

No. 123

AN ACT

HB 1957

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," providing that any elector may register; further regulating procedures governing removal notices, written or printed statements of registration; changing provisions relating to the cancellation or suspension of registration; imposing duties upon the Secretary of the Commonwealth and harmonizing language.

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

Section 1. The 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), is amended by adding a section to read:

Section 17.1. Official Nonpersonal Voter Registration Application Cards; Preparation and Distribution.—(a) For the purpose of enabling qualified electors of each city of the second class, city of the second class A, city of the third class, borough, town or township, to register by mail, the Secretary of the Commonwealth shall cause to be prepared and printed at the expense of the State, official registration application cards containing spaces for entering the information required by sections 18, 18.1 and 18.2 of this act. The form shall be a bifold self mailer so designed as to preserve the confidentiality of the information required to be submitted by the registrant. The form shall also be designed in order to require the applicant to affix two signatures, one signature to be affixed under the declaration of the applicant and the other signature on a removable label or other device to be affixed under the information required of the applicant. In addition, the form shall include a detachable portion on which the registrant shall print his name, present residential address, postal designation and zip code. Such portion shall include on the reverse side, printed notification to the

registrant that his application form has been received and is being processed by the county registration commission. Such notification shall be sent within three days from receipt thereof, by first class non-forwardable mail, return postage guaranteed, with all postage costs to be paid by the State.

The Secretary of the Commonwealth may also cause to be printed bilingual forms for use of applicants in those jurisdictions wherein there is a single language minority and shall cause such bilingual forms to be printed in those jurisdictions wherein a single language minority exceeds five percent and in such jurisdiction shall cause a public educational program to be conducted among that language group alerting both organizations and individuals of that group of the availability of such forms and encouraging unregistered voters to register.

The form shall contain the following information:

(1) Notice that those currently registered do not need to re-register unless they have moved or failed to vote at least once during the immediately preceding two calendar years.

(2) Notice of a registrant's right to also register in person.

(3) Instructions on how to fill out and submit the application card and that the card must be received by the appropriate county registration commission at least thirty days prior to the ensuing primary or election at which the applicant may offer to vote.

(4) Notice that the registrant must be a citizen of the United States for at least one month, a resident of Pennsylvania, the county and the election district for at least thirty days, and must be eighteen years old on or before the day following the ensuing primary or election at which the registrant offers to vote.

(5) Notice that political party enrollment is mandatory to vote in a primary election of a political party.

(6) Notice that the voter notification stub from the application card form will be mailed non-forwardable and advising the registrant to contact the county registration commission in the event such notification stub is not received within ten days from the date the application is sent to the county board of elections.

(7) Information designating the name of each county seat together with its post office mailing address and zip code and telephone number.

(8) Notice that registration or enrollment is not complete until the application card is processed and accepted by the commission.

(9) A warning to the registrant that the State penalty for making a false registration or furnishing false information shall be perjury punishable by fine of one thousand dollars (\$1,000) and/or five (5) years imprisonment, plus loss of suffrage for ten (10) years.

(10) Instructions to Federal or State employes who wish to retain voting residence in county of last residence to so indicate on the application form.

(11) A notice that the telephone number of the registrant may be inserted in a place provided therefore.

(b) The Secretary of the Commonwealth shall supply such official registration application forms to all county registration commissions who shall supply forms when requested to any person and to all Federal, State, county, local governmental and school district offices, to all political parties, political bodies, candidates, organized bodies of citizens, community service organizations, leagues of women voters, postmasters of all post offices and to any civic, religious, educational, fraternal, labor, news-media, charitable or business organizations interested therein. In addition, the Secretary of the Commonwealth shall:

(1) Request the proper governmental agency to make an official registration application card available to all persons applying for or changing address for driver's license, library cards, senior citizens transportation passes, entry to all schools and institutions of higher education.

