30 room, apartment or floor which is occupied.

1 (iii) Mailing address if different than address of
2 residence.

3 (iv) Name and residence address on previous
4 registration and the year of that registration.

5 (v) Designation of political party, for the purpose
6 of voting at a primary election.

7 (vi) Date of birth.

8 (vii) Telephone number. An application shall not be
9 rejected because of noncompliance with this subparagraph.

10 (viii) Race. An application shall not be rejected
11 because of noncompliance with this subparagraph.

12 (2) Data required on the voter registration application
13 shall not be more nor less than the minimum data elements
14 permissible for Federal voter registration.

15 (3) Any person who assists in the completion of the
16 registration application shall sign the application and
17 indicate the person's address. In the case of those
18 [registering] automatically registered electronically under
19 [sections] section 1323 (relating to [application] automatic
20 registration with driver's license application) [and], 1325
21 (relating to government agencies) or 1325.1 (relating to
22 Commonwealth agencies and other entities), the person
23 providing assistance shall insert the person's initials or
24 employee or agent identification number on a separate or
25 detachable portion of the application or the computer data
26 file.

27 (4) A voter registration application shall be printed on
28 stock of good quality and shall be of suitable uniform size.
29 Nothing in this part shall prohibit the design and use of an
30 electronic voter registration application which includes the

1 applicant's digitized or electronic signature. The
2 registration application shall contain the following
3 information; however, the information may be provided on a
4 separate form for automatic voter registration made under
5 section 1323 [or], 1325 or 1325.1:

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

8 (ii) Instructions on how to fill out and submit the
9 application and notification of when the application must
10 be submitted to a voter registration office in order to
11 be registered for the ensuing election.

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

21 (iv) Notice that political party enrollment is
22 mandatory to vote in a primary election of a political
23 party.

24 (v) [Notice] For a paper application, notice that
25 the commission will mail by nonforwardable mail to the
26 applicant a voter's identification card upon acceptance
27 of the application and that the applicant should contact
28 the commission if the identification card is not received
29 within 14 days from the date the application is sent to
30 the registration office.

1 (v.1) For automatic registration under section 1323,
2 1325 or 1325.1, notice that the commission will notify
3 the individual of the registration and that if the
4 individual does not decline to be registered as an
5 elector within 21 calendar days after the commission
6 issues the notification, the individual's electronic
7 record and electronic signature submitted under paragraph
8 (1) shall constitute a completed voter registration card
9 for purposes of this chapter.

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

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

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

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

26 (x) Notice that, if an individual does register to
27 vote, the office at which the individual submits a voter
28 registration application or was automatically registered
29 will remain confidential and will be used for voter
30 registration purposes only. The notices required in this

1 subparagraph shall be in print identical to the
2 declaration in subsection (b).

3 (5) In jurisdictions where there is a single language
4 minority, the secretary may print a bilingual application.

5 (6) In jurisdictions where a single language minority
6 exceeds 5% of the population, the secretary shall:

7 (i) print a bilingual application; and

8 (ii) conduct a public educational program among that
9 language group alerting both organizations and
10 individuals of that group of the availability of the
11 bilingual application and encouraging individuals to
12 register.

13 (7) To implement section 1324 (relating to application
14 by mail), the secretary shall print an official voter
15 registration mail application designed to preserve the
16 confidentiality of the information required to be submitted.
17 The application shall contain information required by this
18 section and shall include the name of each county seat, its
19 post office mailing address and zip code and its telephone
20 number. Voter registration mail applications shall contain
21 information indicating whether the application is a new
22 registration, change of party enrollment, change of address
23 or change of name.

24 (8) Nothing in this part shall prohibit a private
25 organization or individual from printing blank voter
26 registration applications or shall prohibit the use of such
27 applications by any other individual, provided that the form,
28 content and paper quality of such voter registration
29 application complies with department regulations for the
30 forms or has received prior approval from the secretary.

1 (b) Registration declaration.--

2 (1) The official voter registration application shall
3 contain a registration declaration. On the declaration, the
4 applicant shall state all of the following:

5 (i) The applicant has been a citizen of the United
6 States for at least one month prior to the next election.

7 (ii) On the day of the next ensuing election, the
8 applicant shall be at least 18 years of age.

9 (iii) On the day of the next ensuing election, the
10 applicant shall have resided in this Commonwealth and in
11 the election district for at least 30 days.

12 (iv) The applicant has not been confined in a penal
13 institution for a conviction of a felony within the last
14 five years.

15 (v) The applicant is legally qualified to vote.

16 (2) The applicant shall affirm all of the following:

17 (i) The information provided in the registration
18 declaration is true.

19 (ii) The applicant understands that:

20 (A) the registration declaration will be
21 accepted for all purposes as the equivalent of an
22 affidavit; and

23 (B) if the registration contains a material
24 false statement, the applicant shall be subject to
25 penalties for perjury.

