
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1000 Session of
1985

Report of the Committee of Conference

To the Members of the House of Representatives and Senate:

We, the undersigned, Committee of Conference on the part of the House of Representatives and Senate for the purpose of considering House Bill No. 1000, entitled:
"An act amending the act of June 3, 1937 (P.L.1333, No.320), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; * * * and repealing certain acts and parts of acts relating to elections,' requiring a statement of purpose and explanation to be printed below PREPARED, PUBLISHED AND POSTED FOR any ballot question; * * * AND ELIMINATING CROSS-FILING FOR JUDGE, JUSTICE OF THE PEACE AND SCHOOL DIRECTORS. STATEWIDE JUDICIAL CANDIDATES. + AND PERMITTING CROSS-FILING FOR CERTAIN MEMBERS OF THE MINOR JUDICIARY,"

respectfully submit the following bill as our report:

ROBERT W. O'DONNELL

JEFFREY W. COY

JAMES J. GALLEN

(Committee on the part of the House of Representatives.)

WILLIAM J. MOORE

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(Committee on the part of the Senate.)

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," requiring a statement of purpose and explanation
12 to be prepared, published and posted for any ballot question;
13 further providing for the powers and duties of the county
14 boards of elections and certain courts; providing for
15 nominations by minor political parties; and eliminating
16 cross-filing for Statewide judicial candidates.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known
20 as the Pennsylvania Election Code, is amended by adding a
21 section to read:

22 Section 201.1. Explanation of Ballot Question.--Whenever a
23 proposed constitutional amendment or other Statewide ballot
24 question shall be submitted to the electors of the Commonwealth
25 in referendum, the Attorney General shall prepare a statement in
26 plain English which indicates the purpose, limitations and
27 effects of the ballot question on the people of the
28 Commonwealth. The Secretary of the Commonwealth shall include
29 such statement in his publication of a proposed constitutional
30 amendment as required by Article XI of the Constitution of
31 Pennsylvania. The Secretary of the Commonwealth shall certify
32 such statement to the county boards of elections who shall
33 publish such statement as a part of the notice of elections
34 required by section 1201 or any other provision of this act. The
35 county board of elections shall also require that at least three

1 copies of such statement be posted in or about the voting room
2 outside the enclosed space with the specimen ballots and other
3 instructions and notices of penalties. In election questions
4 which affect only one county or portion thereof, the county
5 board of elections shall fulfill these requirements in the place
6 of the Attorney General and the Secretary of the Commonwealth.

7 Section 2. Section 502 of the act, amended July 11, 1980
8 (P.L.600, No.128), is amended to read:

9 Section 502. Court to Create New Election Districts.--

10 Subject to the provisions of section 501 of this act, the court
11 of common pleas of the county in which the same are located, may
12 form or create new election districts by dividing or redividing
13 any borough, township, ward or election district into two or
14 more election districts of compact and contiguous territory,
15 having boundaries with clearly visible physical features and
16 wholly contained within any larger district from which any
17 Federal, State, county, municipal or school district officers
18 are elected, or alter the bounds of any election district, or
19 form an election district out of two or more adjacent districts
20 or parts of districts, or consolidate adjoining election
21 districts or form an election district out of two or more
22 adjacent wards, so as to suit the convenience of the electors
23 and to promote the public interests. Election districts so
24 formed shall contain between six hundred (600) and eight hundred
25 (800) registered electors as nearly as may be. No election
26 district shall be formed that shall contain less than one
27 hundred (100) registered electors. When a school district
28 crosses county lines, the regions of the school district shall
29 be composed of contiguous election districts.