(2) The Secretary of the Commonwealth may provide technical assistance to county registration commissions upon request and shall contract with the United States Postal Service for the payment of all postage costs for the transmittal of said official registration application cards to the registration commission by the registrant and the transmittal of the notification receipt form to the registrant by the registration commission.

Section 2. Subsections (c) and (f) of section 18 of the act, subsection (f) amended August 24, 1961 (P.L.1129, No.503) and amended September 2, 1961 (P.L.1205, No.530), are amended to read:

Section 18. Manner of Registration.—

* * *

(c) (1) The surname of the applicant; (2) his Christian name or names; **[(3) his occupation;]** (4) the street or road and number, if any, of his residence; (5) if his residence is a portion only of the house, the location or number of the room or rooms, apartment, flat or floor which he occupies; (6) the date his residence in the district began; (7) his residence address when he last registered, and the year of such registration; (8) the sex of the applicant; (9) the color of the applicant; (10) the state or territory of the United States, or foreign country, where he was born; **[(11) the date when, place where, and the court by which naturalized, and number of the naturalization certificate; (12) if not naturalized personally, the name of father, mother or husband through whom naturalized;]** (13) whether he is unable, by reason of illiteracy, to read the names on the ballot or on the voting machine labels; (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine, or to enter the voting compartment or voting machine booth, without assistance, and, if so, his declaration of the fact and his statement of the exact nature of such disability; (15) the designation of the political party of the elector, for the purpose of voting at primaries; (16) the affidavit of

registration, which shall be signed by the elector, attested by the signature of the registrar or clerk and dated by him; (17) his height, in feet and inches; (18) the color of his hair; (19) the color of his eyes; and (20) the date of his birth. Each registration card shall also have a sufficient number of spaces thereon for the insertion of—(21) the city of the second class, the city of the second class A, the city of the third class, the borough, town, township, ward and election district, if any, in which the elector resides and to which he may from time to time remove, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines; and (23) the signature or initials of the election officer who enters the record of voting on the card.

* * *

(f) When the registration of an elector has been **[completed, the registrar, commissioner, or clerk shall deliver to the registered elector, a written or printed statement, signed by such registrar, commissioner, or clerk] finally processed and accepted, the commission shall transmit to such registered elector by first class non-forwardable mail, a wallet-sized voter's identification card**, setting forth the name and address of the elector, giving the name of the city of the second class, city of the second class A, city of the third class, borough, town or township and his ward and district, if any, the fact of registration, designation of party enrollment, the date thereof, the serial number of his registration card and space wherein the elector shall affix his signature or mark. **[Such written or printed statement may be delivered by mail to the registered elector at the address given thereon. In such cases, the] The commission shall cause to be printed on the reverse side of such voter's identification card a warning to the registered elector that such card relates only to the time of issuance thereof, and is not of itself evidence or proof of the qualifications of the elector to vote at any primary or election, nor is it necessary to present it when voting. The carrier envelope in which said statement is enclosed shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the registered elector at the address given.**

Upon the return by the post office of any such statement which it has been unable to deliver at the registered address because the elector could not be found there, the commission shall mail to such registered elector at the address given a notice, sent as first-class mail to be forwarded, requiring the elector to appear within ten (10) days of the date of mailing such notice in order to satisfy the commission of his qualifications as an elector. At the expiration of the time specified in the notice, the commission shall cancel or suspend the registration of any such elector who has not communicated with the commission and proven his qualifications as an elector.

In addition, any elector whose last residence address when he registered was a location within any other county of the Commonwealth of Pennsylvania shall sign a cancellation notice provided by the registration commission and directed by the registration commission to the registration commission of former residence. Such cancellation notice shall be in form approved by the Secretary of the Commonwealth in substantially the following form:

Date

Office of the Registration Commission.

. County, Pennsylvania.

“Cancellation of Previous Registration.”

Name am now registered as an elector in
County, Pennsylvania, and hereby authorize the cancellation of my
previous registration in the County of, Pennsylvania, my last
address was

(Date of birth) (Printed name of elector) (Signature of elector)

Upon receipt of such cancellation notice, the registration commission of the county of former residence shall cause the registration of such elector to be cancelled in accordance with the provisions of this act.

