
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **641** Session of
1961

INTRODUCED BY MESSRS. RIPP, WEINER, KALMAN, AND
MURRAY, MAY 9, 1961.

REFERRED TO COMMITTEE ON ELECTIONS, MAY 9, 1961.

AN ACT

Amending the Act of April 29 1937 (P L 487) entitled as amended

“An act to provide for the permanent personal registration of electors in cities of the second class cities of the second class A cities of the third class boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof

! EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through
! is to be omitted from bill.
! Underscoring indicates new matter added to existing law. [Brackets] indicate matter
! stricken from existing law.

of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" changing the method of personal registration and change of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability and spouses and dependents of persons in military service of persons in the Merchant Marine religious and welfare groups officially attached to and serving with the Armed Forces civilian Federal personnel overseas and their spouses and dependents to register and to change enrollment of political party by mail and further regulating the time within which certain qualified electors may register

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Subsection (k) of section 2 act of April 29 1937 (P L.
2 487) known as "The Permanent Registration Act for Cities of the
3 Second Class Cities of the Second Class A Cities of the Third Class
4 Boroughs Towns and Townships" reenacted and amended May 31 1955
5 (P L. 62) is amended to read

6 Section 2 Definitions * * *

7 (k) "Qualified elector" shall mean any person who shall possess
8 all of the qualifications for voting now or hereafter prescribed by the
9 Constitution of this Commonwealth or who being otherwise qualified
10 by continued residence in his election district shall obtain such qualifi-
11 cations before the next ensuing election except that this term shall
12 not include qualified electors [in actual military service] as hereinafter
13 defined in Section 18.1

14 * * *

15 Section 2 Section 2 of the act reenacted and amended May 31 1955
16 (P L. 62) is amended by adding at the end thereof four new subsections
17 to read

18 Section 2 Definitions * * *

1 (v) The words "members of the merchant marine of the United
2 States" means persons (other than persons in military service) employed
3 as officers or members of crews of vessels documented under the law
4 of the United States or of vessels owned by the United States or of
5 vessels of foreign-flag registry under charter to or control of the United
6 States and persons (other than persons in military service) enrolled
7 with the United States for employment or for training for employment
8 or maintained by the United States for emergency relief service as
9 officers or members of crews of any such vessels but does not include
10 persons so employed or enrolled for such employment or for training
11 for employment or maintained for such emergency relief on the Great
12 Lakes or the Inland waterways

13 (w) The word "dependent" means any person who is in fact a
14 dependent

15 (x) The words "Person authorized to administer oaths" shall mean
16 any person who is a commissioned officer in military service or any
17 member of the merchant marine of the United States designated for
18 this purpose by the Secretary of Commerce or any civilian official em-
19 powered by any State or Federal law to administer oaths

20 (y) The words "In military service" shall mean the uniformed

1 services as defined in section 102 of the Career Compensation Act of
2 1949 (63 Stat 804 U S Code Title 37 Par 231)

3 Section 3 Section 18.1 of the act reenacted and amended May 31
4 1955 (P L 62) is amended to read

5 Section 18.1 Manner of Registration by Persons in Military Service
6 Persons in the Merchant Marine Persons in Religious and Welfare
7 Groups officially attached to and serving with the armed forces and
8 Civilian Federal Personnel Overseas and their spouses and dependents

9 [A person in military service may in] In addition to any other
10 method herein provided the following persons may also be registered in
11 the [following] manner hereinafter set forth under this section (1)
12 any person in military service his spouse and dependents or (2) any
13 person in the Merchant Marine his spouse and dependents or (3) any
14 person in religious and welfare groups officially attached to and serving
15 with the armed forces his spouse and dependents or (4) any person
16 who is a civilian employee of the United States outside the territorial
17 limits of the several States of the United States and the District of
18 Columbia whether or not such person is subject to the civil-service laws

1 and the Classification Act of 1949 and whether or not paid from funds
2 appropriated by the Congress his spouse and dependents

3 (a) He may make application to the commission for a registration
4 card The Commission is hereby authorized to consider a request for
5 an absentee ballot from any person enumerated in this section as an
6 application for a registration card and to cause to be forwarded to any
7 such person together with his absentee ballot and balloting material a
8 registration card in duplicate to be completed and sworn to or affirmed
9 prior to or concurrently with the time of voting the absentee ballot
10 Provided however That the envelope containing such executed duplicate
11 registration cards shall bear a postmark no later than the day of the
12 primary or election for which the absentee ballot is being voted and
13 shall be received at the office of the commission no later than the date
14 as provided by law for the canvassing of absentee ballots

