
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1771 Session of
2023

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STURLA, CEPEDA-FREYTIZ, SHUSTERMAN, WARREN, KRAJEWSKI AND
GREEN, OCTOBER 19, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 19, 2023

AN ACT

1 Amending Title 25 (Elections) of the Pennsylvania Consolidated
2 Statutes, in preliminary provisions, further providing for
3 definitions; in registration system, further providing for
4 departmental responsibilities; in voter registration, further
5 providing for methods of voter registration and for
6 application with driver's license application, providing for
7 automatic voter registration and for time and further
8 providing for preparation and distribution of applications
9 and for approval of registration applications; and making a
10 repeal.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 1102 of Title 25 of the Pennsylvania
14 Consolidated Statutes is amended by adding definitions to read:
15 § 1102. Definitions.

16 Subject to additional definitions contained in subsequent
17 provisions of this part which are applicable to specific
18 provisions of this part, the following words and phrases when
19 used in this part shall have the meanings given to them in this
20 section unless the context clearly indicates otherwise:

1 "Applicable transaction."

2 (1) A transaction involving a qualified elector at the
3 following:

4 (i) The Department of Transportation, relating to an
5 initial application for a driver's license or the renewal
6 of a driver's license.

7 (ii) The COMPASS website or a county assistance
8 office, relating to an initial application submitted for
9 a federally funded or State-funded public assistance
10 program or an application for a recertification, renewal
11 or change of name or address relating to a federally
12 funded or State-funded public assistance program
13 administered by the United States Department of Health
14 and Human Services or the Department of Human Services.

15 (iii) An automatic voter registration agency,
16 relating to an initial or renewal application for
17 participation in a program or access to a benefit or
18 service administered by an automatic voter registration
19 agency or for the issuance or renewal of a license,
20 permit, registration, certificate or other authorization
21 issued by an automatic voter registration agency.

22 (2) A transaction for participation in a program or
23 access to a benefit or service administered by an automatic
24 voter registration agency or for a license, permit,
25 certificate or other authorization issued by an automatic
26 voter registration agency, which is completed by a qualified
27 voter.

28 * * *

29 "Automatic voter registration." The process by which an
30 individual can automatically apply to register to vote through

1 the system as part of an applicable transaction with or at an
2 automatic voter registration agency.

3 "Automatic voter registration agency." The term includes any
4 of the following:

5 (1) The Department of Aging.

6 (2) The Department of Health.

7 (3) The Department of Human Services.

8 (4) The Insurance Department.

9 (5) The Department of Labor and Industry.

10 (6) The Department of Revenue.

11 (7) The Department of State.

12 (8) The Department of Transportation.

13 (9) The Pennsylvania Fish and Boat Commission.

14 (10) The Pennsylvania Game Commission.

15 (11) Any other department, board, commission, agency or
16 office of the executive branch that approves participation in
17 a program or access to a benefit or service administered by
18 the department, board, commission, agency or office of the
19 executive branch or that issues a license, permit,
20 registration, certificate or other authorization in
21 accordance with applicable law or regulation.

22 * * *

23 "System." The automatic voter registration system
24 established under section 1325.1 (relating to automatic voter
25 registration).

26 Section 2. Sections 1201, 1321 and 1323(a) (3) and (b) (1) and
27 (3) of Title 25 are amended to read:

28 § 1201. Departmental responsibilities.

29 The department shall do all of the following:

30 (1) Provide for applicants to submit their voter

1 registration application to a commission, the Department of
2 Transportation and other agencies designated in section 1325
3 (relating to government agencies).

4 (2) Prescribe a procedure and schedule for the return of
5 completed voter registration applications from the Department
6 of Transportation, the Department of [Public Welfare] Human
7 Services, armed forces recruitment centers, Offices of the
8 Clerk of Orphan's Court, automatic voter registration
9 agencies and all other offices authorized under this part to
10 the secretary or the appropriate commission.

11 (3) Develop, establish, implement and administer a
12 Statewide Uniform Registry of Electors in accordance with
13 Subchapter B (relating to Statewide Uniform Registry of
14 Electors (SURE)).

15 (4) Promulgate regulations necessary to administer this
16 part.

17 (5) Administer and enforce the provisions of section
18 1325.1 (relating to automatic voter registration).

