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BASIC GUIDE TO STUDENT VOTING IN PENNSYLVANIA

INTRODUCTION

The traveling involved in seeking higher education combined with the new experience of voting often leads to confusion and questions about the voting process. Perhaps this explains why, historically, the lowest voter participation in Pennsylvania and the nation has come from the 18-24 age group. The act of voting is an inalienable right given to all United States citizens and is essential for the health and survival of our democracy. The purpose of this Guide is to clarify any confusion that students may have regarding voting procedures in Pennsylvania with the hope that knowledge will spur action.

It is important for all students who are qualified to register and vote (qualifications are listed below) to know that they may by law register to vote at the location of their college or their home residence. According to the Attorney General of Pennsylvania, "...college students are permitted under State law to register in the locality at which they are attending a college or university" (Op. Atty. Gen., No. 64, 1971). The *Basic Guide to Student Voting in Pennsylvania* outlines where and how you can register, describes voting procedures and explains how to obtain an absentee ballot.

The Basic Guide to Student Voting in Pennsylvania is not intended to be a substitute for the laws and regulations it summarizes. This guide is intended to provide information in summary form. It is important to remember that laws are subject to change. As a result, the information in the Basic Guide to Student Voting in Pennsylvania may change without notice. More extensive information pertaining to voting issues may be obtained from the Department of State. The Department's online voter information center is available at www.votespa.com. A voter hotline is also available from the Department at 1-877-VOTESPA (1-877-868-3772).

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VOTER REGISTRATION

In Pennsylvania, the county voter registration commission has the primary responsibility for the administration of voter registration. A complete list of telephone numbers for each county in Pennsylvania is located at www.votespa.com.

➤ **WHAT ARE THE QUALIFICATIONS TO REGISTER AND VOTE?**

Students in Pennsylvania have the right to vote if they meet all of the following requirements on the day of the next election:

- I. At least the age of 18;
- II. U.S. Citizen for at least one month;
- III. Resident of Pennsylvania and their election district for at least 30 days.

Note: Students may be eligible to vote in Pennsylvania even if they are classified as being “out of state” by their college or university. However, like citizens, students are not permitted to register to vote in more than one location. Students may **not** register to vote in two different States or in two different election districts or precincts within any State.

➤ **WHERE IS MY VOTING RESIDENCE**

Students have 2 choices on the location where they register to vote:

1. **School residence.** Because students may not intend to return to their prior residence after completion of their course of study, *they have the right register to vote in their school locality if they so desire.*
2. **Home residence.** However, some *students may choose to register or remain registered at their home (prior) address*, where they intend to return after their studies. In this case, a student may need to vote by absentee ballot (see below for more information on absentee voting).

If students register in the locality of their college or university, they need to include their prior voter registration address (if they were previously registered in another location) in the space provided on the voter registration application so that their previous registration may be voided.

Students, like all United States citizens, are **not allowed to cast two ballots for any election**. If a student votes twice on Election Day, he/she may face severe legal penalties.

➤ HOW DO I REGISTER TO VOTE?

There are four ways for students to apply to register to vote in Pennsylvania:

1. In person

Students may apply to register to vote at a county voter registration commission or other designated sites. A list of County Contact Information is available online at www.votespa.com, under the County Contacts and Websites link.

2. By mail

There are two ways by which a student may apply to register to vote by mail:

- Obtain a voter registration mail application form prescribed by the State or Federal Government. The Secretary of the Commonwealth and all county voter registration commissions supply voter registration mail applications to all persons and organizations who request them, including candidates, political parties and political bodies and other Federal, State and municipal offices.
- Print the voter registration application form from the Department of State's online voter information center at www.votespa.com. Once printed, the student can then complete the application, sign it and mail it to the correct county's voter registration commission.

3. At PennDOT

Students may also choose to register to vote at a Department of Transportation (PennDOT) photo license center when they obtain or update their driver's license.

4. At government agencies

Students can apply to register to vote at many State government offices including:

- State offices that provide public assistance and services to persons with disabilities;
- PennDOT photo license centers;
- Armed Forces Recruitment Centers;
- County Clerk of Orphans' Court offices, including Marriage License Bureaus;
- 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; and
- ADA Complementary Para transit offices.

