

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 310 Session of
1997

INTRODUCED BY MAITLAND, PLATTS, HANNA, LYNCH AND BOSCOLA,
FEBRUARY 5, 1997

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 5, 1997

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," providing for nonpartisan school board elections.

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

14 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known
15 as the Pennsylvania Election Code, is amended by adding an
16 article to read:

17 ARTICLE IX-A

18 Nonpartisan School Board Elections

19 Section 901-A. Nomination of School Board Candidates.--(a)
20 Notwithstanding any provisions in this act to the contrary,
21 candidates for school board offices to be filled at the ensuing
22 November election pursuant to section 903 shall be nominated in

1 accordance with the requirements set forth in this section.

2 (b) All nomination petitions circulated and filed pursuant
3 to this section shall specify:

4 (1) that the candidate is running for a nonpartisan office;

5 (2) the name of the candidate nominated therein, his
6 profession, business or occupation, if any, and his place of
7 residence with street and number, if any; and

8 (3) the office, including the political district, that the
9 candidate is seeking. No words shall be used in the petition to
10 designate the name or appellation of any political party.

11 (c) Each signer of a nomination petition shall sign but one
12 such petition for each office to be filled: Provided, however,
13 That where there are to be elected two or more persons to the
14 same office, each signer may sign petitions for as many
15 candidates for such office as, and no more than, the signer
16 could vote for at the succeeding election. The signer shall
17 declare therein that he is a registered and qualified elector of
18 the political district therein in which the election is to be
19 held. The signer shall add his occupation and residence, giving
20 city, borough or township, with street and number, if any, and
21 shall add also the date of signing, expressed in words and
22 numbers: Provided, however, That if the said political district
23 named in the petition lies wholly within any city, borough or
24 township, or is coextensive with same, it shall not be necessary
25 for any signer of a nomination petition to state therein the
26 city, borough or township of his residence. No nomination
27 petition shall be circulated prior to the thirteenth Tuesday
28 before the primary, and no signature shall be counted unless it
29 bears a date affixed not earlier than the thirteenth Tuesday nor
30 later than the tenth Tuesday prior to the primary.

1 (d) Each person filing any nomination petition under this
2 section shall be given:

3 (1) a statement composed by the Secretary of the
4 Commonwealth setting forth his duties under law to file pre-
5 election and post-election campaign finance reports and the
6 penalties for nonfiling;

7 (2) a form to file expenses if the amount received or
8 expended or liabilities incurred shall exceed the sum of two
9 hundred fifty dollars (\$250); and

10 (3) a form containing a sworn statement that the amount
11 received or expended or the liabilities incurred do not exceed
12 the sum of two hundred fifty dollars (\$250), with written
13 instructions prepared by the Secretary of the Commonwealth.

14 Within three weeks after such candidate has filed, the
15 appropriate supervisor shall mail the same forms and
16 instructions to such candidate by first class mail.

17 (e) Nomination petitions for candidates under this section
18 shall be filed with the county board of elections. Nomination
19 petitions for candidates for any office to be voted upon by the
20 electors of any school district which is situated in two or more
21 counties shall be filed with the county board of elections of
22 the county in which the major number of the registered electors
23 of such school district reside. Immediately after the last day
24 for such candidates to withdraw and after they have cast lots
25 for their position on the ballots or ballot labels, that county
26 board of elections shall certify to the county board of
27 elections of each other county wherein the school district lies
28 a list of the names, addresses and occupations of the candidates
29 who filed nomination petitions, together with the order in which
30 their names are to appear upon the ballots or ballot labels, and

1 such other county boards of elections shall prepare the ballots
2 or ballot labels to be used in the portion of such school
3 district situate in such county accordingly.

4 (f) The two candidates who receive pluralities of the votes
5 in their political district at the primary election shall be the
6 candidates for their respective office: Provided, however, That
7 where there are to be elected two or more persons to the same
8 office, the number of candidates who may be elected plus one
9 additional candidate shall be the candidates for their
10 respective offices.

11 Section 902-A. Party Affiliation Not Designated.--No party
12 affiliation shall be noted in the ballot or ballot labels in the
13 primary or general election for school board candidates.

14 Section 903-A. Election to School Board Offices.--The
15 candidates who receive the pluralities of the votes in their
16 political districts at the general election shall be elected to
17 their respective offices.

18 Section 904-A. Regulations.--The Department of State shall
19 promulgate all necessary regulations to enforce and administer
20 this article.

21 Section 2. This act shall take effect in one year.