* * *

Section 3. Section 18.1 of the act, amended August 13, 1963 (P.L.746, No.380), is amended to read:

Section 18.1. Manner of *Mail* Registration by Persons in Military Service, Persons in the Merchant Marine, Persons in Religious and Welfare Groups Officially Attached To and Serving with the Armed Forces and Civilian Federal Personnel Overseas and Their Spouses and Dependents.—In addition to any other method herein provided, the following persons may also be registered *by mail* in the manner hereinafter set forth under this section: (1) any person in military service, his spouse and dependents; or (2) any person in the Merchant Marine, his spouse and dependents; or (3) any person in religious and welfare groups officially attached to and serving with the armed forces, his spouse and dependents; or (4) any person who is a civilian employee of the United States outside the territorial limits of the several States of the United States and the District of Columbia, whether or not such person is subject to the civil-service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress, his spouse and dependents.

(a) He may [make application] *submit by mail* to the commission [for a registration card.] *an official registration application card, the form of which shall be determined and prescribed by the Secretary of the Commonwealth.* The commission is hereby authorized to consider a request for an absentee ballot from any person enumerated in this section [as an application for a registration card] *as a request for an official registration application card* and to cause to be forwarded to any such person, together with his absentee ballot and balloting material, [a

registration card, in duplicate] *an official registration application card* to be completed and [sworn to or affirmed] *the declaration signed* prior to or concurrently with the time of voting the absentee ballot: Provided, however, That the envelope containing such executed [duplicate] *official registration [cards] application card* [shall bear a postmark no later than the day of the primary or election for which the absentee ballot is being voted and] shall be received at the office of the commission no later than [the date as provided by law for the canvassing of absentee ballots.] *five o'clock p.m. on the Friday immediately preceding the primary, special or November election.*

(b) The *official registration application card* shall require the statement of *the applicant, the signature of the applicant*, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, [(3) his civilian occupation, if any,] (4) the street or road and number, if any, of his home residence and the date of leaving same, *providing that, in the event there is no street address, the registrant must list the nearest cross street or road*, (5) if his residence was a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupied, (6) the date his residence began at the place which is his home residence, (7) his home residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant, (10) the state or territory of the United States or the foreign country where he was born, [(11) the date when, place where, and the court by which naturalized, and the number of the naturalization certificate, (12) if not naturalized personally, the name of father, mother or husband through whom naturalized,] (13) whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the [affidavit] *declaration of registration*, as hereinafter prescribed, which shall be signed by the elector, [attested by the signature of any person authorized to administer oaths,] (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, (21) *the designation by the elector that the official registration application card is intended by such elector for use as (check one):*

/ / *New Registration*
 / / *Change of Address*
 / / *Change of Name*

Each *official registration application card* for registration by persons registering under this section shall also have [(21)] (22) a sufficient number of spaces thereon for the insertion by the commission, but not by the

applicant, of the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resided on the date of leaving home residence and to which he may from time to time remove after returning to his home residence, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township and the other data required to be given upon such removal, [(22)] (23) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, and [(23)] (24) the signature or initials of the election officer, commissioner, register or clerk, who enters the record of voting on the card. [**Provided, however, That the applicant may state (24) his social security number.**] *Immediately following the spaces for inserting the information as provided in this subsection, the applicant shall affix his signature exactly as it appears in (1) and (2) of this subsection.*

(c) In addition, the foregoing [registration] *official registration application* card shall contain the following [affidavit] *Registration Declaration and Penalty for Falsifying Declaration*:

REGISTRATION [AFFIDAVIT] DECLARATION

I hereby [swear or affirm] *declare* that I am a citizen of the United States, that on the day of the next *ensuing primary or* election I shall be at least [twenty-one] *eighteen* 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 [sixty] *thirty* days, 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] *affirm that the information provided herein is true* and correct, *and I fully understand that this application will be accepted for all purposes as the equivalent of an affidavit, and if it contains a material false statement, shall be subject to the same penalties for perjury as if I had been duly sworn.*

Printed Name of Applicant
 Signature of applicant for registration
 [Sworn to and subscribed before me this day of, 19

 Signature of any person authorized to
 administer oaths.]