30 Section 3. Sections 503 and 504 of the act, reenacted April

1 4, 1945 (P.L.143, No.64) and repealed in part April 28, 1978
2 (P.L.202, No.53), are amended to read:

3 Section 503. Petitions for New Election Districts; Reference
4 to County Board of Elections; Report.--Upon the petition of
5 twenty registered electors of any township, borough, ward or
6 election district, to the court of the proper county, praying
7 for the division or redivision of such township, borough, ward
8 or election district into two or more election districts, or for
9 the alteration of the bounds of any election district, or for
10 the formation of one or more election districts out of two or
11 more existing election districts, or parts thereof, or for the
12 consolidation of adjoining election districts, the said court
13 shall refer the said petition to the county board of elections,
14 which shall make a full investigation of the facts, and shall
15 report to the court its findings and recommendations as to the
16 division, redivision, alteration, formation or consolidation of
17 election districts prayed for. If the county board shall find
18 that a division, redivision, alteration, formation or
19 consolidation of election districts will promote the convenience
20 of the electors and the public interests, it shall recommend a
21 proper division, redivision, alteration, formation or
22 consolidation of election districts, [and shall accompany its
23 report with a map, plot or draft of the new election district or
24 districts proposed by it, if the same cannot be fully designated
25 by natural lines] which must have clearly visible physical
26 boundaries, and shall accompany its report with a map and a
27 verbal description of the boundaries. Such petitions may specify
28 the boundaries desired by the petitioners, and may be
29 accompanied by a map setting forth such boundaries.

30 Section 504. Petitions by County Board; Action by Court on

1 Petition or Report.--The county board of elections may also
2 petition the court for the division or redivision of any
3 township, borough, ward or election district into two or more
4 election districts, or for the alteration of the bounds of any
5 election district, or for the formation of one or more election
6 districts out of two or more existing election districts, or
7 parts thereof, or for the consolidation of adjoining election
8 districts, accompanying its petition [by a description of the
9 proposed new election districts and by a map, plot or draft
10 thereof, if the same cannot be fully designated by natural
11 lines] with a map and a verbal description of the boundaries of
12 the proposed new election districts which must have clearly
13 visible physical features. Upon the presentation of any such
14 petition by the county board, or upon the filing by the board of
15 its report and recommendations as to any petition presented by
16 qualified electors under the provisions of section 503 of this
17 act, the court may make such order for the division, redivision,
18 alteration, formation or consolidation of election districts, as
19 will, in its opinion, promote the convenience of electors and
20 the public interests: Provided, however, That the court shall
21 not make any final order for the division, redivision,
22 alteration, formation or consolidation of election districts
23 until at least ten days after notice shall have been posted in
24 at least five public and conspicuous places in the district or
25 districts to be affected thereby, one of which notices shall be
26 posted on or in the immediate vicinity of the polling place in
27 each such district. Such notice shall state in brief form the
28 division, redivision, alteration, formation or consolidation of
29 election districts recommended by the county board, and the date
30 upon which the same will be considered by the court, and shall

1 contain a warning that any person objecting thereto must file
2 his objections with the clerk of the court prior to such date.
3 Upon the making of any such final order by the court, a copy
4 thereof shall be certified by the clerk to the county board of
5 elections.

6 Section 4. Section 532(a) of the act, reenacted and amended
7 November 23, 1976 (P.L.1124, No.236), is amended to read:

8 Section 532. Wards in Cities of the First Class May be
9 Created, Divided, Realigned, or Consolidated.--

10 (a) Wards in a city of the first class may be created,
11 divided, realigned or consolidated, along clearly visible
12 physical boundaries, by the court of common pleas of the county
13 in which said city is located, upon application thereto for
14 those purposes by the petition of at least a total of one
15 hundred qualified electors from the ward or wards sought to be
16 affected, or of the council of such city.

17 * * *

18 Section 5. Section 630.1 of the act, added April 18, 1985
19 (P.L.5, No.4), is amended to read:

20 Section 630.1. Affidavits of Candidates.--Each candidate for
21 any State, county, city, borough, incorporated town, township,
22 school district or poor district office, or for the office of
23 United States Senator or Representative in Congress, selected as
24 provided in section 630 of this act, shall file with the
25 nomination certificate an affidavit stating--(a) his residence,
26 with street and number, if any, and his post-office address; (b)
27 his election district, giving city, borough, town or township;
28 (c) the name of the office for which he consents to be a
29 candidate; (d) that he is eligible for such office; (e) that he
30 will not knowingly violate any provision of this act, or of any

