

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1876 Session of 1997

INTRODUCED BY CARONE, MASLAND, LEVDANSKY, PLATTS, PESCI, KREBS,
WAUGH, MAITLAND, BOSCOLA, WILT, HASAY, RUBLEY, ORIE,
MANDERINO, MELIO, KIRKLAND, RAMOS AND SEYFERT,
OCTOBER 6, 1997

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 6, 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," further providing for persons entitled to vote.

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

14 Section 1. Section 1210(d) of the act of June 3, 1937
15 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
16 amended to read:

17 Section 1210. Manner of Applying to Vote; Persons Entitled
18 to Vote; Voter's Certificates; Entries to Be Made in District
19 Register; Numbered Lists of Voters; Challenges.--* * *

20 (d) No person, except a qualified elector who is in actual
21 military or naval service under a requisition of the President

1 of the United States or by the authority of this Commonwealth,
2 and who votes under the provisions of Article XIII of this act,
3 shall be entitled or permitted to vote at any primary or
4 election at any polling place outside the election district in
5 which he resides, nor shall he be permitted to vote in the
6 election district in which he resides, unless he has been
7 personally registered as an elector and his registration card
8 appears in the district register of such election district,
9 except by order of the court of common pleas as provided in this
10 act, and any person, although personally registered as an
11 elector, may be challenged by any qualified elector, election
12 officer, overseer, or watcher at any primary or election as to
13 his identity, as to his continued residence in the election
14 district or as to any alleged violation of the provisions of
15 section 1210 of this act, and if challenged as to identity or
16 residence, he shall produce at least one qualified elector of
17 the election district as a witness, who shall make affidavit of
18 his identity or continued residence in the election district:
19 Provided, however, That no person shall be entitled to vote as a
20 member of a party at any primary, unless he is:

21 (1) registered and enrolled as a member of such party upon
22 the district register, which enrollment shall be conclusive as
23 to his party membership and shall not be subject to challenge on
24 the day of the primary[.]; or

25 (2) registered as an independent or nonparty voter, in which
26 case he may vote for the candidates of the party of his choice,
27 the choice to be made at the polling place on the day of the
28 primary election. The voter's choice of parties at one primary
29 election shall not preclude him from choosing a different party
30 at a subsequent primary election.

1 Section 2. This act shall take effect immediately.