

No. 122

AN ACT

HB 1956

Amending the act of March 30, 1937 (P.L.115, No.40), entitled "An act to provide for the permanent personal registration of electors in cities of the first class 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; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, 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, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," further providing for registration, for the number and compensation of election commissioners, for the appointment, compensation and duties of employes and counsel of the commission, for voter registrars, for periods of registration, for penalties and for acts performed on Sundays and holidays; and changing witness fees and the age for registration.

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

Section 1. Section 3, act of March 30, 1937 (P.L.115, No.40), known as "The First Class City Permanent Registration Act," subsection (e) amended July 26, 1961 (P.L.917, No.397), is amended to read:

Section 3. Registration Commission; Membership, Bipartisan; Term of Office; Vacancies; Removal; Compensation; Chairman; Secretary; Action by Vote of Majority of Members; Record of Proceedings; Annual Report.—

(a) There shall be a registration commission in and for each city of the first class, which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act.

(b) **[The registration commission shall consist of five commissioners, who shall be qualified electors of the city, not more than three of whom shall be enrolled members of the same political party, who shall be appointed by the Governor, with the advice and consent of the Senate, and shall hold office for terms of four years, or until their successors qualify, unless sooner removed or otherwise disqualified: Provided, however, That the terms of office of the commissioners, first appointed by the Governor under this act, shall commence upon the date of their appointment, and shall expire on the first Monday of January, one thousand nine hundred and forty-one. Upon the appointment by the Governor of the registration commission for any such city, the terms of office of the existing registration commission or commissioners of any such city shall terminate.]** *The registration commission shall consist of the three elected city*

commissioners of a city of the first class, who shall be elected for a term of four years, in the year that the mayor is elected and a vacancy in the office shall be filled in the manner provided by city or ordinance, in the same manner that a vacancy in the office of city commissioner is filled.

[(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant.

(d) The Governor may, at any time, remove any commissioner for cause, and may appoint a duly qualified elector of the city as his successor for the remainder of his term.]

(e) [Each commissioner shall receive compensation at the rate of twelve thousand dollars per annum, except the chairman who shall receive twelve thousand five hundred dollars per annum.] *The registration commissioner shall receive the salary set for the city commissioner by city ordinance, and shall receive no additional salary for service as the registration commissioner.*

[(f) As soon after their appointment as may be, the members of each commission shall take the oath of office required by the Constitution of this Commonwealth, and shall organize by selecting from their number a chairman and a secretary, who shall not be members of the same political party.]

(g) All actions of a commission shall be decided by a majority vote of all members, except as may be otherwise provided herein.

(h) Each commission shall keep a record, in permanent form, of all its proceedings, and shall make an annual written report to the [Governor] city.

Section 2. Subsection (b) of section 4 and sections 5 and 6 of the act, amended July 31, 1941 (P.L.710, No.279), are amended to read:

Section 4. Powers of Commissions; Regulations; Enforcement; Correction of Errors or Irregularities; Cancellation of Registration; Powers of Commissioners.—

* * *

(b) The commission shall have power to correct, direct or permit the correction of any error or any irregularity in registration, to change or permit the change on the registration affidavits and its records of the name of any registered elector changed by order of a court of competent jurisdiction or by reason of her marriage or divorce, and to cancel the registration of any person whom it may find to be improperly registered, and to cancel the party enrollment of any registered elector whom it may find to be improperly enrolled as a member of a party, subject only to the provisions of this act, and provided that notice in writing shall be given to, or left at the address of, each person whose registration or enrollment is cancelled. Notice in writing of the cancellation of the registration or party enrollment of any elector, as well as notice of the serving of any paper upon or left at the address of any elector with respect to his right to be registered

or enrolled as a member of the party designated by him *and an official application registration card*, shall be sent promptly to the city chairman of the party of which such person was or may be registered as a member, if such party has headquarters within the city known to the commission.

* * *

Section 5. Employes, Registrars, Inspectors of Registration; Duties; Appointment.—

(a) The commission shall have power to appoint such assistants, clerks and employes (including inspectors) as, from time to time, it may deem necessary to carry out the provisions of this act. The commission shall also have power to assign such of its assistants, employes or clerks to act as registrars, who shall not receive any additional compensation therefor, at its office or offices as it may, from time to time, deem necessary, and when so acting, such assistants, employes or clerks shall have and may exercise the powers, and shall perform the duties and obligations conferred by, or in accordance with, the law upon registrars.

(b) The commission in each year shall designate the place or places in each or any ward to be used as registration places, and shall appoint two or more registrars for each such registration place as it may deem necessary. Not more than one-half of the number of registrars appointed for each registration place in each year shall be members of the same political party. All registrars appointed shall be qualified electors of the election district or ward for which they have been appointed, shall be of good moral character, shall not have been convicted of any crime, shall be able to read English in an intelligent manner, and to write legibly, and shall be familiar with qualifications of electors and duties of the registrars. Such registrars shall be empowered to register the qualified electors of such election districts or wards, and in so doing, to administer oaths and affirmations, and shall perform all other duties imposed on registrars by this act and by the registration commission. *Nothing in this section shall prevent any registrar from serving as a registrar in any ward or any division of the city, nor shall it prevent the commission from assigning any registrar to register voters in any ward or division of the city.*

Each registrar shall receive [as] such compensation [ten dollars (\$10.00)] *as is set by the commission* for each day during which he is engaged in the active performance of his duties as registrar. The commission shall designate the duties to be performed by each such registrar appointed by it. The said registrars shall be appointed in the manner as hereinafter provided in subsection (c) of this section.

