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Pennsylvania Permanent Voter Guidance

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Act 77 of 2019 provides that voters in Pennsylvania may request to be placed on a permanent voter list when applying for an absentee or mail-in ballot, which is otherwise known as an annual ballot request. The following guidelines define what is required by Act 77 and what is permissible under Act 77 or some other portion of the Election Code pertaining to permanent mail-in and absentee voters and annual ballot requests. The Department of State (DOS) will continue to update this guidance leading up to the 2020 Primary Election.

Deadlines

- The County must mail the annual application to voters on the permanent list by the 1st Monday in February each year.
 - This applies for both absentee and mail-in permanent voters
- If the voter returns the application and the county approves the annual ballot request, the voter is then entitled to receive ballots automatically through the remainder of the year and until the 3rd Monday in February of the following year for any eligible election, which would include any scheduled special election, during that time period.
 - This applies for both absentee and mail-in permanent or annual ballot requests.
- Permanent voters have the same absentee and mail-in ballot deadlines as regular voters.
 - The deadline to request a permanent status for any upcoming election is the Tuesday before the election.
 - The deadline to return an absentee or mail-in ballot is by 8 p.m. on Election Day.

Implementation

- Per Act 77 of 2019, the new rules regarding permanent absentee and mail-in voters will go into effect on April 28, 2020. This means the county must mail the annual renewal application to permanent voters by the 1st Monday in February 2020. For the 2020 cycle, this falls on February 3, 2020.

- Once the county completes the mailing this year, they will not need to send out another application to these voters until the 1st Monday in February the next year
 - This means the county board of elections should mail the application or have the voter fill out the annual application to request a permanent ballot (annual ballot request) request status for ballots to be automatically sent to the voter.

For Voters

- A voter may apply for either a permanent absentee or permanent mail-in voter status.
 - The permanent absentee voter status is only for voters with a permanent illness or permanent physical disability.
 - However, voters who do not qualify for an absentee ballot may apply for permanent mail-in voter status.
 - A voter may submit their application to join the permanent list at any time during the year.
- A voter may apply for permanent voter status when submitting a mail-in ballot request application online, in-person, or by mail when they submit a ballot request application.
 - A permanent absentee application may only be submitted in-person or via mail.
 - Since a physician's certification is required for a permanent absentee ballot request, it cannot be submitted online.
- Once a voter receives a permanent voter status on their record, they are entitled to either an absentee ballot request renewal or mail-in ballot request renewal form to be sent by the 1st Monday in February each year. The voter will need to complete this form and return to the county board of elections in order to automatically receive ballots for eligible elections.
- Voters on the permanent absentee or mail-in voter list remain on the list indefinitely until their record is cancelled, they are removed from the list by court order, or they request to be removed from the list.

- If a voter moves to another county in Pennsylvania and updates their voter registration record, their permanent status will still be applied to the voter record in the new county. There is no need to reapply for permanent status again.

For County Elections Officials

- Currently, a voter may request permanent status on their voter record by checking a box on the application for absentee ballot or an application for mail-in ballot form. Also, a voter may submit a permanent mail-in request through the online ballot request application. Due to the physician's certification requirement for a permanent absentee request, online submission for a permanent absentee request is not supported at this time.
 - In early March 2020, voters will also have the ability to submit a permanent mail-in ballot request through online voter registration or through a submission via the PA OVR API from a 3rd party registration drive.
- Once a voter is approved for either the permanent absentee or permanent mail-in voter lists, they are on the list indefinitely unless the voter requests to be removed, the voter record is cancelled, or the court requires a change. In other words, permanent voter status does not expire.
 - If a voter has been assigned a permanent status, the county will be able to see a designation on the voter record in red that reads "perm". This means the voter is a permanent voter for either absentee or mail-in ballots.
- After the county approves a voter's initial application for permanent voter, the county must send ballots for eligible elections for the remainder of the year through the 3rd Monday in February of the following year. The initial application also counts as their request to receive eligible ballots for the remainder of the period.
- Counties must send either the absentee ballot request renewal or mail-in ballot request renewal forms to all permanent voters to renew their ballot request by the 1st Monday in February each year.
 - The Department has developed two standard forms for the annual renewal mailings.

- Absentee Ballot Request Renewal (AR)
 - Mail-in Ballot Request Renewal (MR)
- The forms are only available to county election officials. They are not available to the public because they are only for the annual mailing to voters.
- Counties must send the permanent voter their eligible ballots automatically once the permanent application is approved for any eligible elections through the 3rd Monday in February of the following year for regularly scheduled elections or special elections.
 - For example, if a voter submits a request to join a permanent list during the summer and they are approved by the county, they are now entitled to receive eligible ballots automatically for the remainder of the year through the 3rd Monday in February of the following year for regularly scheduled elections or special elections.
 - A permanent absentee voter only needs to complete the physician's certification with their initial application. A physician's certification is not required for the annual renewal ballot request.
 - While implementing Act 77 before the 2020 Primary Election, the Department recommends counties send a form letter to voters to explain why they are receiving a ballot request renewal form in the mail.
 - The DOS grandfathered all permanent absentee voters into the updated permanent voter functionality in the Statewide Uniform Registry of Electors (SURE). Therefore, all of these voters must receive an annual absentee renewal application to be eligible for automatic ballots for eligible elections.
 - Once approved, a voter is eligible to automatically receive eligible ballots in the mail through the 3rd Monday in February of the following year.
 - If a voter registration record is transferred to another county, the permanent status will follow the voter to the new county. So, there is no need for the voter to reapply for a permanent status on their record.
 - County election officials should ensure all documentation related to the permanent request is scanned and updated on the voter record prior to transferring the voter registration to a new county.

- Additionally, county election officials should process transfer records quickly to ensure the voter record is transferred within a timely manner.
- A permanent status remains on the voter record if the record remains active or inactive. The permanent vote status becomes invalid and the voter is removed from the permanent list when a voter record is cancelled.

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Version History:

Version	Date	Description	Author
1.0	3.5.2020	Initial document release	Bureau of Election Security and Technology