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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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CHESAPEAKE BAY COMMISSION

DATE: February 28, 2000

TO: Members of the House of Representatives

FROM: Representative Peter J. Zug 

SUBJECT: Co-sponsorship Memo – Legislation Lifting Requirement that Permanently Disabled Voters Verify Their Continuing Disability Every Four Years

As you know, permanently disabled individuals may vote by absentee ballot. Under current law such an individual may be placed on the permanently disabled absentee ballot list upon certification of the permanent nature of his or her disability by an attending physician. However, such an individual must also verify his or her continuing disability to the appropriate county board of elections every four years in order to continue to vote by absentee ballot.

I believe that the initial certification of disability provides sufficient proof of its permanency and thus, I consider the periodic verification requirement to be redundant and burdensome. In the near future I intend to introduce legislation which would eliminate the requirement that a permanently disabled absentee voter verify his or her continuing disability every four years.

I am concerned by the possibility that a permanently disabled voter, who cannot go to the polls on election day, could be disenfranchised because he or she fails to verify his or her disability. My proposed legislation would remove this potential barrier to the full participation of disabled voters in the electoral process.

If you wish to cosponsor this legislation, please contact Kim Chrysler via Groupwise or by phone at 7-2686.





House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

MEMORANDUM

DATE: December 30, 1999

TO: Honorable Peter Zug

FROM: Susan S. Boyle **SSB**
House State Government Committee

SUBJECT: Requested Legislation Relating to the Permanently Disabled Absentee Ballot File List

Pursuant to a conversation that we had regarding a constituent who is disturbed that he must verify his continuing disability every four years in order to maintain his place on the permanently disabled absentee ballot file list, I prepared two draft proposals for you. The first completely eliminates the notification requirement. In other words, under this proposal an individual would remain on the list until such time that he or she informs the county board of elections that he or she is no longer disabled.

The second version requires the county to send a postage prepaid notice to each disabled voter every four years. ~~The voter would be required to respond to the notice in order to maintain his or her place on the permanently disabled absentee ballot file list.~~

We discussed both approaches in our initial conversation. However, I wasn't sure which one you wished to pursue. I imagine your constituent would prefer the first version. The second version would remove much of the reporting burden from the voter, while maintaining the county's ability to verify the continuing eligibility of disabled absentee voters.

Once you review the material, I will be happy to send one or both drafts to the Reference Bureau for you.

*Please get Bill drafted
See attached*

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

Per Pok
Susan will draft
legislation

MEMORANDUM

Date: 10/15/99
To: Honorable Peter Zug
From: Susan S. Boyle *SSB*
State Government Committee
RE: Permanently Disabled Absentee Ballot List File

You will recall that you contacted me regarding a constituent who is on the permanently disabled absentee ballot list in his county and who is disturbed that he must verify his continuing disability every four years.

I spoke with Bill Boehm, who is the former Commissioner of Elections (and now a House staff member). He gave me some insights into this requirement that may be of interest to you. He indicated that, at one time, permanently disabled voters were required to periodically submit a doctor's certificate to maintain their status. Then, he said, the certificate requirement was eliminated and permanently disabled voters were asked to submit a written statement indicating their continued disability every two years. The intervening period was lengthened from 2 to 4 years with a 1986 amendment to the Election Code.

Mr. Boehm expressed concern that counties may not be informing permanently disabled voters of the 4-year verification requirement. In turn, such voters could be disenfranchised if they receive no notification and, in turn, no absentee ballot. I assume your constituent was contacted by his county board of elections. Is this the case? If you wish to pursue this further I will be happy to contact the counties and/or the Department of State regarding to find if counties are providing such notification.

If you wish to introduce legislation to remedy this situation, you may want to consider some sort of notice requirement, which would be imposed on the counties. Essentially, such a proposal could require a county to send a postcard notice to each permanently disabled absentee voter every four years. The notice could be structured in such a way that the voter would simply check a box indicating his or her continuing disability, sign the postcard and send it back. This approach would minimize the burden on the voter while ensuring that the county is providing absentee ballots only to those entitled to them by law.

Please let me know if you would like additional information and/or draft legislation.