26 (3) The registration declaration shall contain the
27 printed name and signature of the applicant and the date of
28 signing. An applicant unable to sign the voter registration
29 application shall make a mark before a person of the
30 applicant's choice other than the applicant's employer or an

1 agent of the applicant's union. The person shall insert the
2 person's name, address and telephone number. If the person is
3 an employee or agent of the Department of Transportation or
4 another agency as provided under section 1325 and is
5 assisting the applicant in an official capacity, the employee
6 or agent shall insert the initials and identification number
7 of the employee or agent. In the case of applicants
8 registering under section 1323 or 1325, the person providing
9 assistance shall insert initials or employee or agent
10 identification number on [a separate or detachable portion of
11 the application or] the computer data file.

12 (4) The official registration application shall contain
13 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
14 notice shall advise the applicant that if a person signs an
15 official registration application knowing a statement
16 declared in the application to be false, the person commits
17 perjury. The notice shall specify the penalty for perjury.

18 * * *

19 § 1328. Approval of registration applications.

20 * * *

21 (b) Decision.--A commission shall do one of the following:

22 (1) Record and forward a voter registration application
23 to the proper commission if the commission finds during its
24 examination under subsection (a) that the applicant does not
25 reside within the commission's county but resides elsewhere
26 in this Commonwealth.

27 (2) Reject a voter registration application or an
28 electronic voter registration record transferred under
29 section 1323 (relating to automatic registration with
30 driver's license application), 1325 (relating to government

1 agencies) or 1325.1 (relating to Commonwealth agencies and
2 other entities), indicate the rejection and the reasons for
3 the rejection on the application or electronic voter
4 registration record and notify the applicant by first class
5 nonforwardable mail, return postage guaranteed of the
6 rejection and the reason if the commission finds during its
7 examination under subsection (a) any of the following:

8 (i) The application or electronic registration was
9 not properly completed and, after reasonable efforts by
10 the commission to ascertain the necessary information,
11 the application or electronic registration remains
12 incomplete or inconsistent.

13 (ii) The applicant is not a qualified elector.

14 (iii) The applicant is not entitled to a transfer of
15 registration or a change of address.

16 (iv) The applicant is not legally qualified for a
17 change of name.

18 A rejection shall be made no later than ten days before the
19 election succeeding the filing of the application.

20 (3) Process a voter registration application or
21 electronic registration in accordance with subsection (c) if
22 the commission finds during its examination under subsection
23 (a) all of the following:

24 (i) The application or electronic registration
25 requests registration.

26 (ii) The application or electronic registration
27 contains the required information indicating that the
28 applicant is a qualified elector of the county.

29 (4) Process a voter registration application or
30 electronic registration in accordance with subsection (c) and

1 update its registration records if the commission finds
2 during its examination under subsection (a) all of the
3 following:

4 (i) The application or electronic registration
5 requests registration.

6 (ii) The application or electronic registration
7 contains the required information indicating that the
8 applicant is a qualified elector of the county.

9 (iii) The applicant is currently a registered
10 elector of the county.

11 (5) Process a voter registration application or
12 electronic registration in accordance with subsection (c) and
13 request transfer of registration records in accordance with
14 subsection (d) if the commission finds during its examination
15 under subsection (a) all of the following:

16 (i) The application or electronic registration
17 requests registration.

18 (ii) The application or electronic registration
19 contains the required information indicating that the
20 applicant is a qualified elector of the county.

21 (iii) The applicant is currently a registered
22 elector of another county.

23 (6) Process a voter registration application or
24 electronic registration in accordance with subsection (c) and
25 request transfer of registration records in accordance with
26 subsection (d) if the commission finds during its examination
27 under subsection (a) all of the following:

28 (i) The application or electronic registration
29 requests a transfer of registration.

30 (ii) The application or electronic registration

1 contains the required information indicating that the
2 applicant is a qualified elector of the county.

3 (iii) The applicant is currently a registered
4 elector of another county.

5 (7) Process a voter registration application or
6 electronic registration in accordance with subsection (c) and
7 update its registration if the commission finds during its
8 examination under subsection (a) all of the following:

9 (i) The application or electronic registration
10 requests a change of address.

11 (ii) The application or electronic registration
12 contains the required information indicating that the
13 applicant is a qualified elector of the county.

14 (iii) The applicant is currently a registered
15 elector of the county.

16 (8) Process a voter registration application or
17 electronic registration in accordance with subsection (c) and
18 update its registration records if the commission finds
19 during its examination under subsection (a) all of the
20 following:

21 (i) The application or electronic registration
22 requests a change of name.

23 (ii) The applicant is legally qualified to a change
24 of name.

