

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 362 Session of 2013

INTRODUCED BY BOSCOLA, COSTA, WILLIAMS, KASUNIC, TARTAGLIONE,
 FONTANA, STACK, TEPLITZ, FARNESE, WASHINGTON, BREWSTER,
 WOZNIAK, SMITH, SOLOBAY, FERLO AND EICHELBERGER,
 JANUARY 31, 2013

REFERRED TO STATE GOVERNMENT, JANUARY 31, 2013

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," further providing for special elections for
 12 Senator and Representative in the General Assembly.

13 The General Assembly of the Commonwealth of Pennsylvania
 14 hereby enacts as follows:

15 Section 1. Section 628 of the act of June 3, 1937 (P.L.1333,
 16 No.320), known as the Pennsylvania Election Code, amended
 17 February 13, 1998 (P.L.72, No.18), is amended to read:

18 Section 628. Special Elections for Senator and
 19 Representative in the General Assembly.--Whenever a vacancy
 20 shall occur in either house of the General Assembly whether or
 21 not it then be in session, the presiding officer of such house
 22 shall, within ten (10) days after the happening of the vacancy,

1 issue a writ of election to the proper county board or boards of
2 election and to the Secretary of the Commonwealth, for a special
3 election to fill said vacancy, which election shall be held at
4 the next ensuing primary, municipal or general election
5 scheduled at least sixty (60) days after the issuance of the
6 writ [or such other earlier date which is at least sixty (60)
7 days following the issuance of the writ as the presiding officer
8 may deem appropriate: Provided, however, That should the
9 Governor after the issuance of the said writ of election advise
10 the presiding officer that the General Assembly will be called
11 into extraordinary session prior to the date set for such
12 special election, the presiding officer may countermand the writ
13 theretofore issued and shall issue a new writ of election,
14 fixing therein such earlier date therefor as is deemed
15 expedient, but which shall not be less than sixty (60) days
16 after the issuance of said writ: Provided further,]: Provided,
17 however, That if the vacancy shall occur less than seven (7)
18 months prior to the expiration of the term, a special election
19 shall be held only if in the opinion of the presiding officer
20 the election is in the public interest.

21 Section 2. This act shall take effect in 60 days.