U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Though the term "over-vote" is not explicitly defined in the Pennsylvania Election Code (Election Code), it is understood to refer to the act of voting for more candidates than one is entitled to vote for in a specific office. The Election Code does require that electronic voting systems prevent voters from over-voting. See 25 P.S. §§ 3031.7(7) and 3031.7(16)(iv).

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

This term is also not explicitly defined in the Election Code, but it is generally understood to refer to the act of failing to vote for all offices and/or for all candidates within a given office. To ensure that each voter is notified when he or she is about to cast an under-vote, the Secretary of the Commonwealth's voting system examination process verifies that each voting system approved for use in the Commonwealth includes functionality that will identify prior to a voter recording his or her vote the offices which the voter has under-voted.

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The term "Blank Ballot" is not defined in the Election Code, but it is understood to mean a ballot on which a voter does not select or write in any candidates on the ballot.

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A spoiled ballot is defined as a ballot on which a voter has made a mistake. At any time prior to casting the ballot, a voter who spoils his or her ballot may return it and secure another ballot. Such returned ballots are marked "spoiled" and are placed in a separate envelope marked "Spoiled Ballots." See 25 P.S. § 3031.12(b)(5).

2016 Response:

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The term “provisional ballot” means a ballot issued to an individual who claims to be properly registered and eligible to vote at the election district but whose name does not appear on the district register (poll book). See 25 P.S. § 3050 (a.4)(12).

2016 Response:

f) Absentee

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Though the general term “Absentee” is not defined by the Election Code, the definition of the term “Qualified Absentee Elector” includes the following:
A person who is or may be in the military service of the United States;
A spouse or dependent residing with or accompanying a person in the military service of the United States and who expects on Election Day to be absent from the municipality;
A member of the Merchant Marine and his/her spouse and dependents residing with or accompanying the Merchant Marine, who expect on Election Day to be absent from the municipality;
A member of a religious or welfare group attached to and serving with the armed forces and his/her spouse and dependents residing with or accompanying him or her, who expect on Election Day to be absent the municipality;
An individual who, because of the elector's duties, occupation or business (including leaves of absence for teaching, vacations and sabbatical leaves), expects on Election Day to be absent from the municipality;
A qualified war veteran elector, who is bedridden or

2016 Response:

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Early voting is not authorized in the Commonwealth of Pennsylvania

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Though the term is not explicitly defined in the Commonwealth's voter registration law, it is understood that it references a voter whose registration record becomes active and remains active by virtue of the fact that the voter has not requested cancellation of his or her record, has not moved out of state, or has not failed to respond to one of the list maintenance notices required by the Commonwealth's voter registration law. See section B3 of this survey for information regarding list maintenance notices.

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter in "inactive" status is a voter who has failed to respond to one of the list maintenance notices described in section B3. The voter's record will remain in "inactive" status until the voter updates his or her registration record or through two general elections for federal office, at which point the county may cancel the voter's registration record. See 25 Pa.C.S. §§ 1901(c) & (d).

2016 Response:

j) Other terms (please specify) _____

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

Pennsylvania implemented online voter registration in August of 2015. Though not previously implemented, Pennsylvania's Voter Registration Law has provided since 2003 general authority to design and use an electronic method of voter registration, so long as it includes the applicant's digitized or electronic signature. See 25 Pa.C.S § 1327(a)(4).

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Top-down	

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Not applicable.	

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter's record is moved from "active" status to "inactive" status if the voter has failed to respond to one of the list maintenance notices described in Section B3. The voter's record will remain in "inactive" status until the voter updates his or her registration record or through two general elections for federal office. 25 Pa.C.S. §§ 1901 (c) and (d).
If an "inactive" voter updates his or her record, the voter's record will be placed in "active" status. If an "inactive" voter does not update his or her record or does not otherwise respond to the list maintenance notice, the voter's record will be cancelled on the day after the date of the second general election for federal office occurring after the date of the notice.
Pennsylvania's registration laws are not entirely relevant to certain UOCAVA voters. UOCAVA voters in military service are entitled to vote by absentee ballot, irrespective of whether such military voters are registered and enrolled at the time of application for an absentee ballot. An overseas civilian who no longer resides in the Commonwealth, though

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

In accordance with the National Voter Registration Act and the Election Code, a voter's registration record cannot be cancelled unless the voter: requests cancellation in writing; has confirmed that the voter moved out of the county; is deceased; or has been in "inactive" status through two general elections for federal office as a result of failure to respond to one of the list maintenance notices described in the following paragraph.
Each county registration commission is required to conduct list maintenance at least once per year no later than 90 days prior to the November election. The primary list maintenance tools are The National Change of Address (NCOA) program, the Confirmation Mailing and the "Five Year Notice" program. The "Five Year Notice" program must be conducted in conjunction with either the NCOA or Confirmation Mailing program. See 25 Pa.C.S. § 1901.
The procedures are different for certain UOCAVA voters due to the special registration rules for military voters, which are described in section B2.

