

PENNSYLVANIA

VOTER REGISTRATION

These resources are current as of 01/09/2018: We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at advocacy@afj.org.

This guide summarizes key aspects of laws governing voter registration on the state level. It is not intended to provide legal advice or to serve as a substitute for legal advice

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

DEADLINES FOR REGISTRATION

- **Deadline for registering**
 - 30 days before an election. 25 Pa.C.S. §1326.
 - The statutory deadline for either the mailing (through the U.S. Postal Service) of a completed voter registration form to a voter registration office or for the hand delivery to a voter registration office of a completed voter registration form is thirty days before the election.

- **Does state offer Election Day registration?**
 - No.

- **Does state allow online registration?**
 - Yes. Act 2002-3 (S.B. 607), P.L. 18, § 1, approved Jan. 31, 2002 provided authorizes online voter registration as follows: “Nothing in this part shall prohibit the design and use of an electronic voter registration application which includes the applicant’s digitized or electronic signature.” 25 Pa. Cons. Stat. Ann. § 1327(a)(4)

- To register online, fill out the voter registration application at register.votespa.com. Links to the site can also be found at www.votesPA.com and www.dos.pa.gov
- Once an online voter registration application is submitted online, the application will be forwarded to the appropriate county voter registration office for processing and the information provided in the application will be examined.
- Once the registration is approved, the county voter registration office will mail a voter registration card to the applicant's residence.
- An applicant does not need a PA driver's license or PennDOT ID card to register online. Applicants with no PennDOT number may upload a digital signature or submit their signature by mail to complete the registration process.
- PA law permits the use of electronic signatures in all transactions where a handwritten signature may be used. Applicants using online voter registration will be required to affirm that they are qualified voters and may sign their application electronically.
- However, a voter registration is not complete until the [county voter registration office](#) has the applicant's written signature on file. If the applicant has been issued a Pennsylvania driver's license or PennDOT ID card, PennDOT will send the applicant's signature to the appropriate county voter registration office and the signature will then be attached to that person's voter record. Applicants who do not provide a PennDOT number or whose information cannot be verified at PennDOT may upload a digital image of their signature, or submit their signature by mail or in person to complete the registration process. The signed application must either be delivered to your county voter registration office or postmarked no later than the registration deadline.
- Further information about online voter registration is available on the Pennsylvania Department of State's website at <http://www.votespa.com/en-us/Pages/Online-Voter-Registration-FAQ.aspx> or by calling tollfree 1.877.VOTESPA (1.877.858.3772).
- **Does state allow by-mail registration?**
 - Yes. Registration by mail is permitted. A blank voter registration form can be downloaded at <https://www.pavoterservices.pa.gov/Pages/VoterRegistrationApplication.aspx#>

- If a mailed form shows a legible postmark dated no later than the registration deadline (30 days before the election), the form is deemed to be timely submitted; if there is no postmark or the postmark is illegible postmark, then a form received within five days after the registration deadline is deemed to be timely. 25 Pa.C.S. §1326(b)(2).

VOTER ID REQUIREMENTS

- **Required for registration? If so, what kinds of ID?**
 - No. Pennsylvania does not require registrants to provide proof of citizenship or any other documentation in order to register to vote; however, proof of identity, as specified below, is required in order to vote for the first time in an election district (precinct) or to vote by absentee ballot, for the first time, following a new registration.
 - A person submitting a new voter registration form and intending to vote by absentee ballot must either submit a copy of one of the specified forms of identification (listed below) with the voter registration form or submit a copy of one of the specified forms of identification by enclosing it in the outer envelope containing the sealed inner envelope in which the paper absentee ballot has been placed when they vote; if the copy of the identification is contained in the inner envelope, the ballot should not be counted. The identification requirement applies only to the first vote cast under a new registration.
- **Required for voting? If so, what kinds of ID?**
 - In 2014, the Commonwealth Court in *Applewhite v. Commonwealth*, 2014 Pa. Commw. Unpub. LEXIS 379 (Pa. Commw. Ct. 2014); 2014 WL 184988 granted a permanent injunction against enforcement of Sections 2 and 3 of Act 18 of 2012, holding that the in-person proof of identification requirements of that statute were unconstitutional. Those provisions of the Election Code are no longer in force.¹
 - Either a form of photo identification or acceptable non-photo documents **is required for voting for the first time in an election district (precinct)** and for voting by absentee ballot for the first time following a new voter registration.
 - forms of photo identification include²:

¹ See, PA. DEPT. OF STATE, Identification Requirements For In-Person Voting At The Polling Place, May 2015 found at <http://www.dos.pa.gov/votingelections/otherserviceevents/documents/dos%20voter%20id%20guidance%2020150506.pdf>

² The list of acceptable IDs for first time voters is provided by the State's website at PA. DEPT. OF STATE, Identification Requirements For In-Person Voting At The Polling Place, May 2015 found at