PENALTY FOR FALSIFYING DECLARATION

If any person shall sign an official registration application card knowing any statement declared therein to be false, he shall be guilty of perjury, and

upon conviction, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000), or be imprisoned for a term not exceeding five (5) years, or both, at the discretion of the court. In addition, sentence shall include loss of the right of suffrage absolutely for a term of ten (10) years.

(d) [Upon written application by any person who may register under the provisions of this section to the registration commission having jurisdiction in the city of the second class, city of the second class A, city of the third class, borough, town or township in which the applicant last resided on the date of leaving his home residence, a registration card, in the form herein prescribed, in duplicate, shall be mailed to the applicant at the address given in such application. Such person shall thereupon supply the information required on the registration card, in duplicate, and shall take the affidavit thereto in duplicate in the presence of any person authorized to administer oaths, and shall mail the same, in duplicate, to the registration commission from which it was procured.] *Any person registering by mail under this section who is unable to sign his official registration application card shall make his mark and acknowledge same before an officer qualified to take acknowledgments of deeds.*

(e) Registration in the manner prescribed for by persons registering under this section may be made at any time.

(f) The status of any person qualified to register under this section with respect to residence shall remain as the same home residence from which he is qualified to register: Provided, however, That if at the time of leaving such home address any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered, but by continued residence would have become so entitled, he shall be entitled to be registered at such time as he would have been so entitled had he not left such home address and had continued to reside where he then resided.

(g) [Registration] *Official registration application* cards returned by persons qualified to register under this section to any registration commission shall be examined by a member of the commission or any clerk or registrar upon being received. The right of such person to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card. If the commission finds the *official registration application* card not properly completed it shall reject it in the manner hereinafter provided.

Section 4. Section 18.2 of the act, added August 13, 1963 (P.L.746, No.380), is amended to read:

Section 18.2. Manner of [Absentee] *Mail* Registration by [Certain Ill or Disabled] Electors *Other Than Those Enumerated in Section 18.1 of This Act.*—Any elector [who is unable to appear in person to register because of illness or physical disability] may, in addition to any other method herein provided, also be registered [in the following manner:] *by mail in the manner set forth in this section:*

(a) He may **[make application]** *submit either in person, by mail or by representative* to the commission **[for a registration card.]** *an official registration application card, the form of which shall be determined and prescribed by the Secretary of the Commonwealth. Provided that any person who assist in the preparation of the registration application or delivery of same to the commission sign their name and address to the registration application.*

(b) The *official registration application* card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant; (2) his Christian name or names, **[(3) his occupation, if any,]** (4) the street or road and number of his residence *and the date of leaving same, providing that, in the event there is no street address, the registrant must list the nearest cross street or road,* (5) if his residence is a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupies, (6) the date his residence began at the place at which he resides, (7) his residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant, (10) the state or territory of the United States or the foreign country where he was born, **[(11) the date when, place where, and the court by which naturalized, and the number of the naturalization certificate, (12) if not naturalized personally, the name of father, mother or husband through whom naturalized,]** (13) whether he is unable by reason of illiteracy to read the names on the ballot or on voting machines labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the **[affidavit]** *declaration* of registration as hereinafter prescribed which shall be signed by the elector **[attested by the signature of any person authorized to administer oaths or affirmations]**, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, **(21) the designation by the elector that the official registration application card is intended by such elector for use as (check one):**