1 law regulating and limiting election expenses and prohibiting
2 corrupt practices in connection therewith; (f) unless he is a
3 candidate for judge of a court of [record] common pleas, the
4 Philadelphia Municipal Court or the Traffic Court of
5 Philadelphia, or for the office of school board in a district
6 where that office is elective or for the office of justice of
7 the peace, that he is not a candidate for the same office of any
8 party or political body other than the one designated in such
9 certificate; and (g) that he is aware of the provisions of
10 section 1626 of this act requiring election and post-election
11 reporting of campaign contributions and expenditures. In cases
12 of certificates for candidates for the General Assembly, the
13 candidate's affidavit shall state (1) that the candidate will
14 satisfy the eligibility requirements contained in sections 5 and
15 7 of Article II of the Constitution of Pennsylvania; (2) (i)
16 that, in the case of a candidate for the office of Senator in
17 the General Assembly, the candidate will be twenty-five (25)
18 years of age on or before the first day of the term for which
19 the candidate seeks election or (ii) that, in the case of a
20 candidate for the office of Representative in the General
21 Assembly, the candidate will be twenty-one (21) years of age on
22 or before the first day of the term for which the candidate
23 seeks election; (3) that the candidate shall have been a citizen
24 and an inhabitant of Pennsylvania four (4) years and an
25 inhabitant of the respective district one (1) year next before
26 the election (unless absent on the public business of the United
27 States or of this State); and (4) that the candidate has not
28 been convicted of embezzlement of public moneys, bribery,
29 perjury or other infamous crime.

30 Section 6. Section 909 of the act, amended December 22, 1971

1 (P.L.613, No.165), is amended to read:

2 Section 909. Petition May Consist of Several Sheets;

3 Affidavit of Circulator.--Said nomination petition may be on one

4 or more sheets, and different sheets must be used for signers

5 resident in different counties. If more than one sheet is used,

6 they shall be bound together when offered for filing if they are

7 intended to constitute one petition, and each sheet shall be

8 numbered consecutively beginning with number one, at the foot of

9 each page. In cases of petitions for delegate or alternate

10 delegate to National conventions, each sheet shall contain a

11 notation indicating the presidential candidate to whom he is

12 committed or the term "uncommitted." Each sheet shall have

13 appended thereto the affidavit of the circulator of each sheet,

14 setting forth--(a) that he or she is a qualified elector duly

15 registered and enrolled as a member of the designated party of

16 the State, or of the political district, as the case may be,

17 referred to in said petition, unless said petition relates to

18 the nomination of a [judicial] candidate for a court of common

19 pleas, for the Philadelphia Municipal Court or for the Traffic

20 Court of Philadelphia or for justice of the peace, in which

21 event the circulator need not be a duly registered and enrolled

22 member of the designated party; (b) his residence, giving city,

23 borough or township, with street and number, if any; (c) that

24 the signers thereto signed with full knowledge of the contents

25 of the petition; (d) that their respective residences are

26 correctly stated therein; (e) that they all reside in the county

27 named in the affidavit; (f) that each signed on the date set

28 opposite his name; and (g) that, to the best of affiant's

29 knowledge and belief, the signers are qualified electors and

30 duly registered and enrolled members of the designated party of

1 the State, or of the political district, as the case may be.