15 (b) The registration card shall require the statement of and shall
16 provide sufficient space for the following information (1) The surname
17 of the applicant (2) His Christian name or names (3) His civilian occu-
18 pation if any [on the date of entering military service] (4) The street
19 or road and number if any of his home residence [on] and the date of
20 [entering military service] leaving same (5) If his residence was a

1 portion only of a house the location or number of the room or rooms
2 apartment flat or floor which he occupied (6) The date his residence
3 began at the place [at] which [he resided in the date of entering mili-
4 tary service] is his home residence (7) His home residence address when
5 he last registered and the year of such registration (8) The sex of the
6 applicant (9) The color of the applicant (10) The state or territory
7 of the United States or the foreign country where he was born (11)
8 The date when place where and the court by which naturalized and
9 the number of the naturalization certificate (12) If not naturalized per-
10 sonally the name of father mother or husband through whom naturalized
11 (13) Whether he is unable by reason of illiteracy to read the names
12 on the ballot or voting machine labels (14) Whether he has a physical
13 disability which will render him unable to see or mark the ballot or
14 operate the voting machine or to enter the voting compartment or vot-
15 ing machine booth without assistance and if so his declaration of that
16 fact and his statement of the exact nature of such disability (15) The
17 designation of the political party of the elector for the purpose of vot-
18 ing at primaries (16) The affidavit of registration as hereinafter pre-
19 scribed which shall be signed by the elector attested by the signature
20 of [the superior officer of the applicant or the judge of any court of]

1 [record of the United States or of any state or territory thereof and
2 dated by such superior officer or judge] any person authorized to ad-
3 minister oaths (17) The height of the applicant in feet and inches (18)
4 The color of his hair (19) The color of his eyes (20) The date of his
5 birth Each registration card for registration by persons [in military
6 service] registering under this section shall also have a sufficient num-
7 ber of spaces thereon for the insertion by the commission but not by
8 the applicant of the city of the second class city of the second class A
9 city of the third class borough town township ward and election district
10 if any in which the applicant resided on the date of [entering military
11 service] leaving home residence and to which he may from time to
12 time remove after [leaving military service] returning to his home
13 residence together with his street address in each city of the second
14 class city of the second class A city of the third class borough town
15 or township and the other data required to be given upon such removal
16 (21) The date of each election and primary at which the applicant votes
17 after registration the number and letter if any of the stub of the ballot
18 issued to him or his number in the order of admission to the voting
19 machines and (22) The signature or initials of the election officer com-
20 missioner registrar or clerk who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district [two months] sixty days that

I am [now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is with the rank of now located at

that I am] legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

1 Sworn to and subscribed before me this day of 19...

2

3 Signature of [superior officer or judge of any
4 court of record of the United States or any
5 state or territory thereof and statement of
6 official position] Any person authorized to ad-
7 minister oaths

8 (d) Upon written application by any person [in military service]
9 who may register under the provisions of this section to the registration
10 commission having jurisdiction in the city of the second class city of
11 the second class A city of the third class borough town or township in
12 which the applicant last resided on the date of [entering military serv-
13 ice] leaving his home residence a registration card in the form herein
14 prescribed in duplicate shall be mailed [postage prepaid] to the appli-
15 cant at the address given in such application Such person shall there-
16 upon supply the information required on the registration card in dupli-
17 cate and shall take the affidavit thereto in duplicate in the presence of
18 [his superior officer or of any judge of a court of record of the United
19 States or any state or territory thereof] any person authorized to ad-

1 minister oaths and shall mail the same in duplicate [postage prepaid]
2 to the registration commission from which it was procured

3 (c) Registration in [this] the manner prescribed for by persons [in
4 military service] registering under this section may be made at any
5 time [Provided however That if any registration card is received by
6 any registration commission from any person in military service at any
7 time when registration by personal appearance in the manner provided
8 in section eighteen of this act could not be made under the provisions
9 of section sixteen of this act such application shall be retained by the
10 commission until the beginning of the next period during which such
11 registration by personal appearance could be made and at such time
12 the applicant if otherwise entitled shall be duly registered]