/ / *New Registration*
 / / *Change of Address*
 / / *Change of Name*

Each *official registration application* card for electors registering in the manner prescribed by this section shall also have a sufficient number of spaces thereon for the insertion of **[(21)] (22)** the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resides and to which he may, from time to time, remove together with his street address in each city of the second class, city of the second class A, city of the third

class, borough, town or township, and the other data required to be given upon such removal, [(22)] (23) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines, and [(23)] (24) the signature or initials of the election officer, commissioner, registrar or clerk, who enters the record of voting on the card [: **Provided, however, That the applicant may state (24) his social security number**]. *Immediately following the spaces for inserting the information as provided in this subsection, the applicant shall affix his signature exactly as it appears in (1) and (2) of this subsection.*

(c) In addition, the foregoing [registration] *official registration application* card shall contain the following [affidavit] *Registration Declaration and Penalty for Falsifying Declaration*:

REGISTRATION [AFFIDAVIT] DECLARATION

I hereby [swear or affirm] *declare* that I am a citizen of the United States, that on the day of the next *ensuing primary or* election I shall be at least [twenty-one] *eighteen* 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 [sixty] *thirty* days, that I am now legally entitled to register under this section by virtue of being ill or disabled, 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] *affirm that the information provided herein is true and correct, and I fully understand that this application will be accepted for all purposes as the equivalent of an affidavit, and if it contains a material false statement, shall be subject to the same penalties for perjury as if I had been duly sworn.*

Printed Name of Applicant

Signature of applicant for registration

[Sworn to and subscribed before me this day of, 19.

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Signature of any person authorized to administer oaths or affirmations.]

PENALTY FOR FALSIFYING DECLARATION

If any person shall sign an official registration application card knowing any statement declared therein to be false, he shall be guilty of perjury, and upon conviction, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000), or be imprisoned for a term not exceeding five (5) years, or both, at the discretion of the court. In addition, sentence shall include loss of the right of suffrage absolutely for a term of ten (10) years.

(d) [Upon written application by an elector in the manner prescribed by this section to the registration commission having jurisdiction in the city of the second class, city of the second class A, city of the third class, borough, town or township, in which the applicant resides, a registration card in the form herein prescribed, in duplicate, shall be mailed, postage prepaid, to the applicant at the address given in such application. Such elector shall thereupon supply the information required on the registration card, in duplicate, and shall take the affidavit thereto, in duplicate, in the presence of any person authorized to administer oaths or affirmations and shall have delivered or mail the same, in duplicate, to the registration commission from which it was procured.] *Any person registering by mail under this section who is unable to sign his official registration application card shall make his mark and acknowledge same before an officer qualified to take acknowledgments of deeds.*

(e) Registration in the manner prescribed by this section may be made at any time. If any registration card is received by any registration commission from any elector so registering any time when registration by personal appearance in the manner provided in section 18 of this 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 of the next period during which such registration by personal appearance could be made and at such time the applicant, if otherwise entitled, shall be duly registered.

(f) [Registration cards returned by electors registering in the manner prescribed by this section to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission, clerk or registrar shall announce in the hearing of all present the name and address of the elector who has thus offered to register. The right of such elector to be registered shall be subject to challenge in like manner and for the same causes as set forth in section 20 of this act. If the commission finds the registration card not properly completed, it shall reject it in the manner hereinafter provided.] *Official registration application cards returned by persons qualified to register under this section to any registration commission shall be examined by a member of the commission or any clerk or registrar upon being received. The right of such person to be registered shall not be subject to challenge for any reason other than failure to have furnished the commission a properly completed registration card. If the commission finds the official registration application card not properly completed it shall reject it. Mail registration shall be challenged on the same basis as "in person" registration. The commission should make reasonable efforts to complete the registration before rejecting the same for omissions and inconsistencies.*

Section 5. The act is amended by adding a section to read:

Section 18.3. Approval of Official Registration Application Cards.—(a) The county registration commission, upon receipt of an official registration application card, shall make an entry of the date

received on each application and on the corresponding notification of receipt stub. In the event the applicant does not reside within the county, but resides elsewhere in Pennsylvania, the commission shall forthwith forward such application card to the proper county registration commission after making a record of the county registration commission to whom it was sent. In all other cases, the commission shall forthwith detach the notification stub as provided for in subsection (a) of section 17.1 of this act, and send the same to the applicant by first class non-forwardable mail, return postage guaranteed, with such postage costs to be paid by the State.