➤ **WHAT IS THE DEADLINE TO REGISTER?**

The deadline to apply to register to votes is thirty (30) days prior to each election. If an application is received or postmarked after the deadline it will be processed for the *next* election. The registration deadline date, as well as the date of the next election are available at the Department's election information center at www.votespa.com.

➤ **WHAT ARE THE PROCEDURES FOR REGISTERING TO VOTE?**

Completing the Voter Registration Application

When completing the voter registration application, a student will need to answer several questions relative to the following:

- Citizenship;
- Age;
- Type of Application (new registration, change of name, change of address, change of party, Federal or State employee seeking to retain voting residence in county where last resided);
- You must supply a Pa Driver's License Number if you have one. If you do not have a Pa Driver's License Number, you must supply the last 4 digits of your Social Security Number. If you do not have a Social Security Number, please write NON in the boxes;
- Complete address of residence including street address, city and zip code (P.O. Box may not be used unless there is no physical address);
- Name of municipality and county;
- Mailing address (if different from address of residence);
- Date of Birth;
- Prior voter registration (if a student was registered before, he/she will need the name used on the previous registration and address, county and year of previous registration);
- Political party that the student wishes to enroll in (he/she may also select "no affiliation"); and
- Voter identification number, which appears on the voter card (someone registering in Pennsylvania for the first time will not have one).

Voter Confirmation

A student is not officially registered until his/her registration application has been processed and accepted by the county voter registration commission. If accepted, the county voter registration commission will send to the student, via non-forwardable mail, a voter confirmation card. If an applicant does not receive the voter identification card within fourteen (14) days of the date of the application, he/she should contact the county voter registration commission.

Verifying Voter Registration

Students can check their registration status by contacting their county voter registration commission. A list of county voter registration commissions is available online at www.votespa.com, under the County Contacts & Websites link.

Permanent Voter Registration

Pennsylvania law provides for permanent voter registration, unless there is a change of residence, name or political party affiliation or a voter's registration is cancelled in accordance with the law. All voters, with the exception of those in the military service of the United States and bedridden or hospitalized war veterans unavoidably absent from their county of residence, must be registered to be eligible to vote.

VOTING PROCEDURES

Once a student is registered to vote, the next step is voting either in person on Election Day or timely voting by absentee ballot. Elections are conducted in each county by the county board of elections of that county. A complete list of telephone numbers for each county in Pennsylvania is located at www.votespa.com.

➤ WHERE DO I VOTE?

Every registered voter is assigned to a particular polling place, known as an election district or precinct. A voter may only vote on Election Day at the assigned polling place. The polling place is typically, but not always, located within the election district where the voter resides. The correct voting location should be printed on the voter confirmation card. If a student is unsure of where to vote, he/she should contact the county board of elections or locate their polling place at www.votespa.com.

➤ WHAT PROCEDURES ARE USED AT THE POLLING PLACE?

Polls are open for voting from 7:00 AM until 8:00 PM. When a voter walks into the polling place, election officials will ask for his/her name and then compare it to the district register or poll book in order to verify that he/she is a registered voter in that election district. Once the name is found on the list, the voter will sign a voter's certificate or the poll book, which declares that the name and address are accurate and that the voter is qualified to vote in the election. After the voter has signed the certificate or poll book, he/she will be directed to the area where he/she can cast his/her vote.

➤ **ARE YOU A FIRST TIME VOTER?**

A recent State law requires that those appearing to vote in a precinct for the first time must provide election officials with proof of identification. Several forms of identification are acceptable, including:

- Photo Identification (must be valid):
 - Pa Driver's License or PennDOT-issued ID Card;
 - ID issued by any other Commonwealth of Pennsylvania agency;
 - ID issued by the U.S. Government;
 - U.S. Passport;
 - U.S. Armed Forces ID;
 - Student ID; or
 - Employee ID.

- Non-Photo Identification (must include name and address):
 - Voter Identification Card issued by the Voter Registration Commission;
 - Non-Photo ID issued by the Commonwealth of Pennsylvania;
 - Non-Photo ID issued by the U.S. Government;
 - Firearm Permit;
 - Current Utility Bill;
 - Current Bank Statement;
 - Current Paycheck; or
 - Government Check.

