

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 771 Session of
2025

INTRODUCED BY MEHAFFIE, BURNS, GAYDOS, GREINER, KUZMA, LABS,
M. MACKENZIE, NEILSON, PICKETT, PUGH, STAATS, TOMLINSON AND
MENTZER, MARCH 17, 2025

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 6, 2025

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in preliminary provisions, further providing for
12 definitions; in the Secretary of the Commonwealth, further
13 providing for requirements relating to voter identification;
14 in preparation for and conduct of primaries and elections,
15 further providing for manner of applying to vote, persons
16 entitled to vote, voter's certificates, entries to be made in
17 district register, numbered lists of voters and challenges;
18 and, in voting by qualified absentee electors, further
19 providing for canvassing of official absentee ballots and
20 mail-in ballots.

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

23 Section 1. Sections 102(z.5) and 206 of the act of June 3,
24 1937 (P.L.1333, No.320), known as the Pennsylvania Election
25 Code, are amended to read:

26 Section 102. Definitions.--The following words, when used in

1 this act, shall have the following meanings, unless otherwise
2 clearly apparent from the context:

3 * * *

4 (z.5) The words "proof of identification" shall mean:

5 [(1) In the case of an elector who has a religious objection
6 to being photographed, a valid-without-photo driver's license or
7 a valid-without-photo identification card issued by the
8 Department of Transportation.

9 (2) For an elector who appears to vote under section 1210, a
10 document that:

11 (i) shows the name of the individual to whom the document
12 was issued and the name substantially conforms to the name of
13 the individual as it appears in the district register;

14 (ii) shows a photograph of the individual to whom the
15 document was issued;

16 (iii) includes an expiration date and is not expired,
17 except:

18 (A) for a document issued by the Department of
19 Transportation which is not more than twelve (12) months past
20 the expiration date; or

21 (B) in the case of a document from an agency of the Armed
22 forces of the United States or their reserve components,
23 including the Pennsylvania National Guard, establishing that the
24 elector is a current member of or a veteran of the United States
25 Armed Forces or National Guard which does not designate a
26 specific date on which the document expires, but includes a
27 designation that the expiration date is indefinite; and

28 (iv) was issued by one of the following:

29 (A) The United States Government.

30 (B) The Commonwealth of Pennsylvania.

(C) A municipality of this Commonwealth to an employee of that municipality.

(D) An accredited Pennsylvania public or private institution of higher learning.

(E) A Pennsylvania care facility.

(3) For a qualified absentee elector under section 1301 or a qualified mail-in elector under section 1301-D:

(i) in the case of an elector who has been issued a current and valid driver's license, the elector's driver's license number;

(ii) 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;

(iii) in the case of an elector who has a religious objection to being photographed, a copy of a document that satisfies paragraph (1); or

(iv) in the case of an elector who has not been issued a current and valid driver's license or Social Security number, a copy of a document that satisfies paragraph (2).]

(1) In the case of an elector who appears to vote under section 1210:

(i) One of the following forms of photo identification that shows a photo of the elector, the name of the elector to whom the document was issued and the name substantially matches <--
CONFORMS TO the name of the elector as it appears in the <--
district register:

(A) A driver's license or identification card issued by the Commonwealth or an agency thereof.

(B) A document issued by the Federal Government or by a federally recognized tribal government.

1 (C) A document from an agency of the armed forces of the
2 United States or their reserve components, including the
3 Pennsylvania National Guard, establishing that the elector is a
4 current member of or veteran of the United States Armed Forces
5 or national guard.

6 (D) A document issued by a county, municipality or school
7 district of this Commonwealth.

8 (E) A firearm permit.

9 (F) A student identification card.

10 (G) An employee identification card issued by a private or
11 public employer.

12 (ii) If an elector does not have photo identification as
13 provided for in subparagraph (i), the elector may present to the
14 election officer for examination one of the following forms of
15 identification that contains the elector's name and the name
16 substantially ~~matches~~ CONFORMS TO the name of the elector as it <--
17 appears in the district register:

18 (A) In the case of an elector who has a religious objection
19 to being photographed, a without-photo driver's license or a
20 without-photo identification card issued by the Commonwealth.

21 (B) A document issued by the Commonwealth, or an agency,
22 county, municipality or school district of this Commonwealth,
23 including a voter identification card issued in accordance with
24 25 Pa.C.S. § 1328(c) (relating to approval of registration
25 applications).

26 (C) A document issued by the Federal Government or by a
27 federally recognized tribal government.

28 (D) A document from a care facility in this Commonwealth.

29 (E) A utility bill, including a bill from a cellular
30 telecommunications provider.

1 (F) A bank statement.

2 (G) A paycheck or paystub.

3 (H) A government check.

4 (I) A proof of insurance document.

5 (J) A tax filing or document.

6 (K) A registration, fee statement or transcript from an
7 institution of higher education.

8 (L) A mortgage document.

9 (M) A residential lease.

10 (iii) An elector who is unable to provide a form of
11 identification under subparagraph (i) or (ii) may present a
12 qualified elector of the election district who can vouch for the
13 elector's identity. The elector and voucher shall sign an
14 affirmation affirming the name of the elector and that the
15 voucher personally knows the elector. An election official shall
16 confirm that the name provided in the affirmation substantially
17 ~~matches~~ CONFORMS TO the name of the elector as it appears in the <--
18 district register. The secretary shall prescribe the form of
19 affirmation which shall include disclosure of the penalties
20 under section 1802.