(b) If the application card shall contain the required information indicating that the applicant is legally qualified to register as stated in his application, the commission shall transfer all information on such application to a registration card, serially numbered in duplicate as provided in section 17 of this act, provided that the official registration application card form may serve as the registration card of the applicant in the general file. The commission shall detach the signature portion from the application form and affix it in the proper space on the original registration card to be inserted in the district register.

(c) If the application card is intended by the applicant as a transfer of registration and shall contain the required information, and the applicant is legally qualified to transfer his registration as stated in his application, the commission shall thereupon make such transfer.

(d) If the application card is not in compliance with this act the commission shall mark "REJECTED" on the application form together with the reason for rejection and return same to the applicant by first class non-forwardable mail, return postage guaranteed.

(e) Upon the return by the post office of an applicant's voter notification form which the post office is unable to deliver at the given address, the commission shall cause an investigation to be made and in the event the commission finds that the applicant is not qualified to register from such address, the commission shall reject the application card of such applicant and shall notify the applicant by first class forwardable mail of such action.

(f) If the registration commission suspects that for any reason the applicant is not entitled to registration, change of address or change of name, the commission may cause an investigation to be made in reference thereto.

(g) If the commission shall find that the applicant is not qualified to register, change address or change name, the application shall be rejected and the applicant notified of such rejection with the reason therefor, provided that such rejection must be made no later than ten days before the ensuing primary or election succeeding the filing of the application.

(h) The records of the commission, and all district registers, street lists, voting check lists, voters' certificates, affidavits, official nonpersonal voter registration application cards, petitions, appeals, witness lists, accounts, contracts, reports, and other documents in its custody, except the general

registers, shall be open to public inspection, except as herein provided, and may be inspected and copied by any qualified elector during ordinary business hours, except when they are necessarily being used by the commission or its employes having duties to perform in reference thereto, or when such inspection or copying shall unreasonably interfere with the proper and efficient performance of the duties and exercise of the functions of the commission or its employes in administering this act. Such public inspection thereof shall only be in the presence of an authorized employe of the commission, and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act. The records and documents of the commission open to inspection by the public shall not be used for commercial or improper purposes. Upon request of a qualified elector, a photocopy of the record shall be provided at cost.

(i) In all cases wherein the application discloses that the applicant's last residence address when he registered was a location within any other county of the Commonwealth of Pennsylvania the registration commission shall direct a cancellation notice to the registration commission of former residence. Such cancellation notice shall be in form approved by the Secretary of the Commonwealth in substantially the following form:

Date.

*Office of the Registration Commission
. County, Pennsylvania*

"Cancellation of Previous Registration."

*Name, whose date of birth is has now registered as an elector in. . . . County, Pennsylvania. Our records indicate that this registrant was previously registered in the County of, Pennsylvania, at the following address.
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*.
Chief Clerk*

Upon receipt of such cancellation notice, the registration commission of the county of former residence shall cause the registration of such elector to be cancelled in accordance with the provisions of this act.

Section 6. Section 21 of the act is repealed.

Section 7. Section 22 of the act is amended to read:

Section 22. Incomplete or Rejected Applications to Be Recorded.—The registrar, commissioner, or clerk shall record on registration cards the surname, Christian name or names, and street and number of residence of each person who applies for registration, whether or not the application is accepted. Whenever the applicant is rejected after a portion of the record has been filled in, the registration card or cards shall be marked "Applicant Rejected," and the registrar, commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto. The registrar, commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected: Provided,

however, That if the registration card was received by mail [from a person in military service,] notice of rejection shall be by mail. All such cards shall be returned to the commission and shall be preserved for a period of two years.