25 (iii) The application or electronic registration
26 contains the required information indicating that the
27 applicant is a qualified elector of the county.

28 (iv) The applicant is currently a registered elector
29 of the county.

30 (c) Processing of voter registration.--

1 (1) When a commission has accepted a voter registration
2 application or electronic registration under subsection (b)
3 (3), the commission shall assign each applicant a unique
4 identification number in the SURE system. [The] Except as
5 provided in section 1323(c)(3)(ii), 1325(f)(4) or 1325.1(f)
6 (4), the commission shall mail a wallet-sized voter's
7 identification card to the individual by first class
8 nonforwardable mail, return postage guaranteed, which shall
9 serve as notice of the acceptance of the application. The
10 card shall contain all of the following:

11 (i) Name and address of the individual.

12 (ii) Name of municipality of residence.

13 (iii) Identification of the individual's ward and
14 district.

15 (iv) The effective date of registration.

16 (v) Designation of party enrollment and date of
17 enrollment.

18 (vi) A space for the individual's signature or mark.

19 (vii) The unique identification number of the
20 individual.

21 (viii) A statement that the individual must notify
22 the commission within ten days from the date it was
23 mailed if any information on the card is incorrect;
24 otherwise, the information shall be deemed correct for
25 voter registration purposes.

26 (2) When a commission has accepted a voter registration
27 application under subsection (b)(4), (5), (6), (7) or (8),
28 except as provided in section 1323(c)(3)(ii), 1325(f)(4) or
29 1325.1(f)(4), the commission shall mail a wallet-sized
30 voter's identification card to the individual by first class

1 nonforwardable mail, return postage guaranteed, which shall
2 serve as notice of the acceptance of the application. The
3 card shall contain all of the following:

4 (i) Name and address of the individual.

5 (ii) Name of municipality of residence.

6 (iii) Identification of the individual's ward and
7 district.

8 (iv) The effective date of registration.

9 (v) Designation of party enrollment and date of
10 enrollment.

11 (vi) A space for the individual's signature or mark.

12 (vii) The SURE registration number of the
13 individual.

14 (viii) A statement that the individual must notify
15 the commission within ten days from the date it was
16 mailed if any information on the card is incorrect;
17 otherwise, the information shall be deemed correct for
18 voter registration purposes.

19 (3) An envelope containing a voter identification card
20 shall be marked on the outside with a request to the
21 postmaster to return it within five days if it cannot be
22 delivered to the addressee at the address given.

23 (4) (i) If an envelope containing a voter
24 identification card has been mailed in accordance with
25 paragraphs (1) and (3) and has not been returned to the
26 commission by the postmaster within ten days from the
27 date it was mailed, the individual shall be deemed a
28 registered elector of the county and the commission shall
29 enter the individual's registration information in the
30 general register. The unique identification number shall

1 be entered as the registered elector's SURE registration
2 number. No person shall be deemed a registered elector of
3 the county until ten days after the voter identification
4 card has been mailed.

5 (ii) If an envelope containing a voter
6 identification card has been mailed in accordance with
7 paragraphs (2) and (3) and has not been returned to the
8 commission by the postmaster within ten days from the
9 date it was mailed, the individual shall be deemed a
10 registered elector of the county and the commission shall
11 enter the individual's registration information in the
12 general register. No person shall be deemed a registered
13 elector of the county until ten days after the voter
14 identification card has been mailed.

15 (5) If an envelope containing a voter identification
16 card is returned by the postmaster because the envelope is
17 undeliverable at the given address, the commission shall
18 investigate. If the commission finds that the individual is
19 not qualified to register from the address, the commission
20 shall reject the application and shall notify the individual
21 by first class forwardable mail of this action.

22 * * *

23 Section 5. Title 25 of the Pennsylvania Consolidated
24 Statutes is amended by adding a chapter to read:

25 CHAPTER 20

26 PRIVACY AND SECURITY STANDARDS

27 Sec.

28 2001. Establishment of privacy and security standards.

29 2002. Regulations, policies and enforcement procedures.

30 2003. Recordkeeping.

1 2004. Protections against liability.

2 2005. Protections against misuse of information.

3 § 2001. Establishment of privacy and security standards.

4 The secretary shall establish standards and procedures to
5 safeguard the privacy of the residents of this Commonwealth and
6 the integrity and security of the information on the Statewide
7 voter registration database.

8 § 2002. Regulations, policies and enforcement procedures.