19 § 1321. Methods of voter registration.

20 (a) Registration methods.--An individual qualified to
21 register to vote under section 1301(a) (relating to
22 qualifications to register) may apply to register as follows:

23 (1) Under section 1322 (relating to in-person voter
24 registration).

25 (2) Under section 1323 (relating to application with
26 driver's license application).

27 (3) Under section 1324 (relating to application by
28 mail).

29 (4) Under section 1325 (relating to government
30 agencies).

1 (5) Under section 1325.1 (relating to automatic voter
2 registration).

3 (b) Automatic voter registration.--An individual who is
4 qualified to register to vote under section 1301(a) and who
5 engages in an applicable transaction with an automatic voter
6 registration agency shall be registered through the system as
7 provided under section 1325.1, unless the individual chooses not
8 to register through automatic voter registration.

9 § 1323. Application with driver's license application.

10 (a) General rule.--

11 * * *

12 (3) [Any] Notwithstanding paragraphs (1) and (2), a
13 change of address submitted to the Department of
14 Transportation for the purposes of driver licensing under 75
15 Pa.C.S. Ch. 15 (relating to licensing of drivers) or an
16 identification card under 75 Pa.C.S. § 1510 shall serve as
17 notification of change of address for voter registration for
18 the registrant involved unless the registrant indicates that
19 the change of address is not for voter registration purposes.

20 (b) Process.--

21 (1) The Department of Transportation shall:

22 (i) provide for an application for voter
23 registration as part of a driver's license
24 application[.];

25 (ii) provide for an application for automatic voter
26 registration under section 1325.1 (relating to automatic
27 voter registration); and

28 (iii) collect voter registration information as part
29 of an application submitted under 75 Pa.C.S. § 1510 and
30 75 Pa.C.S. Ch. 15 by an individual who meets the

1 qualifications to register to vote under section 1301(a)
2 (relating to qualifications to register).

3 * * *

4 (3) The voter registration application portion of the
5 application shall contain all the requirements of an official
6 voter registration application specified in section 1327
7 (relating to preparation and distribution of applications).
8 The voter registration portion of the application:

9 (i) may not require any information that duplicates
10 information required in the driver's license portion of
11 the form, other than a second signature; [and]

12 (ii) may require only the minimum amount of
13 information necessary to prevent duplicate voter
14 registration, to enable the commission to assess the
15 eligibility of the applicant and to administer voter
16 registration and other parts of the election process[.];
17 and

18 (iii) shall inform the individual that if no
19 political party enrollment is selected, the individual
20 will be designated as not affiliated with a political
21 party and will be unable to vote in a primary election.

22 * * *

23 Section 3. Title 25 is amended by adding sections to read:

24 § 1325.1. Automatic voter registration.

25 (a) Establishment.--The department shall establish a system
26 or utilize an existing system to provide for automatic voter
27 registration of a qualified elector who engages in an applicable
28 transaction with an automatic voter registration agency.

29 (b) Duties of the department.--The department shall:

30 (1) Administer the system.

1 (2) Ensure that the system is configured to
2 electronically transmit the voter registration information of
3 each qualified elector who registers to vote under this
4 section during an applicable transaction directly to the
5 department within five days of the applicable transaction in
6 a form and manner prescribed by the secretary in consultation
7 with the automatic voter registration agency.

8 (3) Notwithstanding section 1325 (relating to government
9 agencies), enter into cooperative agreements with each
10 automatic voter registration agency. Each cooperative
11 agreement shall:

12 (i) Provide that each automatic voter registration
13 agency establish a page on its publicly accessible
14 Internet website through which a qualified elector who
15 engages in an applicable transaction may automatically
16 register to vote.

17 (ii) Provide that the department conduct appropriate
18 training of automatic voter registration agency staff.

19 (iii) Provide all forms, material and equipment
20 necessary to carry out automatic voter registration
21 activities.

22 (iv) Stipulate that the department have oversight
23 responsibility to ensure proper compliance with
24 applicable Federal and State law.

25 (v) Provide that each automatic voter registration
26 agency report any known barriers or impediments to
27 implementation of the system to the secretary and to the
28 appropriate standing committees of the General Assembly.