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Yes. The Commonwealth's voter registration database is designed to share information with the Pennsylvania Department of Transportation and the Social Security Administration for the purpose of verifying driver's license numbers and last four digits of SSNs provided on registration applications, and for the purpose of receiving data from the Department of Transportation regarding new applicants and applicants whose address or name has changed.

The Commonwealth's voter registration database also receives via a batch process information from the Pennsylvania Department of Health on deceased registrants.

2016 Response:

Beginning in August of 2015, the Commonwealth's online voter registration application obtains from the Department of Transportation (DOT) in real-time digitized signatures for voter registration applicants who have a DOT record. (Note: Applicants are also given the option to upload a digitized version of their signature if they do not have a DOT record.)

Beginning in June of 2016, the Commonwealth also shares voter registration information with other member states via the the Electronic Registration Information Center (ERIC) for the purpose of conducting voter registration list maintenance activities and identifying residents who may be eligible to vote but are not currently registered.

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

The Department of State uses ERIC to perform a match of the voter registration records contained in the statewide registration database for the Commonwealth's 67 counties with change of address records provided to ERIC by the U.S. Postal Service (USPS) as part of the National Change of Address (NCOA) program. The information is then incorporated into the SURE (Statewide Uniform Registry of Elections) system and forwarded to the county voter registration commissions for processing. See 25 Pa.C.S. § 1901(b)(1).

The mechanics of the NCOA process incorporated in the state registry have worked well in recent years. The data provided from the NCOA match is provided to the counties in batches, which enables the counties to more efficiently process notifications for voters whose address appears to have changed. However, the Department of State has received complaints from many counties relative to the accuracy of data contained in the NCOA lists. For example, some individuals show up on the NCOA list inadvertently because another registered voter within the same

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The Commonwealth Court of Pennsylvania ruled on December 26, 2000 that the Pennsylvania law prohibiting convicted felons from registering to vote for five years after their release from prison is unconstitutional. Mixon v. Commonwealth, 759 A.2d 442 (Pa. Commw. Ct. 2000). Consequently, if completing an older version of the Voter Registration Mail Application (VRMA) form, a convicted felon who has been released from prison may make application to register to vote by striking through the felony conviction line at Section 9(2) on the VRMA and signing his or her name.
Convicted felons who are incarcerated on the date of a primary or general election are not eligible to vote, regardless of whether they are registered. 25 P.S. § 3146.1 However, pretrial detainees and misdemeanants are eligible to register

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

The Commonwealth's voting website (www.votespa.com) provides registration forms, which the individual must print, complete, sign and deliver to their county voter registration office by mail or in person.

2016 Response:

The Commonwealth implemented online voter registration (OVR) in August of 2015. OVR obtains from the Department of Transportation (DOT) in real-time digitized signatures for voter registration applicants who have a DOT record, thus allowing them to complete the application process electronically. Applicants are also given the option to upload a digitized version of their signature if they do not have a DOT record. If an applicant does not have a DOT record and cannot upload a signature, the applicant can request that a signature form be mailed or the applicant can print, sign and mail a copy of the voter registration application.

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Votes may be counted either at the precinct or centrally, depending upon the type of voting system used by the county. See 25 P.S. §§ 3031.7(16) and (17).

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

If votes are tabulated centrally, the county board of elections must, no later than 5:00 P.M. on the second day following the election, post in the precinct the results from the precinct. See 25 P.S. § 3031.13(i).

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Absentee vote totals are canvassed separately from other votes. Though the vote totals from absentee ballots are included in the aggregate precinct totals, a record of only the absentee vote totals is maintained. See 25 P.S. § 3146.8(a).

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

UOCAVA ballots are counted and reported in the same manner as other absentee ballots, if they are received no later than the deadline for the return of absentee ballots from domestic civilian absentee voters.
Any UOCAVA ballots received after the domestic civilian absentee deadline but before the deadline for the return of absentee ballots from military and overseas voters (7th day after the election) are canvassed at the county on the 8th day after the election, provided that the ballots have been

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A reason is required for voting absentee. See 25 P.S. § 3146.1; see also Article VII, Section 14, Pennsylvania Constitution.

