

## No. 2

## AN ACT

## HB 205

Amending the act of April 29, 1937 (P.L.487, No.115), 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 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 provisions on dates for registration.

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

Section 1. Subsection (b) of section 16, act of April 29, 1937 (P.L.487, No.115), known as "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," reenacted and amended May 31, 1955 (P.L.62, No.32), and amended March 21, 1968 (P.L.64, No.21), is amended to read:

Section 16. Days and Hours of Registration; Places of Registration; Use of Polling Places; Payment of Rentals; Use of School Buildings; Public Notice.—

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(b) The commission by its own action may, or upon the signed petition of at least one hundred qualified electors of any city of the second class, city of the second class A, city of the third class, borough, town or township requesting the same shall cause at least two registrars to sit, not later than **[fifty] thirty** days prior to each primary, general and municipal election for the purpose of receiving personal applications for registrations, applications for change of party enrollment, and removal notices from electors of said city of the second class, city of the second class A, city of the third class, borough, town or township at a suitable and conveniently located place in said city of the second class, city of the second class A, city of the third class, borough, town or township for at least one day and not more than three days continuously between such practicable and reasonable hours, not less than two (2) hours each day, as the commission shall prescribe, or if the commission fails to do so prescribe, between the

hours of 10 A.M. and 3 P.M. and between the hours of 7 P.M. and 10 P.M. Such petitions to be affected shall be filed with the commission at least sixty-five days prior to any primary, municipal or general election. Immediately upon such motion of the commission or immediately upon the receipt of any such petition, the commission shall notify, in writing, the county chairman of the political parties enrolling the largest and second largest number of voters within the county at the preceding November election of the filing of said petition and of the number of registrars the commission will appoint to serve in said cities of the second class, cities of the second class A, cities of the third class, boroughs, towns and townships. Not later than the third day after receipt of said notice, said chairman shall submit to the commission a list of qualified electors of the county to serve as registrars for said days. Of the registrars appointed by the commission for such registration days, an equal number shall be appointed from the names on each of the lists so submitted: Provided, however, That if either or both of said chairmen shall fail to submit such list within the time herein provided, the commission shall appoint an equal number of persons from the list actually submitted, and an equal number of any qualified electors of the county, or shall appoint as all of such registrars, any qualified electors of the county, as the case may be.

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Section 2. Subsection (a) of section 26 and subsection (a) of section 27, reenacted and amended May 31, 1955 (P.L.62, No.32), are amended to read:

Section 26. Removal Notices.—(a) The commission shall provide removal notices, which it shall cause to be made available for the convenient use of electors who are registered in any city of the second class, city of the second class A, borough, town, township or city of the third class within the county. These notices shall be printed upon cards suitable for mailing, addressed to the office of the registration commission, and shall contain space wherein the elector shall write—(1) the city of the second class, city of the second class A, city of the third class, borough, town or township, the street or road and number, if any, of his present residence, and the specific location thereof including the number of the room or rooms, apartment, flat, or floor, if his residence is a portion only of a house; (2) the city of the second class, city of the second class A, city of the third class, borough, town or township, the street or road, and number, if any, of the address from which he was last registered; (3) the date of his removal to his present residence; and (4) space wherein the elector shall sign his name. The removal notice shall contain a statement that the elector may, by filling out properly and signing a removal notice and returning it to the office of the commission, secure the transfer of his registration to the election district in which he resides, effective as to elections and primaries occurring at least two months after the date of his removal into the new district. Each removal notice shall contain a warning

to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register for the city of the second class, city of the second class A, city of the third class, borough, town or township in which he was last registered. Each removal notice, to be effective, must be received at the office of the commission at least **[fifty] *thirty*** days prior to any primary, general or municipal election, which warning shall also be contained on the removal notice.

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Section 27. Transfer of Registration.—(a) Upon receipt, not later than the **[fiftieth] *thirtieth*** day next preceding any primary, general or municipal election, of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in any city of the second class, city of the second class A, city of the third class, borough, town or township, within the county the commission, shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come, and, if the signature shall appear authentic, shall enter the change of residence on the registration cards of the elector in the general and district registers, and shall transfer the registration card of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence.

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Section 3. Subsection (a) of section 28 of the act, amended August 13, 1963 (P.L.746, No.380), is amended to read:

Section 28. Change of Enrollment of Political Party; Cancellation of Party Enrollment; Persons Suffering Disability After Registration to Have Fact Recorded; Cancellation.—

(a) At any time prior to the **[fiftieth] *thirtieth*** day next preceding a primary or an election, excepting the thirty days next following each election and the five days next following each primary, any person who desires to change the enrollment of his political designation, or who, although registered, has not hitherto enrolled as a member of a party, may appear before a registrar, commissioner or clerk and state in writing, over his signature, the political party in which he desires to be enrolled, and the registrar, commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers: Provided, however, That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election, nor more than once between any November election and the following primary election. In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change

of enrollment is made. If any elector desiring to change his party enrollment is unable to sign his application, he shall make his mark thereto in the presence of the registrar, commissioner or clerk, and shall produce such other evidence as may be necessary to establish his identity. When an elector has applied for a change in the enrollment of his political designation, as provided herein, the registrar, commissioner or clerk shall, upon request, stamp or mark the change so made on the elector's card attesting his registration. Any person who is duly registered and is a member of any of the categories enumerated in sections 18.1 and 18.2 herein, who desires to change his party enrollment, shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any person authorized to administer oaths. The application shall be sent by the applicant if outside the continental limits of the United States by registered mail, return receipt required, otherwise by certified mail, return receipt required, and shall also contain a statement that such person is at the time of making the application absent from his residence or is ill or disabled. If upon examination the signature appears authentic and the application conforms to the provisions of this section the enrollment shall be changed in accordance with the application.

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Section 4. Subsections (a) and (b) of section 30 and section 32 of the act, reenacted and amended May 31, 1955 (P.L.62, No.32), are amended to read:

Section 30. Check-up of Registers.—

(a) At any time prior to the **[fiftieth] thirtieth** day next preceding an election or primary, the commission may send, by mail, to any elector whose name appears in any district register, a notice, setting forth the elector's name and address as it shall appear in the register, and requesting him in case of any error to present the notice, on or before the tenth day next ensuing, at the office of the commission and secure the correction of the error, and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote. Such notice shall contain on the outside a request of the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon.

(b) At any time prior to the **[fiftieth] thirtieth** day next preceding an election or primary, the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register.

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Section 32. Comparison and Correction of Registers.—Commencing **[fifty] thirty** days prior to each election and primary, the commission shall compare and correct the general and district registers.

Section 5. Subsection (a) of section 33 of the act, amended September 11, 1959 (P.L.875, No.349), is amended to read:

Section 33. Street Lists; Posting.—(a) Commencing not later than the [fiftieth] *thirtieth* day prior to each primary and election, the commission shall prepare for each election district a list of the names and addresses of all registered electors as of that date resident in the district, either arranged by streets and house numbers or arranged alphabetically.

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Section 6. This act shall take effect immediately.

APPROVED—The 26th day of March, A. D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 2.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style with a large initial "C" and a prominent "T" at the end.

*Secretary of the Commonwealth.*