(c) In each year, at such time as shall be determined by the commission, of which at least fifteen days' notice shall be publicly given, the city chairman of the party having polled the highest vote in the [city] State at the last preceding [November] election *in which the Governor was elected* and the city chairman of the party having polled the second highest vote in the [city] State at such election may file with the commission a written list of names of members of said party whom such chairman recommends for

appointment as registrars at the said registration places. Such lists shall contain the name, address, qualifications and occupation of each person so recommended and shall be open to public inspection in the office of the commission. The commission shall appoint persons whose names appear on such list as the registrars representing such parties. If more candidates are recommended by the chairman of any such party than it is entitled to have appointed, the commission shall appoint those candidates from the names appearing on such list whom the commission finds to be qualified in accordance with the provisions of clause (b) of this section, and if there are not sufficient candidates qualified to serve recommended by any city chairman, the commission may appoint such other persons whom the commission believes qualified.

(d) Should any vacancy occur in the office of registrar of any registration place in any year, by reason of death, resignation, removal from the district or ward, or other cause, the commission shall fill said vacancy by appointing an elector of the district or ward, as the case may be, who is qualified according to subsection (b) of this section, and who is a registered and enrolled member of the same political party as the registrar or registrars whose office was vacated. The appointment shall be made in like manner as the annual appointments of registrars, as provided by this act.

(e) No registrar or inspector of registration shall exercise any power of his office, nor shall any employe assigned by the commission to act as registrar at any office of the commission so act, until he shall have taken an oath of office, which the commission shall prescribe, and shall have received from the commission a certificate of appointment, setting forth his name and address, the date of his appointment, and the length of time for which he shall have been appointed.

(f) Each commission may appoint [a chief clerk, at a compensation not exceeding four thousand dollars (\$4,000) per annum, who shall have authority to administer oaths, sign vouchers, and register persons who are qualified and who appear at the office of the commission, as herein provided; two (2) assistant clerks, each at a salary of not over two thousand dollars (\$2,000) per annum; a chief record clerk at a salary of not over twenty-four hundred dollars (\$2,400) per annum; a stenographer (who may act as clerk) at a salary of not over eighteen hundred dollars (\$1,800) per annum; a chief inspector at a salary of not over twenty-two hundred dollars (\$2,200) per annum; two custodians of the records, to guard the same while they are open to public inspection, each of whom shall receive not more than fifteen hundred dollars (\$1,500) per annum; a messenger who shall receive not more than twelve hundred dollars (\$1,200) per annum; such stenographers, as they may deem necessary, competent to take notes of testimony, at a compensation not to exceed ten dollars (\$10.00) per diem for the time actually employed at hearings before the commission; and as many clerks, stenographers, and inspectors as they may deem necessary, from time to time, at a compensation not exceeding six dollars (\$6.00) per

diem for the time actually employed.] *such employes as they deem necessary to perform the functions of the office, and to register the voters of the city, and each employe shall be paid compensation as set by the commission.*

(g) The registration commission shall have the power to remove any employe, inspector, registrar or other officer appointed or employed by it, but no registrar appointed by the commission under the provisions of clause (c) of this section shall be removed, except for cause.

(h) Any inspector of registration, on his own motion or on complaint of any person to him, may and when directed by the commission, shall—

1. Investigate all questions relating to the registration of electors in such city, and, for that purpose, shall have power to enter and inspect any house, dwelling, building, inn, lodging-house or hotel within such city, and to interrogate any inmate, householder, lodger, lessee, keeper, caretaker, owner, proprietor, or agent thereof or therein, regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment.

2. Inspect and copy any register of lodgers in any lodging-house, inn or hotel relating to or affecting the rights of any persons to vote or to be registered in any such city.

3. Arrest any person without warrant, except any herein privileged from such arrest, who, in the presence of the inspector of registration, violates, or attempts to violate, any of the provisions of this act, when such violation is punishable as a crime.

4. Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration, or in making any arrest, or in the performance of any of his duties.

5. *Distribute official registration application cards to potential electors.*

Section 6. Removal of Registrars; *Voter Registration in Each Ward.*—(a) Any qualified elector of the city may appear before the commission and show wherein any person appointed as a registrar under the provisions of clauses (b) and (c) of section five of this act does not possess the qualifications requisite for the performance of the duties of his office, or has violated the provisions of this act. If, after public hearing, the commission shall find the charges brought by such elector to be true, the commission shall decline to appoint such person, or remove such registrar.