Section 8. Section 24 of the act is amended to read:

Section 24. General Register.—The duplicate registration cards for all cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, and townships within the county shall be placed in exact alphabetical order and shall be indexed, and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. In any county where the registration cards of the cities of the second class, cities of the second class A, boroughs, towns, and townships are of the same type as those used in the cities of the third class, and, in the opinion of the commission, can be consolidated into one duplicate registration, it shall be the duty of the commission to place the duplicate registration cards for all cities of the second class, cities of the second class A, boroughs, towns, and townships, and all cities of the third class, in exact alphabetical order, which shall be indexed, and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These cards shall constitute the general register of the cities of the second class, cities of the second class A, boroughs, towns, and townships, or of all such cities of the third class, cities of the second class, cities of the second class A, boroughs, towns, and townships in the county, as the case may be, and shall not be removed from the office of the commission except upon order of a court of record of the county wherein such city of the third class, city of the second class, city of the second class A, borough, town, or township is located: ***Provided, however, That the official registration card of an elector who has registered by mail may qualify as a duplicate registration card.***

Section 9. Section 26 of the act, subsection (a) amended March 26, 1973 (P.L.4, No.2), is 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] thirty days** 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 thirty days prior to any primary, general or municipal election, which warning shall also be contained on the removal notice: ***Provided, however, That an official registration application card of any elector who has registered by mail may qualify as a removal notice.***

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than thirty days next preceding the primary or election: ***Provided, That an official registration application card of any elector who has registered by mail may qualify as a removal notice: And provided further, That*** any elector who removes his residence from one place to another within the same election district, and who has not yet filed a removal notice with the commission, may be permitted to vote at the election or primary next following such removal, if, at the time of signing voter's certificate, he files with the judge of election a signed removal notice properly filled out. All such removal notices shall be returned to the commission with the voting check list, and the commission shall proceed to transfer the registration of such electors in accordance with the provisions of this act.

Section 10. Section 27 of the act, subsection (a) amended March 26, 1973 (P.L.4, No.2), is amended to read:

Section 27. Transfer of Registration.—(a) Upon receipt, not later than the 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.

(b) When a request for transfer, believed authentic by the commission, is received at the office of the commission and shows thereon a removal within the period of **[two months] thirty days** next preceding an election or primary, the commission 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 but shall not include it in the register of the district of his new residence until after the election or primary. In any such case the commission shall advise the elector promptly, in writing, of its action.

(c) If the commission shall doubt that the request for transfer is authentic, it shall, without transferring the registration of the elector, promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration.

[(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice, but each such elector must apply in person at the office of the commission or before a registrar at any registration place designated by the commission, and establish his identity, and state, under oath or affirmation, to which he shall affix his mark in the presence of a registrar, a commissioner or clerk, who shall affix his own signature thereto as a witness, the information required of registered electors in a removal notice.]

Section 11. Subsection (a) of section 28 of the act, amended March 26, 1973 (P.L.4, No.2), 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 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]** *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] 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.]

* * *

Section 12. Subsection (a) of section 33 of the act, amended March 26, 1973 (P.L.4, No.2), is amended to read:

Section 33. Street Lists; Posting.—(a) Commencing not later than the 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 *or another arrangement whereby the location of the elector's residence can be identified.*

* * *

Section 13. Sections 34 and 38 of the act, amended September 2, 1961 (P.L.1205, No.530), are amended to read:

Section 34. Petition to Strike Off Names.—At any time not later than the tenth day preceding any election or primary, any qualified elector of the city of the second class, city of the second class A, city of the third class, borough, town or township, including any watcher and any registrar or inspector of registration, may petition the commission to cancel or suspend the registration of any registered elector of such city of the second class, city of the second class A, city of the third class, borough, town or township, setting forth, under oath, [supported by the affidavits of at least two adult persons.] sufficient grounds for such cancellation or suspension, and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered, personally, at least twenty-four hours prior to the presentation of the same, or that he could not be found at the place given in the district register as his residence and that the person in charge thereof, to be mentioned by name in said petition, had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them, or that no such person is residing at the address given, whereupon the commission shall

forthwith cancel or suspend the registration of such elector, and amend accordingly the general and district registers and the other records affected, unless the person so registered shall appear and show cause why the same should not be done.

