

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 771 Session of 2025

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

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 17, 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.

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

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

5 (E) A Pennsylvania care facility.

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

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

11 (ii) in the case of an elector who has not been issued a
12 current and valid driver's license, the last four digits of the
13 elector's Social Security number;

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

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

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

22 (i) One of the following forms of photo identification that
23 shows a photo of the elector, the name of the elector to whom
24 the document was issued and the name substantially matches the
25 name of the elector as it appears in the district register:

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

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

30 (C) A document from an agency of the armed forces of the

1 United States or their reserve components, including the
2 Pennsylvania National Guard, establishing that the elector is a
3 current member of or veteran of the United States Armed Forces
4 or national guard.

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

7 (E) A firearm permit.

8 (F) A student identification card.

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

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

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

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

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

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

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

30 (F) A bank statement.

1 (G) A paycheck or paystub.

2 (H) A government check.

3 (I) A proof of insurance document.

4 (J) A tax filing or document.

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

7 (L) A mortgage document.

8 (M) A residential lease.

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

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

30 * * *

1 Section 206. Requirements Relating to Voter
2 Identification.--(a) The Secretary of the Commonwealth shall
3 prepare and disseminate information to the public regarding the
4 proof of identification requirements established under sections
5 1210 and 1302.

6 [(b) Notwithstanding the provisions of 75 Pa.C.S. § 1510(b)
7 (relating to issuance and content of driver's license) to the
8 contrary, the Department of Transportation shall issue an
9 identification card described in 75 Pa.C.S. § 1510(b) at no cost
10 to any registered elector who has made application therefor and
11 has included with the completed application a statement signed
12 by the elector declaring under oath or affirmation that the
13 elector does not possess proof of identification as defined in
14 section 102(z.5)(2) and requires proof of identification for
15 voting purposes.]

16 (c) The Secretary of the Commonwealth shall prepare the form
17 of the statement described in subsection (b) and shall
18 distribute the form to the counties and the Department of
19 Transportation. The Secretary of the Commonwealth, the Secretary
20 of Transportation and the county boards of election shall
21 disseminate information to the public regarding the availability
22 of identification cards under subsection (b).]

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

25 Section 1210. Manner of Applying to Vote; Persons Entitled
26 to Vote; Voter's Certificates; Entries to Be Made in District
27 Register; Numbered Lists of Voters; Challenges.--(a) [At every
28 primary and election each elector who appears to vote and who
29 desires to vote shall first present to an election officer proof
30 of identification.]

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

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

7 (1) The elector is unable to produce proof of
8 identification:

9 (i) on the grounds that the elector is indigent and unable
10 to obtain proof of identification without the payment of a fee;
11 or

12 (ii) on any other grounds.

13 (2) The elector's proof of identification is challenged by
14 the judge of elections.] At every primary and election each
15 elector who appears to vote in person shall first present proof
16 of identification to an election officer. The election officer
17 shall examine the proof of identification and sign an affidavit
18 stating that this has been done.

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

22 * * *

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

24 Section 1308. Canvassing of Official Absentee Ballots and
25 Mail-in Ballots.--* * *

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

29 (1) Within twenty-four (24) hours of a finding under this
30 subsection, the county board of elections shall notify the voter

1 by email, telephone or text message of the missing proof of
2 identification and shall provide instructions on how to submit a
3 form of identification to the county board that meets the
4 requirements of section 102(z.5)(1)(i) and (ii) via email, text
5 message, facsimile, mail or in person.

6 (2) If the proof of identification is received and verified
7 prior to the sixth calendar day following the election, then the
8 county board of elections shall canvass the absentee ballots and
9 mail-in ballots under this subsection in accordance with
10 subsection (g) (2).

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

15 * * *

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

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