

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 898

Session of
1977

INTRODUCED BY MESSRS. BRANDT, LINCOLN, GEESEY, GIAMMARCO, HASAY,
S. E. HAYES JR., MANMILLER, J. L. WRIGHT JR., ZORD, WEIDNER,
SCHEAFFER, W. W. FOSTER, WILT, HASKELL, SHUMAN, FREIND,
HOPKINS, FISHER, FISCHER, E. H. SMITH, REED, NOYE, KLINGAMAN,
MOEHLMANN, MRS. HONAMAN, MESSRS. D. S. HAYES, POLITE, PRATT,
BROWN, MORRIS, GOEBEL, VROON, MRS. TAYLOR,
MESSRS. MACKOWSKI AND CAPUTO, APRIL 19, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
SEPTEMBER 26, 1978

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," ELIMINATING THE FILING FEE FOR THE OFFICE OF <—
12 DELEGATE TO A NATIONAL PARTY CONVENTION AND further providing
13 for questions.

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

16 SECTION 1. SUBSECTION (B) OF SECTION 913, ACT OF JUNE 3, <—
17 1937 (P.L.1333, NO.320), KNOWN AS THE "PENNSYLVANIA ELECTION
18 CODE," AMENDED MAY 16, 1951 (P.L.302, NO.62), IS AMENDED TO
19 READ:

20 SECTION 913. PLACE AND TIME OF FILING NOMINATION PETITIONS;

1 FILING FEES.--* * *

2 (B) EACH PERSON FILING ANY NOMINATION PETITION SHALL PAY,
3 FOR EACH PETITION, AT THE TIME OF FILING, A FILING FEE TO BE
4 DETERMINED AS FOLLOWS, AND NO NOMINATION PETITION SHALL BE
5 ACCEPTED OR FILED, UNLESS AND UNTIL SUCH FILING FEE IS PAID BY A
6 CERTIFIED CHECK OR MONEY ORDER OR ALSO BY CASH WHEN FILED WITH
7 THE COUNTY BOARD. WHENEVER A PETITION IS TO BE FILED WITH THE
8 COUNTY BOARD, THE PERSON FILING THE SAME SHALL PAY THE FILING
9 FEE IN CASH OR BY A CERTIFIED CHECK OR MONEY ORDER TO THE COUNTY
10 BOARD. ALL MONEYS PAID ON ACCOUNT OF FILING FEES SHALL BE
11 TRANSMITTED BY THE COUNTY BOARD TO THE COUNTY TREASURER AND
12 SHALL BECOME PART OF THE GENERAL FUND. CERTIFIED CHECKS OR MONEY
13 ORDERS IN PAYMENT OF FILING FEES SHALL BE MADE PAYABLE TO THE
14 COMMONWEALTH OF PENNSYLVANIA OR TO THE COUNTY, AS THE CASE MAY
15 BE, AND SHALL BE TRANSMITTED TO THE STATE TREASURER OR TO THE
16 COUNTY TREASURER, AND SHALL BECOME PART OF THE GENERAL FUND.

17 1. IF FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES, OR
18 FOR ANY PUBLIC OFFICE TO BE FILLED BY THE ELECTORS OF THE STATE
19 AT LARGE, THE SUM OF FIFTY DOLLARS (\$50.00).

20 2. IF FOR THE OFFICE OF REPRESENTATIVE IN CONGRESS, OR JUDGE
21 OF A COURT OF RECORD, EXCEPTING JUDGES TO BE VOTED FOR BY THE
22 ELECTORS OF THE STATE AT LARGE, THE SUM OF THIRTY-FIVE DOLLARS
23 (\$35.00).