- (1) a valid driver's license or identification card issued by the Pennsylvania Department of Transportation [there is a procedure for persons not eligible for a driver's license to obtain a photo identification card];
- (2) a valid identification card issued by another agency of the Pennsylvania government;
- (3) a valid identification card issued by the United States Government;
- (4) a valid United States passport;
- (5) a valid student identification card;
- (6) a valid employee identification card; or
- (7) a valid armed forces of the United States identification card. Pa. Election Code, 25 P.S. §3050(a) (revived by the holding of *Applewhite v. Commonwealth*, 2014 Pa. Commw. Unpub. LEXIS 379 (Pa. Commw. Ct. 2014); 2014 WL 184988).
- If the registered elector does not have one of the specified forms of photo identification, the elector can present any form of non-photo identification that shows the name and address of the elector:
 - (1) a voter registration card issued by the County Voter Registration Office;
 - a non-photo identification issued by the Commonwealth of Pennsylvania or any agency thereof;
 - (2) a non-photo identification issued by the United States Government or agency thereof;
 - (3) a firearms permit;
 - (4) a current utility bill;
 - (5) a current bank statement;
 - (6) a paycheck; or
 - (7) a government check. 25 P.S. § 3050 (a.1) (revived by the holding of *Applewhite v. Commonwealth*, 2014 Pa. Commw. Unpub. LEXIS 379 (Pa. Commw. Ct. 2014); 2014 WL 184988).
- Note: Voters on the registration roll who cannot produce an acceptable form of identification will still be permitted to vote on a provisional paper ballot.

VOTER REGISTRATION DRIVES

- **Does state accept National Voter Registration Act (NVRA) registration forms? Any restrictions?**
 - Yes. Pennsylvania accepts the Federal voter registration form, which is to be mailed to the Office of the Secretary of the Commonwealth, 210 North Office Bldg., Harrisburg, PA 17120-

<http://www.dos.pa.gov/votingelections/otherserviceevents/documents/dos%20voter%20id%20guidance%2020150506.pdf>

0029. Pennsylvania's state form should be mailed to the appropriate county voter registration office.

- Pennsylvania's state voter registration form is available online at the website of the Department of State (<http://www.votespa.com/en-us/register-to-vote/Pages/How-to-Register.aspx>). Private organizations or individuals are permitted to print blank voter registration forms so long as the "form, content and paper quality of such voter registration application complies with department [of State] regulations for the forms or has received prior approval from the secretary [of the Commonwealth]." 25 Pa. C.S. §1327 (a)(8). Prior approval should be sought before reproducing either the state form or the federal form for use in Pennsylvania.

- **May groups "cage" completed registration forms (i.e. asks voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))? If so, may they copy the forms or any of the data included on them? If so, any deadlines for sending the completed forms to the state or to local officials?**
 - Yes. There is no legal restriction on a group's acting to "cage" completed registration forms (*i.e.*, asking voters to mail completed forms back to the group, which will then send them to the appropriate voter registration office).
 - There is no legal restriction on a group's copying the voter's name, address, date of birth and party affiliation included on a form. However, the registration form also requires the voter to list either the voter's driver's license number or the last four numbers of the voter's Social Security number and those numbers are regarded as subject to privacy protections (under laws other than Act 2002-3) and accordingly should not be copied or retained by a group.
 - There are no legal restrictions or deadlines for sending the completed forms to the state or to local officials, other than the deadline for an effective registration (either hand delivery during the hours that the registration office is open, no later than thirty days before the election or a legible postmark affixed no later than thirty days before the election).

- **May a group "pre-fill" some or all of the form before sending/giving it to a would-be registrant?**
 - Only if an individual who does so complies with the requirement of 25 Pa.C.S. §1327(a)(3) that "[a]ny person who assists in the completion of the registration application shall sign the application and indicate the person's address."

- **May voter registration drive workers assist a voter in completing their registration form?**

- Voters may be assisted by others in filling out the voter registration forms, so long as “[a]ny person who assists in the completion of the registration application shall sign the application and indicate the person’s address.” 25 Pa.C.S. §1327(a)(3).
- **Does state require training of voter registration workers?**
 - No. There is no legal requirement for the training of voter registration workers.
- **Does state require registration of voter registration drives? If so, for by-mail drives, too?**
 - No. There is no legal requirement for the registration of voter registration drives, either by door-to-door solicitation or for solicitation by mail.
- **Any requirement that a group must provide information to voters about how they may contact the group to determine the status of their registration?**
 - No. There is no legal requirement that a group must provide information to voters about how they may contact the group to determine the status of their registration.
- **May a group pay voter registration drive workers? If so, is it permissible to pay on a per-voter-registered basis?**
 - Yes. A group may pay workers in a voter registration drive, but there is a prohibition on “payment or financial incentive to obtain a voter registration if the payment or incentive is based upon the number of registrations or applications obtained.” 25 Pa.C.S. §1713 (misdemeanor of the third degree).

CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

State agencies:

Bureau of Commissions, Elections, and Legislation
 Pennsylvania Department of State
 210 North Office Building
 Harrisburg, PA 17120
 (717) 787-5280 (phone)
 (717) 783-0736 (phone – Office of Chief Counsel)
 (717) 787-0251
<http://www.dos.state.pa.us>

Local agencies:

Listing of county elections and voter registration offices:

<http://www.votespa.com/en-us/voting-and-elections/be-prepared/Pages/County-Contact-Information.aspx>

FOR FURTHER ASSISTANCE

For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:

**Email: Advocacy@afj.org
Telephone: 1-866-NPLOBBY
(675-6229)**

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