(b) The [commissioners] *commission* shall provide [a board of registrars for each ward or district place of registration so appointed not more than one-half of whom shall be of the same party. If it appears at any time that by reason of a change in political affiliation or because of error in appointment a board is not so divided, any ten registered electors of such ward or district may file a petition with the commissioners, setting forth the facts, and praying that one or more of the appointments may be revoked, and that other appointments may be made. Upon presentation of such a

petition, one of the commissioners shall fix a time, not less than five days thereafter, and at least three days' notice shall be given by mail to all the registrars of such board, who are alleged to be of the same party, when a public hearing shall be given all concerned, and if the facts are then found to be as represented, the commissioners shall grant the relief prayed for] *for voter registration in each ward of the city during the periods and times provided for in section 17.*

Section 3. Section 7 of the act is amended to read:

Section 7. Counsel; Compensation; Duties.—The commission may employ [**special**] counsel at a compensation not exceeding [**three thousand dollars**] *fifteen thousand dollars* per annum. Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors, and concerning the best methods of legal procedure for carrying out the various provisions of this act, and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas, as herein provided.

Section 4. Sections 8 and 13 of the act, amended July 31, 1941 (P.L.710, No.279), are amended to read:

Section 8. Appropriations; Unexpended Balances of Appropriations.—(a) The appropriating authorities of the city shall appropriate annually, and from time to time, the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act, therein including the payment of the compensation of the commissioners, counsel, and a sufficient number of registrars, inspectors of registration and other assistants and employes, and the fees of witnesses, as herein provided, and likewise for preparing, in accordance with the direction of the commission, securing and distributing, or receiving and preserving, all street lists, registration cards, *official nonpersonal voter registration application cards*, affidavits, vouchers, notices, account books, stationery and other supplies which the commission shall consider necessary for the purpose of this act, and for all other necessary expenses.

(b) The appropriating authorities of the city shall provide the commission thereof with suitable and adequate main offices, properly furnished, for keeping its records, holding its public sessions, and otherwise performing its duties, and such other offices which it may from time to time [**during the period of ninety days preceding any election**] deem it advisable to establish for the convenience of the electors in exercising their rights, powers and functions and performing their duties hereunder, and upon failure to do so, the commission may lease such office space for its main office as is reasonably required for the performance of the functions and duties under this act.

(c) Any unexpended balances of any appropriations heretofore made by the appropriating authorities of the city for the purpose of carrying out any provision of any existing registration act, or the amendments thereto, shall be transferred to and made available for the commission hereby

created or constituted, for the expense of carrying out the provisions of this act, and all moneys required in addition to any original appropriation in the current year, or any other year, if it shall appear that extra sums are needed.

(d) The commission may accept and use in the performance of their duties funds received from the Federal Government, the Commonwealth, or any other source.

Section 13. Records and Documents to Be Open to Public Inspection.—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 of the city 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 a commissioner or 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.*

Section 5. Section 17 of the act, amended July 31, 1941 (P.L.710, No.279) and March 26, 1973 (P.L.9, No.3), is amended to read:

Section 17. Days and Hours of Registration; Places of Registration; Use of Polling Places; Payments of Rentals; Use of School Buildings; Public Notice.—

(a) The commission, or any commissioner, employe or clerk assigned for that purpose shall at the main office of the commission, during ordinary business hours, and during such additional hours as the commission shall from time to time prescribe, on each day, and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time have power to establish and discontinue, **[except Sundays, holidays,]** the days hereinafter provided for the registration of electors in the districts or wards, the day of each election and each primary, the thirty days next preceding each general, municipal and primary election, **[and the thirty days next following each election and the five days next following each primary,]** receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration: Provided, however, That in case of a special election within a certain district (congressional, senatorial or representative), held on a day other

than the day of a primary, general or municipal election, the registration of electors shall be discontinued in the wards comprising such district for the period of [**thirty-five**] *thirty* days prior to [**and the five days next following**] such special election. In each year the commission may also, when it considers it necessary for the convenience of the electors, provide one or more places of registration in each or any ward of the city, at which two or more registrars, as the commission may deem necessary, shall be present to receive personal applications from qualified electors of the city who claim that they are entitled to be registered, which registrars shall be present thereat [**between the hours of seven antemeridian and one postmeridian, and between the hours of four and ten postmeridian**] *during the hours specified by the commission and* on such days as may be selected by the commission, which shall be [**not more than sixty days, and**] not less than thirty days, prior to any general, municipal or primary election: Provided, further, however, That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary, but at least one month prior to the day of such election or primary, the commission or any commissioner, employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours [**except Sundays, holidays and**] *on* the days hereinbefore provided for the registration of electors in the districts or wards.

(b) The commissioners in charge of elections shall cause any polling place to be open, in proper order for use, as a place of registration, on each day when such polling place may be desired by the registration commission for use as a place of registration; and the appropriating authorities of the county shall provide for the payment of all rentals for such polling places and other places of registration.