2 Section 7. Section 910 of the act, amended April 18, 1985
3 (P.L.5, No.4), is amended to read:

4 Section 910. Affidavits of Candidates.--Each candidate for
5 any State, county, city, borough, incorporated town, township,
6 ward, school district, poor district, election district, party
7 office, party delegate or alternate, or for the office of United
8 States Senator or Representative in Congress, shall file with
9 his nomination petition his affidavit stating--(a) his
10 residence, with street and number, if any, and his post-office
11 address; (b) his election district, giving city, borough, town
12 or township; (c) the name of the office for which he consents to
13 be a candidate; (d) that he is eligible for such office; (e)
14 that he will not knowingly violate any provision of this act, or
15 of any law regulating and limiting nomination and election
16 expenses and prohibiting corrupt practices in connection
17 therewith; (f) unless he is a candidate for judge of a court of
18 [record] common pleas, the Philadelphia Municipal Court or the
19 Traffic Court of Philadelphia, or for the office of school
20 director in a district where that office is elective or for the
21 office of justice of the peace that he is not a candidate for
22 nomination for the same office of any party other than the one
23 designated in such petition; (g) if he is a candidate for a
24 delegate, or alternate delegate, member of State committee,
25 National committee or party officer, that he is a registered and
26 enrolled member of the designated party; (h) if he is a
27 candidate for delegate or alternate delegate the presidential
28 candidate to whom he is committed or the term "uncommitted"; and
29 (i) that he is aware of the provisions of section 1626 of this
30 act requiring pre-election and post-election reporting of

1 campaign contributions and expenditures. In cases of petitions
2 for candidates for the General Assembly, the candidate's
3 affidavit shall state (1) that the candidate will satisfy the
4 eligibility requirements contained in sections 5 and 7 of
5 Article II of the Constitution of Pennsylvania; (2) (i) that in
6 the case of a candidate for the office of Senator in the General
7 Assembly that the candidate will be twenty-five (25) years of
8 age on or before the first day of the term for which the
9 candidate seeks election or (ii) that in the case of a candidate
10 for the office of Representative in the General Assembly that
11 the candidate will be twenty-one (21) years of age on or before
12 the first day of the term for which the candidate seeks
13 election; (3) that the candidate shall have been a citizen and
14 inhabitant of Pennsylvania four (4) years and an inhabitant of
15 the respective district one (1) year next before the election
16 (unless absent on the public business of the United States or of
17 this State); and (4) that the candidate has not been convicted
18 of embezzlement of public moneys, bribery, perjury or other
19 infamous crime. In cases of petitions for delegate and alternate
20 delegate to National conventions, the candidate's affidavit
21 shall state that his signature to the delegate's statement, as
22 hereinafter set forth, if such statement is signed by said
23 candidate, was affixed to the sheet or sheets of said petition
24 prior to the circulation of same. In the case of a candidate for
25 nomination as President of the United States, it shall not be
26 necessary for such candidate to file the affidavit required in
27 this section to be filed by candidates, but the post-office
28 address of such candidate shall be stated in such nomination
29 petition.

30 Section 8. The act is amended by adding a section to read:

1 Section 912.2. Nominations by Minor Political Parties.--(a)
2 Notwithstanding any other provision in this act to the contrary,
3 minor political parties shall nominate all of their candidates
4 for the offices to be filled at the ensuing November election
5 pursuant to section 903 in accordance with the requirements of
6 section 951, other than subsection (e)(6) and (7) thereof, and
7 section 954, and shall obtain the required signatures during the
8 same time frame available to political bodies. Minor political
9 parties shall be subject to the provisions of this act
10 applicable to political parties with respect to special
11 elections, voter registration forms, substituted nominations and
12 all other purposes except as otherwise expressly provided in
13 this section. "Minor political party" shall mean a political
14 party as defined in section 801(a) or (b) whose Statewide
15 registration is less than fifteen per centum of the combined
16 Statewide registration for all Statewide political parties as of
17 the close of the registration period immediately preceding the
18 most recent November election. The Secretary of the Commonwealth
19 shall prescribe forms or, if there is insufficient time, make
20 appropriate conforming changes in existing forms to carry out
21 the purposes of this section.

22 (b) All nomination papers circulated and filed pursuant to
23 this section shall specify--(1) the name or appellation of the
24 minor political party which the candidates nominated thereby
25 represent and, in the case of electors for President and Vice
26 President of the United States, the names of the candidates for
27 President and Vice President of such minor political party; (2)
28 the name of each candidate nominated therein, his profession,
29 business or occupation, if any, and his place of residence with
30 street and number, if any; and (3) the office for which such

1 candidate is nominated. No words shall be used in any nomination
2 paper to designate the name or appellation of the minor
3 political party represented by the candidates name in such
4 nomination paper which are identical with or deceptively similar
5 to the words used for a like purpose by any minor political
6 party which has already filed nomination papers for the same
7 office. Any petition to set aside a nomination paper on account
8 of the name or appellation used therein, or involving the right
9 of the signers thereof to use such name or appellation, or on
10 any other account, shall be decided as in the case of other
11 petitions to set aside nomination papers, in the manner provided
12 by this article.