13 (f) The status of any person [in military service] qualified to
14 register under this section with respect to residence shall remain as
15 the same [as it was when such person entered military service] home
16 residence from which he is qualified to register Provided however That
17 if at the time of [entering military service] leaving such home address
18 any person shall not have resided in Pennsylvania or in a particular
19 election district thereof for a sufficient time to have been entitled to
20 be registered but by continued residence would have become so entitled

1 he shall be entitled to be registered at such time as he would have been
2 so entitled had he not [entered military service] left such home address
3 and had continued to reside where he then resided

4 (g) Registration cards returned by persons [in military service]
5 qualified to register under this section to any registration commission
6 shall be examined by a member of the commission or any clerk or regis-
7 trar [at a time and place when personal registrations are] upon being
8 received [and such member of the commission clerk or registrar shall
9 announce in the hearing of all present the name of the person in military
10 service who has thus offered to register and the address of his residence
11 on the date of entering military service] The right of such person [in
12 military service] to be registered shall not be subject to challenge for
13 any reason other than failure to have mailed the commission a properly
14 completed registration card If the commission finds the registration card
15 not properly completed it shall reject it in the manner hereinafter
16 provided

17 Section 4 The act is amended by adding after Section 18.1 a new
18 section to read

19 Section 18.2 Manner of Absentee Registration by Certain Ill or
20 Disabled Electors Any elector who is unable to appear in person to

1 register because of illness or physical disability may in addition to any
2 other method herein provided also be registered in the following manner

3 (a) He may make application to the commission for a registration
4 card

5 (b) The registration card shall require the statement of and shall
6 provide sufficient space for the following information (1) The surname
7 of the applicant (2) his Christian name or names (3) his occupation if any
8 (4) the street or road and number of his residence (5) if his residence
9 is a portion only of a house the location or number of the room or rooms
10 apartment flat or floor which he occupies (6) the date his residence began
11 at the place at which he resides (7) his residence address when he last
12 registered and the year of such registration (8) the sex of the applicant
13 (9) the color of the applicant (10) the state or territory of the United
14 States or the foreign country where he was born (11) the date when
15 place where and the court by which naturalized and the number of the
16 naturalization certificate (12) if not naturalized personally the name
17 of father mother or husband through whom naturalized (13) whether
18 he is unable by reason of illiteracy to read the names on the ballot or on
19 voting machines labels (14) whether he has a physical disability which
20 will render him unable to see or mark the ballot or operate the voting

1 machine or to enter the voting compartment or voting machine booth
2 without assistance and if so his declaration of that fact and his statement
3 of the exact nature of such disability (15) the designation of the political
4 party of the elector for the purpose of voting at primaries (16) the
5 affidavit of registration as hereinafter prescribed which shall be signed
6 by the elector attested by the signature of any person authorized to
7 administer oaths or affirmations (17) the height of the applicant in
8 feet and inches (18) the color of his hair (19) the color of his eyes (20)
9 the date of his birth Each registration card for electors registering in
10 the manner prescribed by this section shall also have a sufficient number
11 of spaces thereon for the insertion of (21) the city of the second class
12 city of the second class A city of the third class borough town township
13 ward and election district if any in which the applicant resides and to
14 which he may from time to time remove together with his street address
15 in each city of the second class city of the second class A city of the third
16 class borough town or township and the other data required to be given
17 upon such removal (22) the date of each election and primary at which
18 the applicant votes after registration the number and letter if any of the
19 stub of the ballot issued to him or his number in the order of admission
20 to the voting machines and (23) the signature or initials of the election

1 officer commissioner registrar or clerk who enters the record of voting on
2 the card

3 (c) In addition the foregoing registration card shall contain the
4 following affidavit

5 Registration Affidavit

6 I hereby swear or affirm that I am a citizen of the United States
7 that on the day of the next election I shall be at least twenty-one years
8 of age and shall have resided in the Commonwealth of Pennsylvania
9 for one year (or having previously been a qualified elector or a native
10 born citizen of the Commonwealth and having removed and returned then
11 six months) and in the election district sixty days that I am now legally
12 entitled to register under this section by virtue of being ill or disabled
13 that I am legally qualified to vote that I have read (or have had read to
14 me) the foregoing statements made in connection with my registration
15 and that they are true and correct

