

**I-866-OUR-VOTE
(1-866-687-8683)****Disclaimer:**

This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision making.

VOTER REGISTRATION FORMS**1) Where can registration forms be obtained?**

There are several ways to get a voter registration form. You can obtain the form at a County Voter Registration Office (<http://www.votespa.com/CountyContactsandWebSites/tabid/89/language/en-US/Default.aspx>), or at the Department of Transportation photo license center when you obtain or update your driver's license (<http://www.dot.state.pa.us>).

Additionally, you can download the Pennsylvania voter registration form at: <http://www.dos.state.pa.us/voting>. You may also request to have Pennsylvania Voter Registration mail an application to you by sending an e-mail with your full name and mailing address to: ST-VOTERREG@state.pa.us. Remember to include the number of applications you are requesting.

Lastly, you can register to vote at numerous Pennsylvania governmental agencies, including the following:

- State offices that provide public assistance and services to persons with disabilities
- Armed forces recruitment centers
- County Clerk of Orphans' Court offices (including each Marriage License Bureau)
- Area Agencies on Aging
- Centers for Independent Living
- County Mental Health and Mental Retardation offices
- Student disability services offices of the State System of Higher Education
- Offices of Special Education
- DA Complementary Paratransit offices

2) Are there restrictions on registering to vote using a photocopied voter registration form?

No. Pennsylvania law does not prohibit individuals or groups from copying blank voter registration forms. This includes copying the forms for use in voter registration drives.

3) Are there any restrictions on using the National Voter Registration Form?

No. Either the National Mail Voter Registration Form or the Pennsylvania Voter Registration Application may be used to register to vote in Pennsylvania. National forms that are signed by the applicant and mailed in an envelope with first class postage are accepted. All information on the

Pennsylvania form is required. If using the National form, all information is also required, including race/ethnicity. Applicants must select a political party in order to take part in that party's primary; if you do not wish to select a political party choose "no affiliation." Additionally, the registration form should indicate whether the applicant is registering to vote or changing his or her name, address or party affiliation.

4) Are there restrictions regarding the use of registration form information?

No. Pennsylvania law does not directly address this issue; however, related laws suggest that it is lawful for a person who is registering new voters to capture voter registration information prior to submission. Information on a voter registration card may be used for such purposes as inquiring whether the voter would like an absentee ballot or "get out the vote" activities.

5) Are there restrictions regarding pre-filling information on registration forms?

No. Pennsylvania does not have any restrictions regarding pre-filling information on registration forms.

COMPLETING VOTER REGISTRATION FORMS

6) How long must you live in a county before you are eligible to register to vote?

A person who has been a resident of the county for at least thirty (30) days prior to the election is eligible to register to vote.

7) Are there any restrictions on registering to vote using a P.O. Box, college campus, dorm address, or homeless shelter?

A person may register to vote using any address he or she considers to be his or her residence. A residence is any place where a person lives with the intent of staying. Thus, a college or dorm address may be used if the applicant lives at that address and, when he or she leaves for temporary purposes, has the intent to return. A post office box is not a residence. While even out-of-state students may register to vote in Pennsylvania (see Question #8), please remember that an individual may only be registered in one state/district/precinct at a time.

Students with a campus P.O. Box should fill in their dorm name and room number in the "Address of residence" box (4) on the Pennsylvania form or the "Home Address" box (2) on the National form and then enter their P.O. Box number in the "Mailing address" box (5) on the Pennsylvania form or the "Address Where You Get Your Mail" box (3) on the National form.

Homeless voters may satisfy the residency requirements set forth in the Pennsylvania Election Code by "declaring on the Voter Registration Application the address of a shelter with which the applicant has an established relationship, and which will accept first-class non-forwardable mail for the applicant." The person must then vote in the district where the shelter is located, even if the person resides in a different precinct.

8) If I am in the state because of work or school, can I register to vote?

A person is eligible to register and vote in the county the person considers his or her residence. If a person is away from his or her residence, the person may vote by absentee ballot

Students who wish to vote are protected by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. This means that they cannot be treated differently than any other citizen with respect to voting. Specifically, election officials can neither force students to fill out additional information that non-students do not have to fill out nor can they impose more obligations on students than on non-students.

“College students are permitted under State law to register in the locality at which they are attending a college or university,” according to the Pennsylvania Attorney General. Op. Atty. Gen., No. 164 (1971). Of course, no one can register and vote in two places, but if a student considers his or her dorm or address at school to be his or her residence, then the student may register to vote there. If the student feels that the address where his or her parents live or the address where the student lived before going to school is his or her residence, then the student may register there and vote by absentee ballot. However, students should be aware that some scholarships carry residency requirements that may affect their registration.

9) Are there any identification requirements to register to vote?

Generally, identification is not required to register to vote in Pennsylvania. However, the registration form requires an applicant’s Pennsylvania drivers license number or the last four digits of the applicant’s social security number. If an applicant does not have either, they may write “NONE” in the appropriate field.

10) Are there any identification requirements in order to cast a vote?

If you are voting for the first time, Pennsylvania law requires you to present one of the following forms of identification:

- A valid driver's license or identification card issued by the Department of Transportation
- A valid identification card issued by any other agency of the Commonwealth
- A valid identification card issued by the United States Government
- A valid United States passport
- A valid student identification card
- A valid employee identification card
- A valid armed forces of the United States identification card
- A Voter Identification Card
- A non-photo ID issued by the Commonwealth of Pennsylvania or the U.S. Government
- A firearm permit
- A current utility bill, bank statement, or paycheck
- A government check

11) Are there any laws preventing ex-felons from voting?