9 (a) Regulations.--The secretary shall promulgate regulations
10 regarding privacy and security policies specifying each class of
11 users who shall have authorized access to the Statewide voter
12 registration database, specifying for each class the permissions
13 and levels of access to be granted, and setting forth other
14 safeguards to protect the privacy and security of the
15 information on the Statewide voter registration database. The
16 regulations shall:

17 (1) prohibit public disclosure of certain voter
18 information, including the source for a voter's registration
19 and any information not necessary to voter registration;

20 (2) protect against public disclosure of Social Security
21 numbers, driver's license numbers and signatures;

22 (3) prohibit public disclosure of an individual's
23 decision not to register to vote;

24 (4) prohibit Commonwealth agencies from transmitting to
25 election officials information other than that required for
26 voter registration or specific information relevant to the
27 administration of elections, including language preferences
28 and demographic information; and

29 (5) prohibit the disclosure of information relating to
30 individuals in categories designated confidential by Federal

1 or State law, including victims of domestic violence or
2 stalking, prosecutors and law enforcement personnel and
3 participants in a witness protection program.

4 (b) Unauthorized access prohibited.--The secretary shall
5 establish policies and enforcement procedures to prevent
6 unauthorized access to the Statewide voter registration database
7 and to any list provided by a source or list maintenance source.

8 (c) Interagency transfers.--The secretary shall establish
9 policies and enforcement procedures to maintain security during
10 interagency transfers of information on the Statewide voter
11 registration database. A source agency participating in an
12 interagency transfer of information shall facilitate and comply
13 with the policies. Nothing in this subsection shall be construed
14 to prohibit a source agency from establishing and enforcing
15 additional security measures to protect the confidentiality and
16 integrity of interagency data transfers.

17 (d) Records retention.--The Secretary of the Commonwealth
18 shall establish standards and procedures to maintain all
19 election records required under law, including election records
20 used for the purpose of determining the eligibility of
21 individuals casting provisional ballots. Records for individuals
22 who have been retained on the Statewide voter registration
23 database but are identified as ineligible to vote within this
24 Commonwealth, or removed from the Statewide voter registration
25 database due to ineligibility, shall be maintained and kept
26 available until at least the date of the second general election
27 that occurs after the date that the individual was identified as
28 ineligible.

29 § 2003. Recordkeeping.

30 (a) Report.--The secretary shall produce an annual public

1 report for submission to the General Assembly, including:

2 (1) the number of records that have been transferred
3 under law, by source;

4 (2) the number of individuals newly added to the
5 Statewide voter registration database because of records
6 transferred under this part, by source;

7 (3) the number of individuals on the Statewide voter
8 registration database whose information was updated because
9 of records transferred under this part, by source;

10 (4) the number of records that do not relate to
11 individuals affirmatively identified as eligible to vote
12 transferred under this part, by source;

13 (5) the number of individuals who opted out of voter
14 registration;

15 (6) the number of individuals who submit requests to
16 update or correct voter registration information through the
17 SURE system, by the type of information updated;

18 (7) the number of individuals who submit voter
19 registration forms using the online procedure; and

20 (8) the number of individuals who correct voter
21 registration information using the election day procedure.

22 (b) Race analysis.--In preparing the report under subsection
23 (a), the secretary shall, for each category of information
24 described under subsection (a), include an analysis of the race
25 of the individuals, to the extent that information on the race
26 of the individuals is available to the secretary.

27 (c) Confidentiality.--The report under subsection (a) shall
28 exclude any information that reveals an individual's identity.

29 § 2004. Protections against liability.

30 Any individual who is not eligible to vote and who becomes

1 registered under law shall not be found on that basis to have
2 made a false claim to citizenship or to have committed an act
3 involving moral turpitude, unless the individual signs a
4 document that affirmatively asserts that the individual is a
5 United States citizen after the date on which the individual is
6 registered to vote in this Commonwealth. If an individual who is
7 not eligible to vote becomes registered under law without
8 affirmatively accepting registration, that individual's voter
9 registration shall be considered to have official authorization
10 to vote in this Commonwealth.

11 § 2005. Protections against misuse of information.

12 (a) Registration use prohibited.--A person may not use the
13 Statewide voter registration database to attempt to determine
14 the citizenship status of any individual for any purpose other
15 than voter registration, election administration or the
16 enforcement of the laws of this Commonwealth against crimes
17 pertaining to elections.

18 (b) Information use prohibited.--Information relating to an
19 individual's absence from the Statewide voter registration
20 database or an individual's refusal to supply information for
21 voter registration purposes at a source may not be disclosed to
22 the public or used for any purpose other than voter
23 registration, election administration or the enforcement of the
24 laws of this Commonwealth against crimes pertaining to
25 elections.

26 (c) Nondiscrimination.--A person may not discriminate
27 against any individual on the basis of the individual's absence
28 from the Statewide voter registration database, the information
29 supplied by the individual for voter registration purposes at a
30 source or the individual's refusal to supply the information,

1 except as required to administer elections or enforce the laws
2 of this Commonwealth against crimes pertaining to elections.

3 Section 6. This act shall take effect in 60 days.