(c) The board of public education or school directors of each school district shall furnish suitable space, room or rooms in any public school building under its jurisdiction or control, and shall cause such space, room or rooms to be open and in proper order for use as a place of registration on each day when such room or rooms may be desired by the registration commission for use as a place of registration: Provided, That such use shall not interfere with instruction for the conduct of which such board of public education or school directors shall be responsible.

(d) The proper city or county authorities shall furnish suitable space, room or rooms in the city hall or any of its annexes or other municipal or county building under their jurisdiction or control, and shall cause such space, room or rooms to be open on each day when such space, room or rooms may be desired by the commission for use as a place of registration or as an office of the commission: Provided, That such use shall not interfere with the use for which such room or rooms is primarily designed.

(e) The commission shall in reasonable time publicly announce the address of each place of registration, each office of the commission established for the registration of electors other than its main office, and the days and hours when the place or office shall be open for the registration of electors, by posting thereat and at its main office a notice thereof and **[at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration or office, and]** by such other means as it shall deem advisable.

Section 6. Section 18 of the act is repealed.

Section 7. Subsection (a) of section 19 of the act, amended August 1, 1941 (P.L.702, No.277) and July 31, 1941 (P.L.710, No.279), is amended to read:

Section 19. Registration Cards; Preparation and Distribution.—(a) For the purpose of registering the qualified electors of the city, the commission shall prepare registration cards, serially numbered, in duplicate or triplicate, as the commission may determine, and containing spaces for entering the information required by section twenty and twenty and one-tenth of this act, and either the following affidavit or the affidavit prescribed in section twenty and one-tenth, as the case may be:

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss:

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]eighteen** years of age, and shall have resided in the State of Pennsylvania **[for one year (or, having previously been a qualified elector or a native born citizen of the State, and having removed and returned, then six months) next preceding said election] thirty days** and in the election district **[two months] 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 and correct.

Subscribed and sworn to before me this day of

(Signature of Registrar or Person Authorized to act as Registrar)

.....
Signature of Voter

Section 8. The act is amended by adding a section to read:

Section 19.1. Official Nonpersonal Voter Registration Application Cards; Preparations and Distribution.—

(a) For the purpose of enabling qualified electors of each city of the first class to register to vote, the Secretary of the Commonwealth shall cause to be prepared and printed at the expense of the Commonwealth, nonpersonal voter registration application cards containing spaces for

entering the information required by sections 20, 20.1 and 20.2 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 years imprisonment, plus loss of suffrage for ten years.

(10) Instructions to Federal or State employes who wish to retain voting residence in the 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 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 citizen transportation passes, entry to all schools and institutions of higher education. Furthermore, 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 9. Subsections (a) and (b) of section 20 of the act, subsection (a) amended September 19, 1961 (P.L.1493, No.636), and subsection (b) amended July 31, 1941 (P.L.710, No.279), are amended to read:

Section 20. Manner of Registration.—(a) Every person claiming the right to be registered as an elector **[must]** *may* appear in person before the commission, a commissioner, a clerk or employe of the commission acting as registrar or a registrar at the main office of the commission, or at such other office or place as the commission shall have designated, and answer the questions required to be asked in accordance with this act *or may register in any other manner provided by this act.*

[Every person claiming the right to be registered as an elector who is physically disabled so that he cannot appear in person to be registered may request, in writing, that the registration commission send a registrar to the residence of such person for the purpose of registering such person in the same manner as required by law of other persons appearing for registration. The letter requesting such registration shall be accompanied

by a statement of the physician attending such person, stating that such person is physically disabled to the extent that such person is unable to appear at any of the established places for registration. Upon receipt by the registration commission of such a letter duly accompanied by the required physician's statement, the registration commission shall direct one of its registrars to go to the residence of such disabled person and register him or her, as the case may be.]

(b) [He] *When registering in person, he* shall first be sworn or affirmed to the truth of the statements which he is about to make, and informed that any wilful false statement will constitute perjury and will be punishable as such. He then shall be asked to state the facts required herein, and his answers, together with the other information herein required, shall be recorded in his presence by the registrar or by the person authorized to act as a registrar or commission, in permanent writing or typewriting, in triplicate or duplicate, as the commission may determine, in the proper spaces on the registration cards, as follows:

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Section 10. Section 20.1 of the act, added August 1, 1941 (P.L.702, No.277), and amended August 14, 1963 (P.L.900, No.432), is amended to read:

Section 20.1. Manner of 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 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 employe 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* 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] *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 shall bear a postmark no later than the day of the primary or election for which the absentee ballot is being voted and] application card** shall be received at the office of the commission no later than the **last** date **[as]** provided by law for the **[canvassing] return** of absentee ballots.