A first-time voter who does not provide one of the above forms of identification will not be permitted to vote using the voting system set up at the polls but will be given the opportunity to vote using a provisional ballot, as explained below.

➤ **HOW DO I CAST MY BALLOT?**

As indicated previously, elections are administered in Pennsylvania at the county level. Thus, voting procedures vary by county in that different counties utilize different voting equipment. The Department of State has made available online information about every type of voting system used in the Commonwealth. This can be accessed at www.votespa.com. The website includes a map where a voter can click on his/her county to find out which types of voting machines he/she will encounter at the polls and also read detailed voting instructions.

➤ **WHAT IS OVERVOTING?**

An overvote occurs when an individual indicates on his/her ballot a voter for more candidates than the number of candidates for which an individual is permitted to vote for a particular office.

- Overvotes can only occur when voting on a punch card, optical scan or paper ballot voting system;

- Overvotes cannot occur when voting on a lever voting machine or direct recording electronic device.

When a voter overvotes for a particular office, all of the votes cast by that voter for the overvoted office are CANCELLED.

When voting on a punch card, optical scan or paper ballot voting system:

- Be sure to read the voting instructions for the voting system used in your election district;
- If you inadvertently vote for more than the allowed number of candidates for a particular office, ask for a new ballot BEFORE THE DEFECTIVE BALLOT IS CAST. If you have not cast the ballot, the district election officer is obligated to provide you with a replacement ballot upon request.

➤ **MAY I RECEIVE ASSISTANCE IN VOTING?**

A voter may receive assistance if his/her registration record indicates the need for assistance or he/she completes and signed a Declaration of the Need for Assistance at the polling place before voting. A voter may select anyone to assist him/her in voting except for the judge of elections, the voter's employer or agent of that employer, or an officer or agent of the voter's union.

➤ **WHAT IS A PROVISIONAL BALLOT?**

New Federal and State laws allow voters to cast provisional ballots under certain circumstances. A provisional ballot is simply a paper ballot that has the same format as other paper ballots and absentee ballots. The process is designed to ensure that registered voters are not denied the right to vote because their record is missing from the district register, if they are not able to furnish proper identification when they are required to do so, or if an election official asserts that they are not able to vote in a particular election (for example, the register indicated that the voter is a member of one political party for a Primary Election while the voter claims that he/she is in another party).

Individuals are required to vote by provisional ballot if they are voting as a result of a Federal or State court order or voting as a result of a court order extending the time established for closing the polls by State law that is in effect ten days before the election. Once the voters in their voting district cast provisional ballots, local election officials return these ballots unopened to the county board of elections.

At least seven days after the election, a voter can find out whether or not the provisional ballot was counted. All the voter needs to do is find the information on the provisional ballot identification receipt and call **1-877-VOTESPA** (1-877-868-3772). The voter will need to provide a provisional ballot identification number. Upon calling the hotline, the voter will then be told if his/her provisional ballot was counted, partially counted or not counted. If it was not counted, the voter will be given the reasons for its rejection.

Alternatively, a voter can determine whether or not the provisional ballot was counted by using the Department of State's website (www.votespa.com).

➤ **MAY I VOTE BY ABSENTEE BALLOT?**

Students who expect to be absent from their municipality of residence on Election Day during the entire period that the polls are open for voting (7:00 AM to 8:00 PM) due to enrollment in a university, college or other higher educational institution are eligible for an absentee ballot. While some college students choose to register to vote in the election district of their college or university, others vote through absentee ballots and maintain their registration at their residence in their hometown. Other reasons for voting absentee include a physical disability or illness that prevents an individual from going to the polling place, active military service or inability to vote due to a religious conflict. Please *visit our voter information and resource center* at www.votespa.com for more information.

Voting by absentee ballot involved a two-step process. First, a voter must apply to the county board of elections for an absentee ballot. Second, the county board of elections sends a paper ballot (known as an absentee ballot) to the voter. The voter completes the ballot and returns it to the county board of elections.