21 (iv) An elector who is unable to provide a form of
22 identification under subparagraph (i) or (ii) or a voucher under
23 subparagraph (iii) may ~~provide~~ COMPLETE a form, prescribed by <--
24 the Secretary of the Commonwealth and provided to the elector by
25 an election officer, on which the elector shall print their name
26 and address, and affirm their identity. An election officer
27 shall confirm that the name provided in the affirmation
28 substantially ~~matches~~ CONFORMS TO the name of the elector as it <--
29 appears in the district register. The affirmation shall include
30 a disclosure of the penalties under section 1802.

1 (2) FOR A QUALIFIED ABSENTEE ELECTOR UNDER SECTION 1301 OR A <--
2 QUALIFIED MAIL-IN ELECTOR UNDER SECTION 1301-D:

3 (I) IN THE CASE OF AN ELECTOR WHO HAS BEEN ISSUED A CURRENT
4 AND VALID DRIVER'S LICENSE, THE ELECTOR'S DRIVER'S LICENSE
5 NUMBER;

6 (II) IN THE CASE OF AN ELECTOR WHO HAS NOT BEEN ISSUED A
7 CURRENT AND VALID DRIVER'S LICENSE, THE LAST FOUR DIGITS OF THE
8 ELECTOR'S SOCIAL SECURITY NUMBER;

9 (III) IN THE CASE OF AN ELECTOR WHO HAS A RELIGIOUS
10 OBJECTION TO BEING PHOTOGRAPHED, A COPY OF A DOCUMENT THAT
11 SATISFIES PARAGRAPH (1) (II) (A); OR

12 (IV) IN THE CASE OF AN ELECTOR WHO HAS NOT BEEN ISSUED A
13 CURRENT AND VALID DRIVER'S LICENSE OR SOCIAL SECURITY NUMBER, A
14 COPY OF A DOCUMENT THAT SATISFIES PARAGRAPH (1).

15 * * *

16 Section 206. Requirements Relating to Voter
17 Identification.--(a) The Secretary of the Commonwealth shall
18 prepare and disseminate information to the public regarding the
19 proof of identification requirements established under sections
20 1210 and 1302.

21 [(b) Notwithstanding the provisions of 75 Pa.C.S. § 1510(b)
22 (relating to issuance and content of driver's license) to the
23 contrary, the Department of Transportation shall issue an
24 identification card described in 75 Pa.C.S. § 1510(b) at no cost
25 to any registered elector who has made application therefor and
26 has included with the completed application a statement signed
27 by the elector declaring under oath or affirmation that the
28 elector does not possess proof of identification as defined in
29 section 102(z.5)(2) and requires proof of identification for
30 voting purposes.]

1 (c) The Secretary of the Commonwealth shall prepare the form
2 of the statement described in subsection (b) and shall
3 distribute the form to the counties and the Department of
4 Transportation. The Secretary of the Commonwealth, the Secretary
5 of Transportation and the county boards of election shall
6 disseminate information to the public regarding the availability
7 of identification cards under subsection (b).]

8 Section 2. Section 1210(a) and (a.2) of the act are amended
9 and the section is amended by adding a subsection to read:

10 Section 1210. Manner of Applying to Vote; Persons Entitled
11 to Vote; Voter's Certificates; Entries to Be Made in District
12 Register; Numbered Lists of Voters; Challenges.--(a) [At every
13 primary and election each elector who appears to vote and who
14 desires to vote shall first present to an election officer proof
15 of identification.

16 The election officer shall examine the proof of identification
17 presented by the elector and sign an affidavit stating that this
18 has been done.

19 (a.2) If any of the following apply, the elector shall be
20 permitted to cast a provisional ballot in accordance with
21 subsection (a.4):

22 (1) The elector is unable to produce proof of
23 identification:

24 (i) on the grounds that the elector is indigent and unable
25 to obtain proof of identification without the payment of a fee;
26 or

27 (ii) on any other grounds.

28 (2) The elector's proof of identification is challenged by
29 the judge of elections.] At every primary and election each

30 elector who appears to vote in person shall first present proof

1 of identification to an election officer. The election officer
2 shall examine the proof of identification and sign an affidavit
3 stating that this has been done.

4 (a.1) If an elector is unable to produce proof of
5 identification, the elector shall be permitted to cast a
6 provisional ballot in accordance with subsection (a.4).

7 * * *

8 Section 3. Section 1308(h) of the act is amended to read:

9 Section 1308. Canvassing of Official Absentee Ballots and
10 Mail-in Ballots.--* * *

11 (h) For those absentee ballots or mail-in ballots for which
12 proof of identification has not been received or could not be
13 verified:

14 (1) Within twenty-four (24) hours of a finding under this
15 subsection, the county board of elections shall notify the voter
16 by email, telephone or text message of the missing proof of
17 identification and shall provide instructions on how to submit a
18 form of identification to the county board that meets the
19 requirements of section ~~102(z.5)(1)(i) and (ii)~~ 102(Z.5)(2) via <--
20 email, text message, facsimile, mail or in person.

21 (2) If the proof of identification is received and verified
22 prior to the sixth calendar day following the election, then the
23 county board of elections shall canvass the absentee ballots and
24 mail-in ballots under this subsection in accordance with
25 subsection (g) (2).

26 (3) If an elector fails to provide proof of identification
27 [that can be verified by] to the county board of elections by
28 the sixth calendar day following the election, then the absentee
29 ballot or mail-in ballot shall not be counted.

30 * * *

1 Section 4. This act shall not apply to elections held prior
2 to the 2027 primary election.

3 Section 5. This act shall take effect January 1, 2027.