24 3. IF FOR THE OFFICES OF SENATOR OR REPRESENTATIVE IN THE
25 GENERAL ASSEMBLY, OR FOR ANY OFFICE TO BE FILLED BY THE ELECTORS
26 OF AN ENTIRE COUNTY, OTHER THAN JURY COMMISSIONER, ASSOCIATE
27 JUDGE OR PRISON INSPECTOR OR COUNTY AUDITOR IN COUNTIES OF THE
28 EIGHTH CLASS, THE SUM OF TWENTY-FIVE DOLLARS (\$25.00); IF FOR
29 THE OFFICE OF JURY COMMISSIONER OR ASSOCIATE JUDGE, THE SUM OF
30 TEN DOLLARS (\$10.00); IF FOR THE OFFICE OF COUNTY AUDITOR, IN

1 COUNTIES OF THE EIGHTH CLASS, THE SUM OF FIVE DOLLARS (\$5.00);
2 IF FOR THE OFFICE OF PRISON INSPECTOR, THE SUM OF TWO DOLLARS
3 (\$2.00); IF FOR THE OFFICE OF DISTRICT COUNCILMAN IN A CITY OF
4 THE FIRST CLASS, THE SUM OF TWENTY-FIVE DOLLARS (\$25.00); IF FOR
5 ANY OFFICE TO BE FILLED BY THE ELECTORS OF AN ENTIRE CITY, THE
6 FOLLOWING SUMS: IF IN A CITY OF THE FIRST OR SECOND CLASS,
7 TWENTY-FIVE DOLLARS (\$25.00); IF IN A CITY OF THE SECOND CLASS
8 A, FIFTEEN DOLLARS (\$15.00); AND IF IN A CITY OF THE THIRD
9 CLASS, TEN DOLLARS (\$10.00).

10 4. IF FOR ANY BOROUGH, TOWN, TOWNSHIP OF THE FIRST CLASS,
11 SCHOOL DISTRICT OR POOR DISTRICT OFFICE, NOT OTHERWISE PROVIDED
12 FOR, THE SUM OF TWO DOLLARS (\$2.00).

13 6. IF FOR THE OFFICE OF [DELEGATE OR ALTERNATE DELEGATE TO
14 NATIONAL PARTY CONVENTION, OR] MEMBER OF NATIONAL COMMITTEE OR
15 MEMBER OF STATE COMMITTEE, THE SUM OF TEN DOLLARS (\$10.00).

16 8. IF FOR THE OFFICE OF ALDERMAN, JUSTICE OF THE PEACE OR
17 CONSTABLE, THE SUM OF TWO DOLLARS (\$2.00).

18 9. IF FOR THE OFFICE OF TOWNSHIP AUDITOR OR ROAD SUPERVISOR,
19 THE SUM OF ONE DOLLAR (\$1.00).

20 PROVIDED, HOWEVER, THAT NO FILING FEE SHALL BE PAID FOR A
21 NOMINATION PETITION FOR ANY PUBLIC OFFICE FOR WHICH NO
22 COMPENSATION IS PROVIDED BY LAW, NOR FOR ANY NOMINATION PETITION
23 FOR ANY PUBLIC OFFICER IN ANY TOWNSHIP OF THE SECOND CLASS.

24 * * *

25 Section ~~±~~ 2. Subsection (g) of section 1003, ~~act of June 3,~~ <—
26 ~~1937 (P.L.1333, No.320), known as the "Pennsylvania Election~~
27 ~~Code,"~~ OF THE ACT, amended April 24, 1947 (P.L.68, No.33), is <—
28 amended to read:

29 Section 1003. Form of Official Election Ballot.--

30 * * *

1 (g) The official ballots shall vary in form only as the
2 names of districts, offices, candidates or the provisions of
3 this act may require. When constitutional amendments or other
4 questions are submitted to a vote of the electors, each
5 amendment or other question so submitted may be printed upon the
6 ballot below the groups of candidates for the various offices,
7 and, when required by law, shall be so printed. Constitutional
8 amendments so submitted shall be printed in brief form, to be
9 determined by the Secretary of the Commonwealth, and other
10 questions so submitted shall be printed in brief form, to be
11 determined by the Secretary of the Commonwealth in the case of
12 questions to be voted on by the electors of the State at large,
13 and by the county boards in other cases. To the right of each
14 question there shall be placed the words "yes" and "no,"
15 together with appropriate squares to the right of each for the
16 convenient insertion of a cross mark. The decision of a majority
17 of the electorate expressed in response to such questions shall
18 be binding upon the political subdivision or subdivisions in
19 which the question is presented to the electors.

20 Section 2 3. This act shall take effect immediately.

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