➤ **WHAT DEADLINES APPLY TO ABSENTEE VOTING?**

An application for an absentee ballot must be completed, signed by the voter and received by the county board of elections no later than 5:00 PM on the Tuesday before Election Day. A voted absentee ballot must be returned to the county board of elections by 5:00 PM on the Friday before Election Day. In presidential elections, however, voted absentee ballots received by the county board after this deadline but before the close of the polls on Election Day will be counted for the office of President and Vice President only. To obtain an application for an absentee ballot or to determine eligibility for use of an absentee ballot other than for reasons based on enrollment in an institution of higher education, simply contact the county board of elections or go to the Department of State's website at www.votespa.com.

Emergencies: If an emergency arises after the deadline to apply for an absentee ballot (5:00 PM on the Tuesday before Election Day), a voter may obtain an emergency absentee ballot application from the county board of elections, either in person, by mail or by messenger. The application must be completed and signed by the voter before a notary public. The deadline to apply for an emergency absentee ballot is 5:00 PM on the Friday before the election.

MAKE SURE YOUR ABSENTEE BALLOT COUNTS!

In completing an absentee ballot and related absentee balloting materials and returning the voted absentee ballot to the county board of elections, please be sure to follow all instructions received from the county board of elections. Improper completion of the absentee ballot or related materials, or improper delivery of the absentee ballot to the county board of elections, can result in your absentee ballot being challenged and set aside by the county board of elections or a court of law.

➤ **WHAT IS A SPECIAL WRITE IN BALLOT?**

Students who are studying abroad may receive a special write-in absentee ballot instead of the regular absentee ballot. Election officials use special write-in ballots when they are required by law to deliver absentee ballots to certain absentee voters, but official absentee ballots have not yet been printed. The special write-in ballot includes all of the offices and questions that will appear on the official ballot for the voter’s election district, but not the names of the candidates for the offices. Election officials will provide to the voter a separate list of the names of all of the candidates you have filed nomination petitions or nomination papers seeking to appear on the official ballot and who have not withdrawn or had their names removed from the ballot by a court. The special write-in absentee ballot returned to the county board will be processed and counted in the same manner as other absentee ballots.

➤ **WHAT IS AN ALTERNATIVE BALLOT?**

In addition to a voter’s eligibility to vote through an absentee ballot under State law, Federal law entitles certain qualified voters to vote by alternative ballot.

Any registered voter who has a disability **OR** who is 65 years of age or older, regardless of disability, **AND** who has been assigned to a polling place that has been designated “inaccessible” by the county board of elections, has the right to vote by an alternative ballot.

For more information on voting by alternative ballot, please refer to the appropriate section of the *Pennsylvania Voter Guide*.

➤ **ARE ELECTION MATERIALS AVAILABLE IN LANGUAGES OTHER THAN ENGLISH?**

Currently, election materials are required to be provided in Spanish only in Philadelphia County and the City of Reading (Berks County). In Philadelphia County, Federal law requires that all election material, including the official ballot, be available and distributed in the Spanish language in all election districts. Philadelphia also provides translation services for Spanish-speaking voters who have limited English proficiency. In Berks County, a Federal court order requires that all election material, including official ballots, be available and distributed in the Spanish language throughout the City of Reading and that translation services be made available to Spanish-speaking voters who have limited English proficiency. In other areas of the State, county boards of elections are making bilingual election materials available in areas where there are significant numbers of Spanish-speaking voting-age individuals who have limited English proficiency. If a voter wishes to determine whether or not bilingual services will be offered at his/her polling place, he/she should contact the county board of elections.

For more information on resources for interpretive services, visit the Department’s website at www.votespa.com where forms and additional information is in: English, Spanish, Chinese, French, Khmer, Korean, Russian and Vietnamese.

➤ PROBLEMS AND COMPLAINTS

Most Election Day complaints can be resolved by contacting the county board of elections. If a voter has an immediate problem or complaint that should be addressed by the county board, use the contact information available on www.votespa.com.

If a voter believes that a violation of Title II of the Help America Vote Act of 2002 has occurred, is occurring or is about to occur, he/she can file a formal complaint with the Pennsylvania Department of State. The Department has a website devoted to the Help America Vote Act. Individuals can access it through www.votespa.com.

FREQUENTLY ASKED QUESTIONS

Q: I think that I am registered to vote, but I'm really not sure of it. Can I just appear at a polling place and cast a ballot?