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The Election Code does not authorize in-person early voting.

2016 Response:

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No.

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter has the right to vote by provisional ballot if:
The voter's name does not appear on the district register (poll book) and Election Officials cannot determine the voter's registration status;
The proof of identification provided by a "first-time" voter is challenged by the Judge of Elections;
An Election Official asserts that the voter is not eligible to vote. (In a primary election, this includes voters who claim to be registered for a particular political party, but the district register indicates they are registered as a member of another political party.) See 25 Pa.C.S. §§ 3050(a.4)(1) and 3050 (a.2).
A voter is required to vote by provisional ballot if:
The voter is voting as a result of a federal or state court order; or
The voter is voting as a result of an order extending the time established for closing the polls by state law that is in effect 10 days before an election.

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A provisional ballot is counted partially if the county board of elections determines that the provisional voter was qualified to vote in the county, but not within the precinct where the voter appeared to vote. In this situation the ballot is counted only for those offices common to both the voter's correct precinct of residence and the precinct where the voter appeared to vote. See 25 P.S. § 3050(a.4)(7)(i).

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

As part of the computation and canvass of returns, each county board of elections must conduct a statistical recount of a random sample of at least two percent (2%) of the ballots cast or two thousand (2,000) ballots, whichever number is fewer. See 25 P.S. § 3031.17.

2016 Response:

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

It is the authority and duty of the various county boards of elections to instruct their respective poll workers. See 25 P.S. § 2642(g). To aid the county board of elections in administering this duty, pursuant to 25 P.S. § 2621(f.1), Pennsylvania Department of State has developed a voluntary poll worker training program.

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

There is no statutory or regulatory process in place for capturing these counts. The Commonwealth captures these counts administratively by requesting those counts from the various county boards of elections.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

An applicant must provide on the registration form his or her driver's license number or the last four digits of his or her Social Security number.

2016 Response:

b. casting an in-person ballot;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The in-person photo ID requirements of Act 2012-18 were permanently enjoined by the Commonwealth Court of Pennsylvania on April 28, 2014. As such, only voters who are voting for the first time in their polling place will be required to show identification as set forth under sections 1210(a) and (a.1) of the Election Code, 25 P.S. §§ 3050(a) and (a.1).
Approved forms of photo identification include:
-Pennsylvania driver's license or PennDOT ID card;
-ID issued by any Commonwealth agency;
-ID issued by the U.S. Government;
-U.S. Passport;
-U.S. Armed Forces ID;
-Student ID;
-Employee ID.
If a voter does not have photo identification, he or she can use a non-photo identification that includes a name and address. Approved forms of non-photo identification include:
-Voter ID card issued by a voter registration commission;
-Non-photo ID issued by the Commonwealth;
-Non-photo ID issued by the U.S. Government;
-Firearm permit;
-Current utility bill;
-Current bank statement;

2016 Response:

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

"Proof of identification" for a qualified absentee elector is defined under section 102(z.5)(3) of the Election Code, 25 P.S. § 2602(z.5)(3), as:

- In the case of an elector who has been issued a current and valid driver's license, the elector's driver's license number;
- In the case of an elector who has not been issued a current and valid driver's license, the last four digits of the elector's Social Security number;
- In the case of an elector who has a religious objection to being photographed, a copy of a valid-without -photo driver's license or a valid-without-photo PennDOT ID card; or
- In the case of an elector who has not been issued a current and valid driver's license or Social Security number, an acceptable photo ID.

A qualified absentee voter is not required to provide proof of identification if the voter is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or by alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act (VAEH). See 25 P.S. § 2146.3(i).

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A qualified absentee voter is not required to provide proof of identification if the voter is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or by alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act (VAEH). See 25 P.S. § 3146.2(j).

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

In order to complete the process of applying for voter registration online, an applicant must either provide his or her driver's license or PennDOT non-driver ID number. Applicants who do not have a PennDOT record can supply the last four digits of their social security number and upload a signature. Applicants who do not have a PennDOT record or a social security number can affirm that fact and upload a signature. Otherwise, an applicant will have to request a signature form or print, sign and mail his or her application to complete application for registration.