29 (4) Develop or approve for use an official voter
30 registration application to be used by each automatic voter

1 registration agency to facilitate automatic voter
2 registration in accordance with this section. The secretary
3 may authorize the use of the voter registration application
4 form developed by the Department of Transportation under
5 section 1323 (relating to application with driver's license
6 application).

7 (5) Prescribe procedures and applicable schedules to
8 govern the transmittal of registration records to the
9 department by automatic voter registration agencies. Each
10 registration record shall provide the legal name, age, home
11 address and citizenship status for, and the signature of,
12 each individual who certifies that the individual is a
13 citizen of the United States. An individual who submits
14 information under this section or any other information
15 required under this chapter shall be subject to penalties
16 under 18 Pa.C.S. § 4904 (relating to unsworn falsification to
17 authorities).

18 (6) Ensure that each individual whose registration
19 record is transmitted to the department through the system is
20 transmitted to the appropriate commission.

21 (7) Prescribe procedures to ensure that information
22 contained in a registration record, including information
23 relating to the decision of an applicant to decline automatic
24 voter registration, will not be used for any purpose other
25 than the maintenance of registration statistics, election
26 administration or prosecution of criminal violations of
27 election laws or laws of this Commonwealth relating to
28 perjury and false swearing under 18 Pa.C.S. (relating to
29 crimes and offenses).

30 (c) System requirements.--The system shall:

1 (1) Inform an applicant that the applicant will be
2 registered to vote under this section or will have a voter
3 registration record updated, if applicable, unless the
4 applicant declines to register to vote or update the voter
5 registration record under this section. If an applicant is
6 not a qualified elector, the system shall inform the
7 applicant:

8 (i) Of the qualifications to register to vote under
9 section 1301 (relating to qualifications to register).

10 (ii) That the applicant may only register to vote
11 under this section if the applicant meets all of the
12 qualifications required under section 1301.

13 (iii) Of the penalties for the submission of false
14 information in an official voter registration
15 application.

16 (2) Inform the applicant that voter registration under
17 this section is voluntary and that neither registering nor
18 declining to register to vote or failing or refusing to
19 provide information required to apply to register to vote
20 under this section will not affect:

21 (i) an individual's eligibility for a benefit or
22 service;

23 (ii) the validity or status of an employment or
24 program application; or

25 (iii) eligibility for any financial assistance,
26 compensation, benefit or service available as
27 administered by the automatic voter registration agency,
28 including eligibility for the issuance or renewal of a
29 license, permit, certification, registration or any other
30 authorization issued by the automatic voter registration

1 agency.

2 (3) Require the signature of the applicant to attest
3 that the information provided by the applicant is true and
4 that the applicant meets all the qualifications to register
5 to vote under section 1301, subject to the penalties under 18
6 Pa.C.S. § 4904.

7 (4) Not require any information that duplicates the
8 information required to complete an applicable transaction.

9 (5) Require only the minimum amount of information
10 necessary for both an applicable transaction and to register
11 to vote under this section in order to:

12 (i) Prevent duplication of voter registration.

13 (ii) Enable the appropriate commission to review the
14 eligibility of applicants.

15 (iii) Enable the appropriate commission to
16 administer voter registration and other aspects of the
17 election process.

18 (6) Inform each applicant that if the applicant does not
19 enroll with a political party, the applicant will be
20 designated as not enrolled with a political party and will be
21 unable to vote in a primary election.

22 (d) Employee and agent prohibitions.--

23 (1) An employee or agent of an automatic voter
24 registration agency or any other individual who is
25 responsible for carrying out the requirements of this section
26 may not:

27 (i) Seek to influence an applicant's political party
28 enrollment.

29 (ii) Voice or display any political party preference
30 or allegiance.

1 (iii) Make any statements or take any actions with
2 the purpose or effect of discouraging the applicant from
3 providing voter registration information.

4 (iv) Make any statement or take any action which may
5 cause an applicant to believe or which is designed to
6 make an applicant believe or otherwise assume that the
7 decision to register or decline to register to vote or
8 fail or refuse to provide information required to
9 register to vote under this section will affect:

10 (A) the applicant's eligibility for a benefit or
11 service;

12 (B) the validity or status of an employment or
13 program application; or

14 (C) eligibility for any financial assistance,
15 compensation, benefit or service administered by the
16 automatic voter registration agency, including
17 eligibility for the issuance or renewal of a license,
18 permit, certification, registration or any other
19 authorization issued by the automatic voter
20 registration agency in accordance with law or
21 regulation.