13 (c) Each person filing any nomination paper for public
14 office shall be given a statement composed by the Secretary of
15 the Commonwealth setting forth his duties under law to file pre-
16 election and post election campaign finance reports, and the
17 penalties for nonfiling. Each person filing any nomination paper
18 for public office shall be given a form to file expenses if the
19 amount received or expended or liabilities incurred shall exceed
20 the sum of two hundred fifty dollars (\$250), and a form
21 containing a sworn statement that the amount received or
22 expended or liabilities incurred do not exceed the sum of two
23 hundred fifty dollars (\$250), with written instructions prepared
24 by the Secretary of the Commonwealth. Within three weeks after
25 such candidate has filed, the appropriate supervisor shall mail
26 the same forms and instructions to such candidate by first class
27 mail.

28 Section 9. The first paragraph of section 976 of the act,
29 amended June 27, 1974 (P.L.413, No.146) and repealed in part
30 April 28, 1978 (P.L.202, No.53), is amended to read:

1 Section 976. Examination of Nomination Petitions,
2 Certificates and Papers; Return of Rejected Nomination
3 Petitions, Certificates and Papers.--When any nomination
4 petition, nomination certificate or nomination paper is
5 presented in the office of the Secretary of the Commonwealth or
6 of any county board of elections for filing within the period
7 limited by this act, it shall be the duty of the said officer or
8 board to examine the same. No nomination petition, nomination
9 paper or nomination certificate shall be permitted to be filed
10 if--(a) it contains material errors or defects apparent on the
11 face thereof, or on the face of the appended or accompanying
12 affidavits; or (b) it contains material alterations made after
13 signing without the consent of the signers; or (c) it does not
14 contain a sufficient number of signatures as required by law;
15 Provided, however, That the Secretary of the Commonwealth or the
16 county board of elections, although not hereby required so to
17 do, may question the genuineness of any signature or signatures
18 appearing thereon, and if he or it shall thereupon find that any
19 such signature or signatures are not genuine, such signature or
20 signatures shall be disregarded in determining whether the
21 nomination petition, nomination paper or nomination certificate
22 contains a sufficient number of signatures as required by law;
23 or (d) in the case of nomination petitions, if nomination
24 petitions have been filed for printing the name of the same
25 person for the same office, except the office of judge of a
26 court of [record] common pleas, the Philadelphia Municipal Court
27 or the Traffic Court of Philadelphia, or the office of school
28 director in districts where that office is elective or the
29 office of justice of the peace upon the official ballot of more
30 than one political party; or (e) in the case of nomination

1 papers, if the candidate named therein has filed a nomination
2 petition for any public office for the ensuing primary, or has
3 been nominated for any such office by nomination papers
4 previously filed; or (f) if the nomination petitions or papers
5 are not accompanied by the filing fee or certified check
6 required for said office; or (g) in the case of nomination
7 papers, the appellation set forth therein is identical with or
8 deceptively similar to the words used by any existing party or
9 by any political body which has already filed nomination papers
10 for the same office, or if the appellation set forth therein
11 contains part of the name, or an abbreviation of the name or
12 part of the name of an existing political party, or of a
13 political body which has already filed nomination papers for the
14 same office. The invalidity of any sheet of a nomination
15 petition or nomination paper shall not affect the validity of
16 such petition or paper if a sufficient petition or paper remains
17 after eliminating such invalid sheet. The action of said officer
18 or board in refusing to receive and file any such nomination
19 petition, certificate or paper, may be reviewed by the court
20 upon an application to compel its reception as of the date when
21 it was presented to the office of such officer or board:
22 Provided, however, That said officer or board shall be entitled
23 to a reasonable time in which to examine any petitions,
24 certificates or papers, and to summon and interrogate the
25 candidates named therein, or the persons presenting said
26 petitions, certificates or papers, and his or their retention of
27 same for the purpose of making such examination or interrogation
28 shall not be construed as an acceptance or filing.