(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 civilian occupation, if any,]** (4) the street or road and number, if any, of his home residence and the date of leaving same, **provided that in the event that there is no street address, the applicant 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, **(20.1) the designation by the applicant that the official registration application card is intended by the applicant for use as new registration, change of address or change of name.** Each registration card for registration by persons registering under this section shall also have (21) a sufficient number of spaces thereon for the insertion by the commission, but not by the applicant, of the 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 such ward and district and the other data required to be given upon such removal, (22) 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) 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 required information, the applicant shall affix his signature exactly as it appears in clauses (1) and (2).*

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

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 [have read (or have had read to me)] *affirm that* the [foregoing statements made in connection with my registration and that they are] *information provided herein is* true and correct, [and] that I am legally qualified to vote *and that 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 thisday 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 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 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 in which the applicant 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 to vote 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]** *for which a personal registration may be challenged and for the* failure to have mailed the commission a properly completed *official registration application* card. If the commission finds the *official registration application* card not properly completed it shall reject it in the manner hereinafter provided.

Section 11. Section 20.1 of the act, added July 31, 1941 (P.L.710, No.279), and amended June 28, 1947 (P.L.1030, No.438), is renumbered and amended to read:

Section **[20.1]** *20.1A. (a) When the nonpersonal registration of an elector has been fully 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 same information required in subsection (b).*

(b) When the personal registration of an elector [registered thereafter] has been completed, the registrar, commissioner, employe or clerk shall deliver to such registered elector a [written or printed statement signed by such registrar, commissioner, employe or clerk,] wallet-sized voter's identification card setting forth the name and address of the elector, his ward and district, the fact of registration, designation of party enrollment, the date thereof, the serial number of the elector's registration card, space wherein the elector shall affix his signature or mark, and such other information as the commission may deem advisable. Each such statement shall contain a warning to the effect that the said statement relates only to the time of the issuance thereof and is not of itself evidence or proof of the elector's qualifications to vote at any election or primary. Upon request

made at the office of the commission by any registered elector who has been registered prior thereto, the commission, if satisfied that such elector is a qualified elector of the district in which he is registered, shall mail or deliver such a statement of his registration to such elector.

Section 12. Section 20.2 of the act, added August 14, 1963 (P.L.900, No.432), is amended to read:

Section 20.2. Manner of **[Absentee]** Registration by Certain **[Ill or Disabled]** Electors.—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 *set forth in this section*:

(a) He may **[make application]** *submit, either by mail, in person or by authorized 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.*

(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 *providing that in the event there is no street address, the applicant 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 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 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, **(20.1) the designation by the applicant that the official registration application card is intended by the applicant for use as registration change of address or 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) the 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 such ward and district and the other data required to be given upon such removal, (22) 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) 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 required information, the applicant shall affix his signature exactly as it appears in clauses (1) and (2).*

(c) In addition, the foregoing *official registration application card* shall contain the following **[affidavit] registration declaration and penalty for falsifying such 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 that 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.**

.....
Date of Signature

.....
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 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 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 years.

(d) [Upon written application by an elector in the manner prescribed by this section to the registration commission having jurisdiction in the city 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 under this section who is unable to sign his official registration application card shall make his mark and acknowledged before an official who is qualified to take acknowledgment 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 20 of this act could not be made under the provisions of section 17 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] *Official registration application* cards returned by electors [registering in the manner prescribed by] *qualified to register under* 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] *upon* 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 22 of this act *and for failure to have mailed the commission a properly completed official registration application card.* If the commission finds the registration card not properly completed, it shall reject it in the manner hereinafter provided.

Section 13. The act is amended by adding a section to read:

Section 20.3. Approval of Official Registration Application Cards.—(a) The 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 city, but resides elsewhere in Pennsylvania, the commission shall forthwith forward such application card to the proper county registration commission. In all other cases, the commission shall forthwith detach the notification stub as provided for in subsection (a) of section 19.1 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 official registration 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 card to a registration card, serially numbered in duplicate as provided in section 17 of this act, provided that the official registration application card 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 official registration application card is one for 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 official registration 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 notification stub which the post office is unable to deliver at the given address, the commission shall cause an investigation to be made. In the event the commission finds the applicant is not qualified from such an address, the commission shall reject the application and notify the applicant by first class mail of such action.

(f) The commission shall undertake such street canvasses by inspectors to verify residence of those registered and to determine if there are unregistered eligible voters residing at these addresses. When the inspectors find or believe that there are unregistered voters at a residency or voters who have changed addresses they shall leave sufficient official registration application cards for all potentially eligible voters who are unregistered or need to change their registrations.

(g) 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. 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 (10) days before the ensuing primary or election succeeding the filing of the official registration application card.

Section 14. Section 23 of the act is repealed.

Section 15. Section 24 of the act, amended August 1, 1941 (P.L.702, No.277), is amended to read:

Section 24. Incomplete or Rejected Application to Be Recorded.—The registrar, clerk or commissioner 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, clerk or commissioner shall note thereon the reason for the rejection and shall sign his name thereto. The registrar, clerk or commissioner shall forthwith personally notify the applicant if his application for registration is rejected: Provided, however, That if **[the] an official registration application card** was received by mail **[from a person in military service] or from the personal representative of the elector**, 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 16. Section 26 of the act, amended July 31, 1941 (P.L.710, No.279), is amended to read:

Section 26. General Register.—A copy of the registration affidavits for the entire city shall be placed in cabinets in exact alphabetical order and indexed as to name, and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These affidavits shall constitute the general register of such city, and shall not be removed from the office of the commission, nor open to public inspection, except upon order of the court of common pleas of the county wherein such city is located, upon sufficient cause having been shown. **The official registration application card of an elector who has registered by using a nonpersonal voter registration application card may qualify as a duplicate registration card.**

Section 17. Section 27 of the act, amended July 31, 1941 (P.L.710, No.279), is amended to read:

Section 27. District Registers; **[TriPLICATE]** Registration Cards.—

(a) The original registration affidavits shall be filed by election districts, and within each election district, in exact alphabetical order, or in the order in which their residences appear upon the streets of the election district and in exact alphabetical order for each residence, as the commission may determine, and shall be visibly indexed as to name and voting record. The affidavits so filed for each election district shall constitute the district register for such district. The district register shall be kept at the office of the commission, except as herein provided and shall be open to public inspection, subject to reasonable safeguards, rules and regulations and to the provisions of this act.

(b) The commission shall safely retain all **[triplicate]** registration affidavits or cards now in its custody, and such as it may under the provisions of this act hereafter require to be used in the registration of

electors, for the same period of time as the commission is required to retain all other registration affidavits or cards and in such order or manner as it may by regulation direct. Any such **[triplicate]** registration affidavit or card may be substituted for a lost, destroyed or mislaid original or duplicate affidavit or card of the same elector on order of the commission endorsed thereon and signed by a commissioner, and such **[triplicate]** affidavit or card when so substituted shall be deemed and considered for all purposes as though it shall be the original or duplicate affidavit or card, as the case may be.

(c) All official registration application cards shall be deemed original registration affidavits for the purposes of this section.

Section 18. Sections 28 and 29 of the act, amended June 3, 1943 (P.L.855, No.359), are amended to read:

Section 28. Removal Notices.—The commission shall provide forms of removal notices, which it shall cause to be made available for the convenient use of registered electors. These notices shall be printed upon cards suitable for mailing, addressed to the office of the registration commission and shall contain spaces wherein the elector shall write—(1) the street and number of his present residence and the specific location thereof, including the number of the room, apartment, flat or floor in his residence, if a portion only of a house; (2) the street and number of the address from which he was last registered; (3) the date of his removal to his present address; (4) the serial number of his registration card; (5) space wherein the elector shall sign his name and insert the date of signing; (6) space wherein two registered electors of the district to which he has removed shall sign their names and addresses, certifying to the truth of the statement on said notice as to his present place of residence. The removal notice shall contain a statement that the elector may, by filling out properly and signing a removal notice, having it witnessed as aforesaid and returning it to the office of the commission, have his change of residence entered on the registers. Each removal notice shall contain a warning to the elector that the notice will not be accepted unless the signature thereon can be identified by the commission with the elector's signature in the general and district register, and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed, he shall be guilty of a misdemeanor and subject to the penalties as provided by this act. Each removal notice, to be effective, must be received either through the mail or by delivery at the office of the commission, postmarked or delivered, as the case may be, not later than **[the tenth day] thirty days** prior to any primary or election, and must have been signed by the elector within ten days prior to the date of mailing or delivery. Warning of these provisions shall also appear on each removal notice form. ***An official registration application card of any elector who has registered by mail may qualify as a removal notice.***

Section 29. Recording Change of Residence.—(a) Upon receipt of a removal notice properly filled out, and executed on the form prescribed by the commission within the time and in the manner provided by this act, containing the required information and setting forth a removal of residence to another location in the same district, the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come, and, if the signature shall appear authentic, shall enter the change of residence in the registers. In any case, the commission shall advise the elector promptly in writing of its action.

(c) If the commission shall doubt that the request is authentic, it shall, without entering the change of residence, promptly notify the elector that it will be necessary for him to apply in person at any office of the commission to have the change of residence entered in the registers.

(d) **[No elector who is unable to write his name shall be permitted to apply for the recording of his change of residence by use of a written removal notice, but each such elector must apply in person at any office of the commission, or any place of registration, on one of the days and at such time as prescribed for the registration of electors, establish his identity, and state, under oath or affirmation, to which he shall affix his mark in the presence of a registrar, clerk or commissioner, who shall affix his own signature thereto as a witness, the information required of registered electors in a removal notice.]** Any **[other]** elector may also appear in person at any office of the commission or any place of registration on any of the said days and apply for the recording of his change of residence within the same district, in which case the signatures of two registered electors of the district shall not be required, if such elector shall establish his identity, and, after stating under oath or affirmation the information required in a removal notice, shall sign the same in the presence of a registrar, clerk or commissioner, who shall affix his own signature thereto as a witness.