22 (2) An employee or agent of an automatic voter
23 registration agency who fails to collect voter registration
24 information from an individual who volunteers to register to
25 vote under this section or who fails to transmit a
26 registration record to the department may, at the discretion
27 of the automatic voter registration agency, be subject to
28 disciplinary action, including termination or suspension from
29 employment without pay.

30 (e) Posting requirements.--An automatic voter registration

1 agency shall provide reasonable space for nonpartisan signs or
2 posters advising individuals of automatic voter registration.
3 The department may provide the signs and posters.

4 (f) Transmission.--

5 (1) An automatic voter registration agency shall forward
6 registration records, including the signatures of
7 individuals, to the department.

8 (2) Upon receipt of a registration record from an
9 automatic voter registration agency under paragraph (1), the
10 department shall transmit the registration record to the
11 appropriate commission.

12 (3) Upon receipt of the registration record from the
13 department under paragraph (2), the appropriate commission
14 shall notify the individual of the process to:

15 (i) Decline automatic voter registration under this
16 section.

17 (ii) Select a political party enrollment, along with
18 information as to which elections require a political
19 party enrollment for participation.

20 (4) The individual's registration record submitted under
21 paragraph (1) shall constitute a completed registration
22 record for purposes of this section. The individual shall be
23 registered to vote if the appropriate commission processes
24 the individual's registration record under section 1328(b) (3)
25 and (c) (relating to approval of registration applications).

26 (5) A commission may not send a ballot to or add to an
27 elector registration list an individual who does not have a
28 processed registration record under paragraph (4).

29 (g) Confidentiality.--The automatic voter registration
30 agency through which a qualified elector is registered under

1 this section shall not be considered a public record and shall
2 not be subject to public disclosure.

3 (h) Use of information.--Information relating to voter
4 registration collected in accordance with this section,
5 including an individual's citizenship status or information
6 relating to an individual's decision to decline to register to
7 vote under this section may not be used for any purpose other
8 than the maintenance of registration statistics, election
9 administration or prosecution of criminal violations of election
10 laws or laws of this Commonwealth relating to perjury and false
11 swearing under 18 Pa.C.S.

12 (i) Regulation.--The secretary shall promulgate regulations
13 to administer the provisions of this section.

14 § 1326.1. Time.

15 In the administration of voter registration, each commission
16 shall ensure that an applicant who is a qualified elector is
17 registered to vote in an election when the applicant has met any
18 of the following conditions:

19 (1) In the case of voter registration with a motor
20 vehicle driver's license application under section 1323
21 (relating to application with driver's license application)
22 or automatic voter registration under section 1325.1
23 (relating to automatic voter registration), if the valid
24 voter registration application is submitted to the
25 appropriate Department of Transportation office or if the
26 valid voter registration application is received by the
27 department not later than 15 days before the date of the
28 election.

29 (2) In the case of voter registration at a voter
30 registration agency under section 1325 (relating to

1 government agencies) or automatic voter registration at an
2 automatic voter registration agency under section 1325.1, if
3 the valid voter registration application is accepted at the
4 voter registration agency or if the valid voter registration
5 application is received by the department under section
6 1325.1 not later than 15 days before the date of the
7 election.

8 (3) In the case of a special election within a
9 congressional, senatorial or representative district held on
10 a day other than the day of a primary, general or municipal
11 election, the registration application forms shall not be
12 processed in the wards and election districts comprising the
13 district for the 15 days prior to the special election for
14 such election.

15 Section 4. Sections 1327(a) and (b) and 1328(b)(3)(i), (4)
16 (i) and (5)(i) of Title 25 are amended to read:

17 § 1327. Preparation and distribution of applications.

18 (a) Form.--

19 (1) The secretary shall prescribe the form of an
20 official voter registration application. The official voter
21 registration application shall provide space for the
22 following information about the applicant:

23 (i) Full name.

24 (ii) Address of residence. If the residence is a
25 portion only of the house, the location or number of the
26 room, apartment or floor which is occupied.