29 * * *

30 Section 10. Section 981.1 of the act, added April 18, 1985

1 (P.L.5, No.4), is amended to read:

2 Section 981.1. Affidavits of Candidates.--Each candidate for
3 any State, county, city, borough, incorporated town, township,
4 ward, school district, poor district or election district
5 office, or for the office of United States Senator or
6 Representative in Congress, selected as provided in sections 979
7 and 980 of this act, shall file with the substituted nomination
8 certificate an affidavit stating--(a) his residence, with street
9 and number, if any, and his post-office address; (b) his
10 election district, giving city, borough, town or township; (c)
11 the name of the office for which he consents to be a candidate;
12 (d) that he is eligible for such office; (e) that he will not
13 knowingly violate any provision of this act, or of any law
14 regulating and limiting election expenses and prohibiting
15 corrupt practices in connection therewith; (f) unless he is a
16 candidate for judge of a court of [record] common pleas, the
17 Philadelphia Municipal Court or the Traffic Court of
18 Philadelphia, or for the office of school board in a district
19 where that office is elective or for the office of justice of
20 the peace, that he is not a candidate for the same office of any
21 party or political body other than the one designated in such
22 certificate; and (g) that he is aware of the provisions of
23 section 1626 of this act requiring election and post-election
24 reporting of campaign contributions and expenditures. In cases
25 of certificates for candidates for the General Assembly, the
26 candidate's affidavit shall state (1) that the candidate will
27 satisfy the eligibility requirements contained in sections 5 and
28 7 of Article II of the Constitution of Pennsylvania; (2) (i)
29 that, in the case of a candidate for the office of Senator in
30 the General Assembly, the candidate will be twenty-five (25)

1 years of age on or before the first day of the term for which
2 the candidate seeks election or (ii) that, in the case of a
3 candidate for the office of Representative in the General
4 Assembly, the candidate will be twenty-one (21) years of age on
5 or before the first day of the term for which the candidate
6 seeks election; (3) that the candidate shall have been a citizen
7 and an inhabitant of Pennsylvania four (4) years and an
8 inhabitant of the respective district one (1) year next before
9 the election (unless absent on the public business of the United
10 States or of this State); and (4) that the candidate has not
11 been convicted of embezzlement of public moneys, bribery,
12 perjury or other infamous crime.

13 Section 11. Sections 993(a) and 998(a) and (b) of the act,
14 amended June 27, 1974 (P.L.413, No.146), are amended to read:

15 Section 993. Filling of Certain Vacancies in Public Office
16 by Means of Nomination Certificates and Nomination Papers.--(a)
17 In all cases where a vacancy shall occur for any cause in an
18 elective public office, including that of judge of a court of
19 record, at a time when such vacancy is required by the
20 provisions of the Constitution or the laws of this Commonwealth
21 to be filled at the ensuing election but at a time when
22 nominations for such office cannot be made under any other
23 provision of this act, nominations to fill such vacancies shall
24 be made by political parties in accordance with party rules
25 relating to the filling of vacancies by means of nomination
26 certificates in the form prescribed in section nine hundred
27 ninety-four of this act, and by political bodies by means of
28 nomination papers in accordance with the provisions of sections
29 nine hundred fifty-one, nine hundred fifty-two and nine hundred
30 fifty-four of this act. No such nomination certificate shall

1 nominate any person who has already been nominated by any other
2 political party or by any political body for the same office
3 unless such person is a candidate for the office of judge of a
4 court of [record] common pleas, the Philadelphia Municipal Court
5 or the Traffic Court of Philadelphia, or for the office of
6 school director in districts where that office is elective or
7 for the office of justice of the peace. No such nomination
8 papers shall nominate any person who has already been nominated
9 by any political party or by any other political body for any
10 office to be filled at the ensuing November election, unless
11 such person is a candidate for the office of judge of a court of
12 [record] common pleas, the Philadelphia Municipal Court or the
13 Traffic Court of Philadelphia, or for the office of school
14 director in districts where that office is elective or for the
15 office of justice of the peace.

