

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2629 Session of
2024

INTRODUCED BY WARNER, BERNSTINE, COOK, COOPER, ECKER, FINK,
FLICK, HAMM, HEFFLEY, JAMES, JOZWIAK, KAUFFMAN, KUZMA,
M. MACKENZIE, R. MACKENZIE, MARCELL, MENTZER, MOUL, ROAE,
ROWE, SCHEUREN, SMITH, STAATS, TOPPER AND T. JONES,
OCTOBER 9, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 9, 2024

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in registration system, providing for verification
3 of citizenship; in voter registration, further providing for
4 methods of voter registration; in penalties, further
5 providing for duties under part; and, in provisions
6 contingent on Federal Law, further providing for removal of
7 electors.

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

10 Section 1. Title 25 of the Pennsylvania Consolidated
11 Statutes is amended by adding a section to read:

12 § 1208. Verification of citizenship.

13 A commission shall, in all procedures and processes,
14 affirmatively and adequately assess whether an applicant is a
15 citizen of the United States when determining if the applicant
16 is a qualified elector upon receiving a voter registration
17 application.

18 Section 2. Sections 1321, 1706 and 1901(a) of Title 25 are
19 amended to read:

1 § 1321. Methods of voter registration.

2 (a) Registration.--An individual qualified to register to
3 vote under section 1301(a) (relating to qualifications to
4 register) may apply to register as follows[.] upon presentation
5 of documentary proof of United States citizenship with the
6 application:

7 (1) Under section 1322 (relating to in-person voter
8 registration).

9 (2) Under section 1323 (relating to application with
10 driver's license application).

11 (3) Under section 1324 (relating to application by
12 mail).

13 (4) Under section 1325 (relating to government
14 agencies).

15 (b) Definition.--As used in this section, the term
16 "documentary proof of United States citizenship" shall mean any
17 of the following:

18 (1) A form of identification issued consistent with the
19 requirements of Division B of the Emergency Supplemental
20 Appropriations Act for Defense, the Global War on Terror, and
21 Tsunami Relief, 2005 (Public Law 109-13, 119 Stat. 231) that
22 indicates the applicant is a citizen of the United States.

23 (2) A valid United States passport.

24 (3) The applicant's official United States military
25 identification card, together with a United States military
26 record of service showing that the applicant's place of birth
27 was in the United States.

28 (4) A valid government-issued photo identification card
29 issued by a Federal, State or Tribal government showing that
30 the applicant's place of birth was in the United States.

1 (5) A valid government-issued photo identification card
2 issued by a Federal, State or Tribal government other than an
3 identification described in paragraphs (1), (2), (3) and (4),
4 but only if presented together with one or more of the
5 following:

6 (i) A certified birth certificate issued by a State,
7 a unit of local government in a State or a Tribal
8 government which:

9 (A) was issued by the State, unit of local
10 government or Tribal government in which the
11 applicant was born;

12 (B) was filed with the office responsible for
13 keeping vital records in the State;

14 (C) includes the full name, date of birth and
15 place of birth of the applicant;

16 (D) lists the full names of one or both of the
17 parents of the applicant;

18 (E) has the signature of an individual who is
19 authorized to sign birth certificates on behalf of
20 the State, unit of local government or Tribal
21 government in which the applicant was born;

22 (F) includes the date that the certificate was
23 filed with the office responsible for keeping vital
24 records in the State; and

25 (G) has the seal of the State, unit of local
26 government or Tribal government that issued the birth
27 certificate.

28 (ii) An extract from a United States hospital record
29 of birth created at the time of the applicant's birth
30 which indicates that the applicant's place of birth was

1 in the United States.

2 (iii) A final adoption decree showing the
3 applicant's name and that the applicant's place of birth
4 was in the United States.

5 (iv) A consular report of birth abroad of a citizen
6 of the United States or a certification of the
7 applicant's report of birth of a United States citizen
8 issued by the Secretary of State.

9 (v) A naturalization certificate or certificate of
10 citizenship issued by the Secretary of Homeland Security
11 or any other document or method of proof of United States
12 citizenship issued by the Federal Government under 8
13 U.S.C. Ch. 12 (relating to immigration and nationality).

14 (vi) An American Indian Card issued by the
15 Department of Homeland Security with the classification
16 "KIC."

17 § 1706. Duties under part.

18 (a) Offense defined.--Any commissioner, registrar, clerk,
19 inspector of registration, commission officer, commission
20 assistant, commission employee, individual, partnership or
21 corporation that intentionally delays, neglects or refuses to
22 perform a duty imposed by this part commits a misdemeanor of the
23 second degree and shall, upon conviction, be sentenced to pay a
24 fine of not more than \$5,000 or to imprisonment for not more
25 than two years, or both.

26 (b) Private right of action.--

27 (1) A person may bring a civil cause of action based
28 upon a violation of section 1208 (relating to verification of
29 citizenship) in an appropriate court for declaratory or
30 injunctive relief with respect to the violation.

1 (2) The court may allow the prevailing party reasonable
2 attorney fees, including litigation expenses and damages up
3 to \$10,000 for each individual violation of section 1208.

4 § 1901. Removal of electors.

5 (a) Removal of elector's registration record.--Commissions
6 shall institute a program to protect the integrity of the
7 electoral process and to ensure the maintenance of accurate and
8 current registration records. The program shall be uniform,
9 nondiscriminatory and in compliance with the Voting Rights Act
10 of 1965 (Public Law 89-110, 42 U.S.C. § 1973 et seq.). An
11 elector's registration shall not be canceled except as follows:

12 (1) At the request of the elector.

13 (2) Upon the death of the elector under section 1505
14 (relating to death of registrant).

15 (3) Upon confirmation that the elector has moved to a
16 residence outside the county.

17 (4) Under a voter removal program as provided for under
18 subsection (b), and in compliance with the National Voter
19 Registration Act of 1993 (Public Law 103-31, 42 U.S.C. §
20 1973gg et seq.).

21 (5) Upon indication, investigation and verification that
22 an elector is not a citizen of the United States.

23 * * *

24 Section 3. This act shall take effect in 60 days.