27 (iii) Mailing address if different than address of
28 residence.

29 (iv) Name and residence address on previous
30 registration and the year of that registration.

1 (v) Designation of political party, for the purpose
2 of voting at a primary election.

3 (vi) Date of birth.

4 (vii) Telephone number. An application shall not be
5 rejected because of noncompliance with this subparagraph.

6 (viii) Race. An application shall not be rejected
7 because of noncompliance with this subparagraph.

8 (ix) An email address. An official voter
9 registration application shall not be rejected due to the
10 applicant's failure to provide an email address.

11 (2) Data required on the voter registration application
12 shall not be more nor less than the minimum data elements
13 permissible for Federal voter registration.

14 (3) Any person who assists in the completion of the
15 registration application shall sign the application and
16 indicate the person's address. In the case of those
17 registering under sections 1323 (relating to application with
18 driver's license application) and 1325 (relating to
19 government agencies) or section 1325.1 (relating to automatic
20 voter registration), the person providing assistance shall
21 insert the person's initials or employee or agent
22 identification number on a separate or detachable portion of
23 the application or computer data file.

24 (4) A voter registration application shall be printed on
25 stock of good quality and shall be of suitable uniform size.
26 Nothing in this part shall prohibit the design and use of an
27 electronic voter registration application which includes the
28 applicant's digitized or electronic signature. The
29 registration application shall contain the following
30 information; however, the information may be provided on a

1 separate form for voter registration made under section 1323
2 [or], 1325 or 1325.1:

3 (i) Notice that a registered elector does not need
4 to reregister unless the registered elector has moved.

5 (ii) Instructions on how to fill out and submit the
6 application and notification of when the application must
7 be submitted to a voter registration office in order to
8 be registered for the ensuing election.

9 (iii) Notice that the applicant must be a citizen of
10 the United States for at least one month prior to the
11 next election and a resident of this Commonwealth and the
12 election district for at least 30 days and must be at
13 least 18 years of age by the day of the next ensuing
14 election and has not been confined in a penal institution
15 for a conviction of a felony within the last five years.
16 The notice required in this subparagraph shall be in
17 print identical to the declaration under subsection (b).

18 (iv) Notice that political party enrollment is
19 mandatory to vote in a primary election of a political
20 party.

21 (v) [Notice] For a paper application, notice that
22 the commission will mail by nonforwardable mail to the
23 applicant a voter's identification card upon acceptance
24 of the application and that the applicant should contact
25 the commission if the identification card is not received
26 within 14 days from the date the application is sent to
27 the registration office.

28 (v.1) For automatic voter registration under section
29 1325.1, notice that the appropriate commission will
30 notify the individual by nonforwardable mail or, if an

1 email address was provided, by email, of the
2 registration, and that if the individual was
3 inadvertently registered to vote through an automatic
4 voter registration agency after declining to register to
5 vote, the department shall correct the error and notify
6 the appropriate commission that the individual shall not
7 be considered to have become registered to vote under
8 section 1325.1.

9 (vi) Notice that registration is not complete until
10 the application is processed and accepted by the
11 commission.

12 (vii) A warning to the applicant that making a false
13 registration or furnishing false information is perjury.
14 The notice required in this subparagraph shall be in
15 print identical to the declaration under subsection (b).

16 (viii) Instructions to Federal or State employees
17 who wish to retain voting residence in county of last
18 residence to so indicate on the application.

19 (ix) Notice that, if an individual declines to
20 register to vote, the fact that the individual has
21 declined to register will remain confidential and will be
22 used only for voter registration purposes. The notice
23 required in this subparagraph shall be in print identical
24 to the declaration under subsection (b).

25 (x) Notice that, if an individual does register to
26 vote, the [office] commission or automatic voter
27 registration agency at which the individual submits a
28 voter registration application will remain confidential
29 and will be used for voter registration purposes only.
30 The notices required in this subparagraph shall be in

1 print or in the system identical to the declaration in
2 subsection (b).

3 (5) In jurisdictions where there is a single language
4 minority, the secretary may print a bilingual application.

5 (6) In jurisdictions where a single language minority
6 exceeds 5% of the population, the secretary shall:

7 (i) print a bilingual application; and

8 (ii) conduct a public educational program among that
9 language group alerting both organizations and
10 individuals of that group of the availability of the
11 bilingual application and encouraging individuals to
12 register to vote.