A: You should call your county voter registration commission as soon as possible to verify your registration. If you call more than thirty (30) days before the election, you may be able to register to vote if you are not registered. If you appear at the polling place on Election Day, and the election official deems that you are not registered to vote, your vote may not be counted.

Q: Is there a deadline for registering to vote?

A: Yes. Pennsylvania law requires that you must register to vote at least thirty (30) days before an election. The registration deadline for the upcoming election is available at www.votespa.com.

Q: Where do I vote on Election Day?

A: Your polling place location is listed on your voter registration card. If you are unsure of your polling place, call the county board of elections.

Q: Do I need to bring identification with me to the polls on Election Day?

A: Yes, you will need ID if you are voting in an election district for the first time since your registration and you registered to vote after January 1, 2003.

Q: I just found out that I must vote by absentee ballot on Election Day. How do I apply?

A: To apply for an absentee ballot, simply fill out an absentee ballot application and submit it to your county board of elections so that it is received by 5:00 PM on the Tuesday before the election. If an emergency arises after the application deadline, you may submit an emergency absentee ballot application, which must be received by the county board of elections before 5:00 PM on the Friday before Election Day.

Q: I recently moved but forgot to notify the county voter registration commission to change my registration. What can I do and can I still vote?

A: If you moved from the residence where you are registered to vote to another Pennsylvania residence *less* than thirty (30) days before an election, you may vote only at your former residence. When you arrive to vote, inform the local election official of your change of address so that you can vote correctly at your new address in the future, as described below. After the election, but at least thirty (30) days prior to the next election, you should change your voter registration by submitting a new voter registration mail application form. You can do this by either notifying PennDOT when you change your driver's license, or, if you have moved within the same county, you may complete and submit a "removal notice" that shows your new address to the county voter registration commission.

If you have moved *more* than thirty (30) days before an election but did not change your address with voter registration officials, you may vote only at the polling place of your old residence, where you are registered to vote. However, you may only vote once at the original polling place, and you must abide by special procedures, called "fail-safe voting". These procedures include:

If you have moved within the same county, inform the election officials at the polling place that you have moved and would like to change your registration by filling out an affirmation that states your new address. You will be permitted to vote at the old polling place based on your previous residence, but the county voter registration commission will update its records after the election. You will receive a new voter registration card in the mail that will show your new address and polling place. You will not be able to vote again at your old polling place (unless, of course, it also serves your new residence).

On the other hand, if you have moved to a different county in Pennsylvania, you must inform the election officials at your old polling place that you have moved to a different county and would like to have your registration changed. The election officials will let you vote at the old polling place based on your former residence, but they will require you to complete an affirmation declaring your new address and county of residence. After the election, the respective county voter registration commission will update their records. You will receive by mail a voter registration card from the new county. You cannot vote in your old county again unless you establish a residence there again and re-register to vote.

Q: What is a provisional ballot?

A: Provisional ballots are given under certain circumstances on Election Day. First, it is given to those who claim to be registered voters even though their names are not on the list of registered voters. Next, those who are voting for the first time in an election district who fail to produce proper identification also may request a provisional ballot. Finally, provisional ballots are given to those persons who an election official asserts are not eligible to vote. The purpose of provisional ballots is to ensure that all registered voters who attempt to vote on Election Day will have their vote counted.

Q: Am I allowed to have assistance in the voting booth?

A: Yes, one may have assistance in voting if his/her registration record indicates the need for such assistance or the voter completes a Declaration of the Need for Assistance statement at the polling place before entering the voting booth. If entitled to assistance, you can have a person of your choosing help you, except for the judge of elections, the voter's employer or agent of that employer or an officer or agent of the voter's union.

Q: Who can vote in a Primary Election?

A: In Pennsylvania, only registered members of a political party may vote in the party's primary. However, all registered voters may vote for ballot questions, constitutional amendments or concurrent special elections that may be on the primary ballot.

Q: I'm interested in starting a voter registration drive at my campus. How can I get application materials?

A: The Secretary of the Commonwealth and all county voter registration commissions will supply voter registration mail applications to all persons and organizations that request them. Alternatively, you may print out an application form from the Department of State's website at www.votespa.com and photocopy the application for those eligible to register to vote.