16 * * *

17 Section 998. Substituted Nominations to Fill Certain
18 Vacancies for a November Election.--(a) Any vacancy happening or
19 existing in any party nomination made in accordance with the
20 provisions of section nine hundred ninety-three of this act for
21 a November election by reason of the death or withdrawal of any
22 candidate may be filled by a substituted nomination made by such
23 committee as is authorized by the rules of the party to make
24 nominations in the event of vacancies on the party ticket, in
25 the form prescribed by section nine hundred ninety-four of this
26 act. But no substituted nomination certificate shall nominate
27 any person who has already been nominated by any other political
28 party or by any political body for the same office, unless such
29 person is a candidate for the office of judge of a court of
30 [record] common pleas, the Philadelphia Municipal Court or the

1 Traffic Court of Philadelphia, or for the office of school
2 director in districts where that office is elective or for the
3 office of justice of the peace.

4 (b) In case of the death or withdrawal of any candidate
5 nominated by a political body for an election, the committee
6 named in the original nomination papers may nominate a
7 substitute in his place by filing a substituted nomination
8 certificate in the form and manner prescribed by section nine
9 hundred eighty of this act. In the case of a vacancy caused by
10 the death of any candidate, said nomination certificate shall be
11 accompanied by a death certificate properly certified. No
12 substituted nomination certificate shall nominate any person who
13 has already been nominated by any political party or by any
14 other political body for any office to be filled at the ensuing
15 November election, unless such person is a candidate for the
16 office of judge of a court of [record] common pleas, the
17 Philadelphia Municipal Court or the Traffic Court of
18 Philadelphia, or for the office of school director in districts
19 where that office is elective or for the office of justice of
20 the peace.

21 * * *

22 Section 12. Section 1004 of the act, amended December 10,
23 1974 (P.L.835, No.280), is amended to read:

24 Section 1004. Form of Ballots; Printing Ballots; Stubs;
25 Numbers.--From the lists furnished by the Secretary of the
26 Commonwealth under the provisions of sections 915 and 984, and
27 from petitions and papers filed in their office, the county
28 election board shall print the official primary and election
29 ballots in accordance with the provisions of this act: Provided,
30 however, That in no event, shall the name of any person

1 consenting to be a candidate for nomination for any one office,
2 except the office of judge of a court of [record] common pleas,
3 the Philadelphia Municipal Court or the Traffic Court of
4 Philadelphia, or the office of school director in districts
5 where that office is elective or the office of justice of the
6 peace be printed as a candidate for such office upon the
7 official primary ballot of more than one party. All ballots for
8 use in the same election district at any primary or election
9 shall be alike. They shall be at least six inches long and four
10 inches wide, and shall have a margin extending beyond any
11 printing thereon. They shall be printed with the same kind of
12 type (which shall not be smaller than the size known as
13 "brevier" or "eight point body") upon white paper of uniform
14 quality, without any impression or mark to distinguish one from
15 another, and with sufficient thickness to prevent the printed
16 matter from showing through. Each ballot shall be attached to a
17 stub, and all the ballots for the same election district shall
18 be bound together in books of fifty, in such manner that each
19 ballot may be detached from its stub and removed separately. The
20 ballots for each party to be used at a primary shall be bound
21 separately. The stubs of the ballots shall be consecutively
22 numbered, and in the case of primary ballots, the number shall
23 be preceded by an initial or abbreviation designating the party
24 name. The number and initial or abbreviation which appears upon
25 the stub shall also be printed in the upper right hand corner of
26 the back of the ballot, separated from the remainder of the
27 ballot by a diagonal perforated line so prepared that the upper
28 right hand corner of the back of the ballot containing the
29 number may be detached from the ballot before it is deposited in
30 the ballot box and beside that corner shall also be printed,

- 1 "Remove numbered stub immediately before depositing your ballot
- 2 in ballot box."
- 3 Section 13. This act shall take effect immediately.