(e) Immediately upon the receipt of a removal notice by the commission, it shall note thereon the date of receipt and number the same in the order of its receipt, and shall forthwith mail to the elector an acknowledgment of the receipt of such notice, stating the date of receipt and the number assigned to it and that the elector will be advised by the commission of the action taken thereon. Each acknowledgment so mailed shall contain on the outside a request to the postmaster to return it to the commission within five days if it cannot be delivered to the addressee at the address given thereon and not to forward the same to any other address. In the event that any such removal notice shall be filed or application made for the recording of his change of residence as provided in clause (d) of this section by an elector at any place of registration or at any office of the commission, a similar acknowledgment shall be delivered to him by the registrar, clerk or employes receiving the same, signed by him: Provided, however, That such removal notices and applications shall be numbered by the registrar, clerk or employe in the order of their receipt at the respective

registration places or offices. The commission may cause blank forms of acknowledgments to be physically attached to the removal notices and applications and may require the elector to insert his name and new address thereon before filing the same.

Section 19. Section 30 of the act, amended July 31, 1941 (P.L.710, No.279), August 14, 1963 (P.L.900, No.432), and March 26, 1973 (P.L.9, No.3), is amended to read:

Section 30. Change of Party Enrollment; Notice Change of Enrollment of Political Party; Cancellation of Party Enrollment; Persons Suffering Disability After Registration to Have Fact Recorded; Cancellation.—(a) The commission shall provide change of party enrollment notices, which it shall cause to be available for the convenient use of registered electors. Those notices shall be printed upon cards and shall contain spaces wherein shall be recorded under oath—(1) the street and number of the elector's residence; (2) his ward and election district; (3) the political party in which he is enrolled; (4) the political party in which he desires to be enrolled; (5) the signature of the elector; (6) the serial number of his registration card. Any person who is duly registered and is a member of any of the categories enumerated in sections 20.1 and 20.2 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 ***or by submitting an official registration application card designated as a change of party enrollment.*** The application [shall] *may* 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.] ***by mail, or by any other means.*** 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. ***In the event a registered elector changes his party enrollment between any primary and the following November or municipal election, such party enrollment change shall become effective no later than the next ensuing primary.***

(b) At any time except the thirty days next preceding the primary election [and except the thirty days next following an election,] any person who desires to change his party enrollment, or who, although registered, has not hitherto enrolled as member of a party, shall appear at any office of the commission or before the registrars in his ward or district, and sign the change of party enrollment notice, containing the information required by subsection (a) of this section, stating the designation of the political party in which he desires to be enrolled[: **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.**]

The commission shall cause the signature thereon to be compared with the signature on the general and district registers, and, if the signatures appear authentic, shall enter the change of enrollment of political party in the registers, unless such elector is prohibited from changing his party enrollment as aforesaid. ***In the event a registered elector changes his party enrollment between any primary and the following November or municipal election, such party enrollment change shall become effective no later than the next ensuing primary.***

(c) Any elector who is unable to write his name shall, in addition, establish his identity, and shall affix his mark, in lieu of his signature, in the presence of a registrar, clerk or commissioner, who shall affix his own signature thereto as a witness to the information required in the change of party enrollment notice.

(d) At any time not later than the thirtieth day preceding any primary, any qualified elector of the city, including any watcher, may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections, setting forth, under oath, that he believes that such elector is not a member of the party with which he has been enrolled, 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, at least forty-eight hours prior to presentation of the same, by delivering a copy of the said petition to him personally or by leaving it with an adult member of the family with which he resides. If, at or before the hearing of any such petition, the elector against whom the petition is filed files an affidavit with the commission in which he swears or affirms that, at the last election at which he voted, he voted for a majority of the candidates of the party as a member of which he desires to be enrolled, all of the candidates of a party for presidential elector being counted as two candidates, the petition shall be refused, otherwise, the party enrollment of such elector shall be forthwith cancelled.

(e) Any elector who has, since the time of registration, suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine, or to enter the voting compartment or voting machine booth, without assistance shall, at least seven days prior to the next succeeding primary or election, personally make application, under oath, to the commission or registrars to have such fact entered on his registration affidavit, together with the exact nature of his physical disability, which entry shall be made accordingly.

(f) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate, or no longer suffers from the disability stated by him, it shall cancel on his registration affidavit the entry relating to illiteracy or physical disability which authorized him to have assistance, and shall forthwith notify such elector by mail of this action.

Section 20. Section 32 of the act is amended by adding a clause to read:

Section 32. Mail Check-up of Register.—* * *

(e) For new registrants or for persons changing their registration and using the official registration application card, the notification stub may serve as the mail check-up of register.

Section 21. Section 37 of the act, subsection (c) added July 31, 1941 (P.L.710, No.279), is amended to read:

Section 37. Delivery of District Registers to Commissioners in Charge of Elections.—(a) Not later than noon of the Friday preceding an election or primary, the commission shall deliver to the commissioners in charge of the election or primary the district registers for that district, accurately corrected to date, together with other election materials for use on election day, in the manner in which such commissioners now are or hereafter may be required to deliver the same: Provided, however, That the registration commission shall not deliver to the commissioners in charge of elections the registration card, for use at the polls on election day, for any person who has removed from one election district to another within **[two months] thirty days** of any general, municipal, primary or special election.

(b) District registers, when so delivered to the commissioners in charge of elections, shall be contained in suitable binders so constructed and locked that the name, address, voting record, and other data on each card may be visible, and that entries may be made on each card, but that the cards cannot be removed by the election officers. Said binders shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery to the commissioners in charge of elections.