16

17 Signature of applicant for registration

18 Sworn to and subscribed before me this day
19 of 19....
20

1 Signature of any person authorized to administer oaths or affirma-
2 tions

3
4 (d) Upon written application by an elector in the manner prescribed
5 by this section to the registration commission having jurisdiction in the
6 city of the second class city of the second class A city of the third class
7 borough town or township in which the applicant resides a registration
8 card in the form herein prescribed in duplicate shall be mailed postage
9 prepaid to the applicant at the address given in such application Such
10 elector shall thereupon supply the information required on the regi-
11 stration card in duplicate and shall take the affidavit thereto in duplicate
12 in the presence of any person authorized to administer oaths or affirma-
13 tions and shall have delivered or mail the same in duplicate to the regi-
14 stration commission from which it was procured

15 (e) Registration in the manner prescribed by this section may be
16 made at any time. If any registration card is received by any registration
17 commission from any elector so registering any time when registration
18 by personal appearance in the manner provided in section 18 of this
19 act could not be made under the provisions of section 16 of this act
such application shall be retained by the commission until the beginning

1 of the next period during which such registration by personal appearance
2 could be made and at such time the applicant if otherwise entitled shall
3 be duly registered

4 (f) Registration cards returned by electors registering in the manner
5 prescribed by this section to any registration commission shall be ex-
6 amined by a member of the commission or any clerk or registrar at a
7 time and place when personal registrations are being received and such
8 member of the commission clerk or registrar shall announce in the
9 hearing of all present the name and address of the elector who has thus
10 offered to register The right of such elector to be registered shall not be
11 subject to challenge for any reason other than failure to have delivered
12 or mailed the commission a properly completed registration card If the
13 commission finds the registration card not properly completed it shall
14 reject it in the manner hereinafter provided

15 Section 5 Subsection (a) of section 28 of the act reenacted and
16 amended May 31 1955 (P L 62) is amended to read

17 Section 28 Change of Enrollment of Political Party Cancellation
18 of Party Enrollment Persons Suffering Disability After Registration to
19 Have Fact Recorded Cancellation

1 (a) At any time prior to the fiftieth day next preceding a primary
2 or an election excepting the thirty days next following each election
3 and the five days next following each primary any person who desires
4 to change the enrollment of his political designation or who although
5 registered has not hitherto enrolled as a member of a party may appear
6 before a registrar commissioner or clerk and state in writing over his
7 signature the political party in which he desires to be enrolled and the
8 registrar commissioner or clerk shall cause the enrollment of the elector's
9 political designation to be made or altered accordingly in the general
10 and district registers Provided however That no registered elector shall
11 be permitted to change his party enrollment between any primary and
12 the following general or municipal election nor more than once between
13 any November election and the following primary election In such cases
14 the signature of the elector shall be verified by comparison with his
15 signature on the general and district registers before the change of
16 enrollment is made If any elector desiring to change his party enroll-
17 ment is unable to sign his application he shall make his mark thereto
18 in the presence of the registrar commissioner or clerk and shall produce
19 such other evidence as may be necessary to establish his identity When
20 an elector has applied for a change in the enrollment of his political

1 designation as provided herein the registrar commissioner or clerk shall
2 upon request stamp or mark the change so made on the elector's
3 card attesting his registration Any person [in military service] who is
4 duly registered and is a member of any of the categories enumerated
5 in sections 18.1 and 18.2 herein who desires to change his enroll-
6 ment shall be permitted to do so by addressing to the commission a signed
7 written application under oath taken and subscribed to before any [com-
8 missioned officer of the military or naval forces either within or without
9 the Commonwealth or before any officer of this or any other state or
10 territory of the United States] person authorized to administer oaths
11 The application shall be sent by the applicant if outside the continental
12 limits of the United States by registered mail return receipt required
13 otherwise by certified mail return receipt required and shall also contain
14 a statement that such person is at the time of making the application
15 absent from his residence [in military service] or is ill or disabled If
16 upon examination the signature appears authentic and the application
17 conforms to the provisions of this section the enrollment shall be
18 changed in accordance with the application

19 * * *

20 Section 6 This act shall take effect January 1 1962

We certify that this bill has passed the Senate and the House of Representatives.

.....
Chief Clerk, Senate

.....
President pro tempore, Senate

.....
Speaker, House of Representatives

Approved The day of A. D. 1901.

.....
Governor