13 (7) To implement section 1324 (relating to application
14 by mail), the secretary shall print an official voter
15 registration mail application designed to preserve the
16 confidentiality of the information required to be submitted.
17 The application shall contain information required by this
18 section and shall include the name of each county seat, its
19 post office mailing address and zip code and its telephone
20 number. Voter registration mail applications shall contain
21 information indicating whether the application is a new
22 registration, change of party enrollment, change of address
23 or change of name.

24 (8) Nothing in this part shall prohibit a private
25 organization or individual from printing blank voter
26 registration applications or shall prohibit the use of such
27 applications by any other individual, provided that the form,
28 content and paper quality of such voter registration
29 application complies with department regulations for the
30 forms or has received prior approval from the secretary.

1 (b) Registration declaration.--

2 (1) The official voter registration application shall
3 contain a registration declaration. On the declaration, the
4 applicant shall state all of the following:

5 (i) The applicant has been a citizen of the United
6 States for at least one month prior to the next election.

7 (ii) On the day of the next ensuing election, the
8 applicant shall be at least 18 years of age.

9 (iii) On the day of the next ensuing election, the
10 applicant shall have resided in this Commonwealth and in
11 the election district for at least 30 days.

12 (iv) The applicant has not been confined in a penal
13 institution for a conviction of a felony within the last
14 five years.

15 (v) The applicant is legally qualified to vote.

16 (2) The applicant shall affirm all of the following:

17 (i) The information provided in the registration
18 declaration is true.

19 (ii) The applicant understands that:

20 (A) the registration declaration will be
21 accepted for all purposes as the equivalent of an
22 affidavit; and

23 (B) if the registration contains a material
24 false statement, the applicant shall be subject to
25 penalties [for perjury] under 18 Pa.C.S. § 4904
26 (relating to unsworn falsification to authorities).

27 (3) The registration declaration shall contain the
28 printed name and signature of the applicant and the date of
29 signing. An applicant unable to sign the voter registration
30 application shall make a mark before a person of the

1 applicant's choice other than the applicant's employer or an
2 agent of the applicant's union. The person shall insert the
3 person's name, address and telephone number. If the person is
4 an employee or agent of the Department of Transportation or
5 another agency as provided under section 1325 and is
6 assisting the applicant in an official capacity, the employee
7 or agent shall insert the initials and identification number
8 of the employee or agent. In the case of applicants
9 registering under section 1323 [or], 1325 or 1325.1, the
10 person providing assistance shall insert initials or employee
11 or agent identification number on a separate or detachable
12 portion of the application or computer data file.

13 (4) The official registration application shall contain
14 a notice entitled "PENALTY FOR FALSIFYING DECLARATION." The
15 notice shall advise the applicant that if a person signs an
16 official registration application knowing a statement
17 declared in the application to be false, the person commits
18 perjury. The notice shall specify the penalty for perjury.

19 * * *

20 § 1328. Approval of registration applications.

21 * * *

22 (b) Decision.--A commission shall do one of the following:

23 * * *

24 (3) Process a voter registration application in
25 accordance with subsection (c) if the commission finds during
26 its examination under subsection (a) all of the following:

27 (i) The application requests registration as a
28 registered elector.

29 * * *

30 (4) Process a voter registration application in

1 accordance with subsection (c) and update its registration
2 records if the commission finds during its examination under
3 subsection (a) all of the following:

4 (i) The application requests registration as a
5 registered elector.

6 * * *

7 (5) Process a voter registration application in
8 accordance with subsection (c) and request transfer of
9 registration records in accordance with subsection (d) if the
10 commission finds during its examination under subsection (a)
11 all of the following:

12 (i) The application requests registration as
13 registered elector.

14 * * *

15 Section 5. Repeals are as follows:

16 (1) The General Assembly declares that the repeal under
17 paragraph (2) is necessary to effectuate the addition of 25
18 Pa.C.S. § 1326.1.

19 (2) Section 1231 of the act of June 3, 1937 (P.L.1333,
20 No.320), known as the Pennsylvania Election Code, is
21 repealed.

22 Section 6. This act shall take effect January 1, 2025.