Said binders shall have printed or written thereon the words "District Register of Voters" and the number of the district and ward.

(c) In the event that any of said district registers when so delivered shall contain the names of registered electors not contained in the street list posted in the district as required by section thirty-four (b), or shall omit names of registered electors contained in said street list, then the said registers shall be accompanied by a list showing such names as were added and such names as were omitted with a brief explanation or key showing the cause for such addition or omission. Such list shall remain in the polling place on election day open to public inspection. One copy of such list shall be posted at the office of the commission at the time of the delivery of the binders and shall remain posted until after the next succeeding election, and one copy of such list shall be furnished to the chairman of the city committee of each party entitled to a ballot at the preceding primary.

Section 22. Section 40 of the act, amended May 23, 1945 (P.L.898, No.361), is amended to read:

Section 40. Cancellation of Registration upon Failure to Vote Within Certain Periods; Request for Reinstatement; Correction of Errors of the Commission in Cancellation of Registrations.—**[Within three months after the first day of January of] During** each year, the commission shall cause all of the district registers to be examined, and in the case of each

registered elector who is not recorded as having voted at any election or primary during the two calendar years immediately preceding, the commission shall send to such elector by mail, at his address appearing upon his registration affidavit, 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 **[at the expiration of ten days from the date of mailing such notice] if he does not vote in the next primary or election or** unless he shall, within **[that period] ten days of the next primary or election**, file with the commission, **[either personally or by mail,]** a written request for reinstatement of his registration, signed by him, setting forth his place of residence. A list of the persons to whom such notices shall have been mailed shall be sent promptly to the city chairman of the political party of which the electors were registered as members. At the expiration of the time specified in the notice, the commission shall cause the registration of such elector to be cancelled unless he has filed with the commission a signed request for reinstatement of his registration as above provided. ***The official registration application card of an elector who has registered may qualify as a reinstatement of his registration or a removal notice.*** The cancellation 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]** in the manner provided by this act.

Whenever the registration of an elector has been cancelled through error, such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election, and after a hearing on said application, if error on the part of the commission is proved, the commission shall reinstate the registration of such elector.

Section 23. Section 44 of the act, repealed as to witness fees by act of July 21, 1941 (P.L.425, No.173), is amended to read:

Section 44. Subpoenas and Witness Fees.—(a) Any person filing any petition of any kind aforesaid with the commission, or opposing same, shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses, upon condition that all witnesses so subpoenaed shall be paid **[two dollars and fifty cents] twenty dollars** per day as witness fees, in the manner herein provided.

(b) The commission, on its own motion, may subpoena witnesses, including registrars, each of whom shall also be entitled to daily witness fees, **[at the rate aforesaid]** to be paid out of any money to be provided for the purpose to the commission by the appropriating authority of the county in the same manner as other necessary expenses of such commission are to be provided for.

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a court of common pleas. The commission shall have the benefit of the process of said courts, if necessary, to enforce any subpoena issued by such commission.

(d) No subpoena shall be issued for the benefit of any person, other than the commission, until he shall have paid the commission a fee of twenty-five cents for issuing the same, and deposited with said commission one day's witness fees for each witness to be summoned thereby, whose names shall be given to the commission and entered by it in such subpoena, and no such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission, and unless, before four o'clock postmeridian of said day, the person for whose benefit it be issued shall have deposited with the said commission an additional day's witness fees for each witness whose further attendance is desired. As soon as convenient after any hearing is concluded (or postponed or continued) on any day, the commission shall disburse the fees deposited with it by any person aforesaid among these witnesses who have appeared in response to subpoenas issued as aforesaid, and shall return to the person who deposited the same any fees deposited for others who did not attend, and shall also pay like fees to any summoned by the commission as aforesaid, taking their receipts therefor, as long as there are sufficient funds available for such payments.

(e) The commission shall pay over to the city treasurer all fees received for subpoenas. The accounts of such commission respecting disbursements of witness fees out of appropriation made to such commission by the appropriating authority of the city shall be subject to audit from time to time by the city controller.

Section 24. Subsection (d) of section 45 of the act is amended and the section is amended by adding subsections to read:

Section 45. 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 or has reason to know is not his legal residence, or who falsely personates another in an application for registration, or who knowingly offers false naturalization **[papers] information** 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 (\$1,000.00) dollars, or to undergo an imprisonment **[of not more than three (3) years] not exceeding five (5) years, or both. In addition, sentence shall include the loss of the right of suffrage absolutely for a term of ten (10) years.**

* * *

(g) 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 (\$1,000.00) dollars, and to undergo an imprisonment not exceeding five (5) years, or both. In addition, sentence shall include the loss of the right of suffrage absolutely for a term of ten (10) years.

(r) It shall be a misdemeanor for an elector's representative under section 20 to deliberately misinstruct or falsify or alter party designation or to fail to deliver a completed and signed registration application.

Section 25. This act shall take effect in 30 days.

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

MILTON J. SHAPP