Section 38. Cancellation or Suspension of Registration Upon Failure to Vote during Two Calendar Years; Request for Reinstatement; Effect of Removal Notice.—Within three months after January first of each year except in such years as the commission shall conduct a check of electors in compliance with clause (c) of section thirty of this act, the registration commission shall cause all of the district registers to be examined, and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary during said period, the commission shall send to such elector by mail, at his address appearing upon his registration card, a notice setting forth that the records of the commission indicate that he has not voted during the two immediately preceding calendar years and that his registration will be cancelled or suspended at the expiration of ten days from the date of mailing such notice unless he shall, within that period, file with the commission, either personally or by mail, a written request for reinstatement of his registration, or a removal notice properly executed, setting forth his place of residence, and signed by him. At the expiration of the time specified in the notice, the commission shall cancel or suspend the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided, or a removal notice: ***Provided, however, That the official registration application card of an elector who has registered by mail may qualify as a reinstatement of his registration, or a removal notice.*** The cancellation or suspension of the registration of any such elector for failure to vote during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently register **[by personal application to the commission, or a commissioner, or a registrar or a clerk,]** in the manner provided by this act.

Such removal notice, properly executed, shall have the same effect as the request for reinstatement, as above provided, where failure to vote during two calendar years may cause cancellation or suspension of registration. Either a removal notice card or request for reinstatement card shall be permitted to be used interchangeably in such circumstances: **Provided, That in counties in which a reinstatement system is maintained, any elector who, due to circumstances beyond his control, has failed to vote or file a removal notice card as heretofore provided may, on the day of any election or primary, appear at the office of the commission and, upon satisfactory proof, execute and file the necessary removal or reinstatement notice in accordance with the provisions of this act. On any of the aforesaid days, such elector may petition the proper court of common pleas praying for such order directed to the election board of his district that will enable him to exercise his right of suffrage. Appended to said petition shall be a**

certification to the court by the commission or such person or persons as it may authorize, stating the reason for the removal of the elector's registration card from its active file and further certifying that he has now been duly registered and his card transferred to its active file for all intents and purposes. The petition shall be signed by the petitioner whose signature shall be compared by an election officer with the signature of the petitioner as it appears on the voter's certificate as executed by him for the purpose of identification and qualified to vote.

Section 14. Subsection (d) of section 44 of the act is amended and subsections are added to read:

Section 44. Crimes and Penalties.—* * *

(d) Any person who applies for registration, or who notifies the commission of a change of his residence address, knowing, or having reason to know, that he is not entitled to be registered, or have his residence address changed, or any person who declares as his residence a place or address which he knows is not his legal residence, or who falsely personates another in an application for registration, **[or who knowingly offers false naturalization papers to establish his claim to be registered,]** shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000), and to undergo an imprisonment **[of not less than three (3) months nor more than three (3) years] not exceeding five (5) years, or both, at the discretion of the court. In addition, sentence shall include the loss of the right of suffrage absolutely for a term of ten (10) years.**

* * *

(o) Any wilful false statement made by a registrant in information set forth by such registrant on the official registration application card shall be perjury, and any registrant convicted thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000), and to undergo an imprisonment not exceeding five (5) years, or both, at the discretion of the court. In addition, sentence shall include the loss of the right of suffrage absolutely for a term of ten (10) years.

(p) It shall be a misdemeanor for an elector's representative under section 18 to deliberately misinstruct or falsify or alter party designation or to fail to deliver a completed and signed registration application.

Section 15. This act shall take effect in 30 days.

APPROVED—The 1st day of July, A. D. 1976.

MILTON J. SHAPP