Yes. Convicted felons who are incarcerated on the date of a primary or election are not eligible to vote, irrespective of whether they are registered. However, pretrial detainees and misdemeanants are eligible to apply to register to vote and /or to vote by absentee ballot if they otherwise qualify to vote under law. The Commonwealth Court of Pennsylvania ruled in 2000 that a law prohibiting convicted felons from registering to vote for five years after their release from prison is unconstitutional. Consequently, if completing an older version of the Voter Registration Mail Application (VRMA) form, a convicted felon who has been released from prison may register to vote by striking through the felony conviction line at Section 9(2) on the VRMA and signing his or her name.

11) What are the rules regarding missing or illegible information on registration forms?

If a registration form is incomplete or illegible, the Commissioner, clerk or registrar will send the applicant notice of the information that is missing so that the form can be updated. The applicant must correct the form before the voter registration deadline in order to be considered properly registered.

12) Can a person apply to change his or her name on a voter registration form?

Yes. A person may apply for a change of name by filling out either the National Voter Registration Form, or the Pennsylvania Voter Registration form. The person should indicate on the application whether he or she seeks a change of name or address.

REGISTERING OTHERS TO VOTE

13) What are the laws regarding third party registration?

Currently, Pennsylvania has not enacted or proposed any legislation that imposes any restrictions on third party registration.

14) Are there any laws regarding submission of voter registration forms by individuals receiving compensation?

Yes. It is illegal to pay people conducting voter registration drives on a per application basis, e.g., \$1 for every voter registration form submitted. A person may not give, solicit, or accept payment or financial incentive to obtain voter registration if the payment or incentive is based upon the number of registrations or applications obtained. Violation of this law is a misdemeanor in the third degree and may result in a fine of not less than \$500 nor more than \$2,500 or imprisonment for a time not less than one month nor more than one year, or both.

15) Must organizations engaged in voter registration drives submit their forms within a certain period of time?

There are no time restrictions on submission of forms gathered in voter registration drives.

16) Is training or registration with the state required for registration drives?

No. Neither training nor registration with the state are required in order to participate in a voter registration drive.

17) Are volunteers or staff of voter registration drives required to be county or state residents?

No. Circulators of petitions and referendums must be residents of the state and members of the party whose petitions they are circulating. There are no such provisions, however, for individuals participating in voter registration drives.

REGISTRATION DEADLINES

18) What is the deadline to register to vote?

Pennsylvania has a 30-day voter registration requirement. Registration forms must be completed, signed, and submitted 30 days before the election. Because the election is on **November 4, 2008**, the registration deadline is **Oct. 6, 2008**. In the case of an illegible or missing postmark, a five day grace period is provided. Therefore, in these situations applications will be accepted up until 25 days before the election.

19) Is Election Day registration allowed?

Individuals may register to vote at any time; however, the Commonwealth of Pennsylvania has a 30-day voter registration requirement providing that applications not received 30 days before the election will not be processed for the upcoming election. Applications received on Election Day will be held over and processed before the next election. Pending legislation seeks to allow Election Day registration. **See Question #21.**

20) Does Pennsylvania election law allow for early voting?

A person may vote before Election Day in a Pennsylvania election by submitting an absentee ballot. A voter may vote absentee for numerous reasons, including absence due to enrollment at a university, college or other higher education institute, due to military service, health and physical disability issues, or for work related issues. To obtain an absentee ballot, a voter must complete the Commonwealth's absentee ballot form (available at <http://www.votespa.com>) or mail a letter containing his or her name, contact information, and reason for requesting an absentee ballot.

All absentee ballot applications must be completed, signed, and received by the county board of elections no later than 5:00 P.M. on the Tuesday before Election Day, except for absentee ballots submitted by voters in the military and individuals who apply for an emergency application.

VOTER REGISTRATION LEGISLATION

21) Is there any pending legislation that would affect voter registration?

There are several bills pending in the legislature which would affect voter registration in Pennsylvania, including the following:

- Senate Bill 411 P.N. 437 (2005/2006), which would allow for Election Day registration and the levying of criminal penalties for fraudulently registering or misrepresenting an individual's identity in order to register to vote
- House Resolution 198 P.N. 1301 (2005/2006), which would provide automatic reinstatement of a voter's registration after completion of a criminal sentence
- House Bill 1573 P.N. 1957 (2005/2006), which would allow for Election Day voter registration
- Senate Bill 5 P.N. 1296 (2005/2006), which would reject accepting voter registration forms which list an address that has been condemned within the last 30 days

22) What are the applicable statutes?

Various Pennsylvania Statutes govern voter registration, including:

- § 1302 Residence of electors
- §§ 1207, 2648 Open records and documents
- § 1322 In-person voter registration
- § 1324 Applications by mail
- § 1326(b) Time
- § 1327 Preparation and distribution of applications
- § 1328 Approval of registration applications
- § 3050(a) Manner of applying to vote; identification

23) Are there any helpful elections official contacts?

For more information, contact the Secretary of State's Office at:

Pennsylvania Secretary of State
 Bureau of Commissions, Elections and Legislation
 210 North Office Building
 Harrisburg, PA 17120
 (717) 787-5280

The county officials directory is available at

<http://www.votespa.com/CountyContactsandWebSites/tabid/89/language/en-US/Default.aspx>.

24) What web resources are available?

The Pennsylvania Department of State has a website that is devoted to addressing concerns about voting: <http://www.votespa.com>.

The Bureau of Commissions, Elections and Legislation's website provides relevant information regarding voter registration forms, elections, and pending election laws: <http://www.dos.state.pa.us/bcel>.

The National Campaign for Fair Elections may be found here: www.nationalcampaignforfairelections.org/pages/pennsylvania or at 1-866-OUR-VOTE.