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The Election Code provides for the appointment of "overseers" and "watchers."
Overseers are appointed by the court of common pleas on the petition of five or more registered voters of a precinct setting forth that such appointment is necessary to preserve the integrity of the election process within the precinct.
Overseers are given more statutory authority than watchers because their purpose is to secure the purity and fairness of the election. See 25 P.S. § 2685.
Watchers may be appointed by political parties and/or candidates for the purpose of observing the activities at a polling location. Watchers must be residents of the county in which they are appointed. See 25 P.S. § 2687.

2016 Response:

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No. The administrative complaint procedures have remained intact since their inception.

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

The Pennsylvania General Assembly is currently considering House Bill 29, Printer's Number 3894, that would allow watchers to be appointed from anywhere in the Commonwealth. As currently drafted, the Bill would be effective immediately upon passage.

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below

Appendix A – Pennsylvania 2014 Responses

A1j. Other terms

In-person voting:

The in-person photo ID requirements of Act 2012-18 were permanently enjoined by the Commonwealth Court of Pennsylvania on April 28, 2014. As such, only voters who are voting for the first time in their polling place will be required to show identification as set forth under sections 1210(a) and (a.1) of the Election Code, 25 P.S. §§ 3050(a) and (a.1). Approved forms of photo identification include:

- Pennsylvania driver's license or PennDOT ID card;
- ID issued by any Commonwealth agency;
- ID issued by the U.S. Government;
- U.S. Passport;
- U.S. Armed Forces ID;
- Student ID;
- Employee ID.

If a voter does not have photo identification, he or she can use a non-photo identification that includes a name and address. Approved forms of non-photo identification include:

- Voter ID card issued by a voter registration commission;
- Non-photo ID issued by the Commonwealth;
- Non-photo ID issued by the U.S. Government;
- Firearm permit;
- Current utility bill;
- Current bank statement;
- Current paycheck;
- Government check.

Absentee voting:

The proof of identification requirements for absentee voters under Act 2012-18 were neither challenged nor ruled unconstitutional; therefore, those requirements remain in effect. "Proof of identification" for a qualified absentee elector is defined under section 102(z.5)(3), 25 P.S. § 2602(z.5)(3), as:

- In the case of an elector who has been issued a current and valid driver's license, the elector's driver's license number;
- In the case of an elector who has not been issued a current and valid driver's license, the last four digits of the elector's Social Security number;
- In the case of an elector who has a religious objection to being photographed, a copy of a valid-without -photo driver's license or a valid-without-photo PennDOT ID card; or
- In the case of an elector who has not been issued a current and valid driver's license or Social Security number, an acceptable photo ID.

A qualified absentee voter is not required to provide proof of identification if the voter is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or by alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act (VAEH). *See* 25 P.S. § 3146.2(j).

A2. In-person voting:

The in-person photo ID requirements of Act 2012-18 were permanently enjoined by the Commonwealth Court of Pennsylvania on April 28, 2014. As such, only voters who are voting for the first time in their polling place will be required to show identification as set forth under sections 1210(a) and (a.1) of the Election Code, 25 P.S. §§ 3050(a) and (a.1). Approved forms of photo identification include:

- Pennsylvania driver's license or PennDOT ID card;
- ID issued by any Commonwealth agency;
- ID issued by the U.S. Government;
- U.S. Passport;
- U.S. Armed Forces ID;
- Student ID;
- Employee ID.

If a voter does not have photo identification, he or she can use a non-photo identification that includes a name and address. Approved forms of non-photo identification include:

- Voter ID card issued by a voter registration commission;
- Non-photo ID issued by the Commonwealth;
- Non-photo ID issued by the U.S. Government;
- Firearm permit;
- Current utility bill;
- Current bank statement;
- Current paycheck;
- Government check.

Absentee voting:

The proof of identification requirements for absentee voters under Act 2012-18 were neither challenged nor ruled unconstitutional; therefore, those requirements remain in effect. "Proof of identification" for a qualified absentee elector is defined under section 102(z.5)(3), 25 P.S. § 2602(z.5)(3), as:

- In the case of an elector who has been issued a current and valid driver's license, the elector's driver's license number;
- In the case of an elector who has not been issued a current and valid driver's license, the last four digits of the elector's Social Security number;
- In the case of an elector who has a religious objection to being photographed, a copy of a valid-without -photo driver's license or a valid-without-photo PennDOT ID card; or

 In the case of an elector who has not been issued a current and valid driver's license or Social Security number, an acceptable photo ID.

A qualified absentee voter is not required to provide proof of identification if the voter is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or by alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act (VAEH). *See* 25 P.S. § 3146.2(j).