

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**

**No. 460**      Session of  
1989

INTRODUCED BY LETTERMAN, FEBRUARY 14, 1989

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 14, 1989

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 the circulation and filing  
 12 of nomination petitions.

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

15 Section 1. Sections 901, 904, 905, 906, 908 and 913(d) of  
 16 the act of June 3, 1937 (P.L.1333, No.320), known as the  
 17 Pennsylvania Election Code, amended August 13, 1963 (P.L.707,  
 18 No.379), are amended to read:

19 Section 901. Determination and Certification of State-wide  
 20 and County-wide Parties.--(a) The Secretary of the Commonwealth  
 21 shall determine which organizations are political parties within  
 22 the State, within the meaning of section 801(a) of this act, and  
 23 not later than the [thirteenth] fifteenth Tuesday preceding each

1 primary shall transmit to each county board a list of said  
2 political parties which shall be entitled to nominate candidates  
3 at primaries.

4 (b) Each county board shall determine which organizations are  
5 political parties within the county, within the meaning of  
6 section 801(b), and not later than the [thirteenth] fifteenth  
7 Tuesday preceding each primary shall transmit to the Secretary  
8 of the Commonwealth a list of said political parties which shall  
9 be entitled to nominate candidates at primaries in said county.

10 Section 904. Municipal Clerks and Party Chairmen to Furnish  
11 Information as to Offices to Be Filled.--To assist the  
12 respective county boards in ascertaining the offices to be  
13 filled, it shall be the duty of the clerks or secretaries of the  
14 various cities, boroughs, towns, townships and school districts,  
15 with the advice of their respective solicitors, on or before the  
16 [thirteenth] fifteenth Tuesday preceding the Municipal primary,  
17 to send to the county boards of their respective counties a  
18 written notice setting forth all city, borough, town, township  
19 and school district offices to be filled in their respective  
20 subdivisions at the ensuing municipal election, and for which  
21 candidates are to be nominated at the ensuing primary. It shall  
22 also be the duty of the chairman of the State committee of each  
23 political party to forward to the Secretary of the Commonwealth  
24 and to the respective county boards, on or before the  
25 [thirteenth] fifteenth Tuesday preceding the General primary, a  
26 written notice setting forth the number of delegates and  
27 alternate delegates to the National convention of such party who  
28 are to be elected in the State at large at the ensuing primary,  
29 and the number of such delegates and alternate delegates who are  
30 to be elected at said primary in such county, or in any district

1 within such county, or of which it forms a part. The said notice  
2 shall also set forth the number of members of the National  
3 committee, if any, who, under the National party rules, are to  
4 be elected at the said primary in the State at large, and the  
5 number of members of the State committee to be elected at the  
6 said primary in such county, or in any district, or part of a  
7 district within such county. It shall also be the duty of the  
8 chairman of the county committee and, in cases where a city is  
9 coextensive with a county, the chairman of the city committee of  
10 each party, on or before the [thirteenth] fifteenth Tuesday  
11 preceding the General primary, to send to the county board of  
12 such county a written notice setting forth all party offices to  
13 be filled in the county at the ensuing primary.

14 Section 905. Secretary of the Commonwealth to Notify County  
15 Board of Certain Nominations to Be Made.--On or before the  
16 [thirteenth] fifteenth Tuesday preceding each primary, the  
17 Secretary of the Commonwealth shall send to the county board of  
18 each county a written notice designating all the offices for  
19 which candidates are to be nominated therein, or in any district  
20 of which such county forms a part, or in the State at large, at  
21 the ensuing primary, and for the nomination to which candidates  
22 are required to file nomination petitions in the office of the  
23 Secretary of the Commonwealth, including that of President of  
24 the United States; and shall also in said notice set forth the  
25 number of presidential electors, United States Senators,  
26 Representatives in Congress and State officers, including  
27 senators, representatives and judges of courts of record, to be  
28 elected at the succeeding November election by a vote of the  
29 electors of the State at large, or by a vote of the electors of  
30 the county, or of any district therein, or of any district of

1 which such county forms a part.

2 Section 906. Publication of Notice of Officers to Be  
3 Nominated and Elected.--Beginning not earlier than [twelve]  
4 fifteen weeks, nor later than [eleven] fourteen weeks before any  
5 General or Municipal primary, the county board of each county  
6 shall publish in newspapers, as provided by section 106 of this  
7 act, a notice setting forth the number of delegates and  
8 alternate delegates to the National convention of each party who  
9 are to be elected in the State at large at the ensuing primary,  
10 and the number of delegates and alternate delegates who are to  
11 be elected at the said primary in said county, or in any  
12 district of which said county or part thereof forms a part, and  
13 also setting forth the names of all public offices for which  
14 nominations are to be made, and the names of all party offices,  
15 including that of members of the National committee, if any, and  
16 State committee, for which candidates are to be elected at said  
17 primary in said county, or in any district of which such county  
18 or part thereof forms a part, or in the State at large. Said  
19 notice shall contain the date of the primary, and shall be  
20 published once each week for two successive weeks in counties of  
21 the first and second class and once in all other counties.

22 Section 908. Manner of Signing Nomination Petitions; Time of  
23 Circulating.--Each signer of a nomination petition shall sign  
24 but one such petition for each office to be filled, and shall  
25 declare therein that he is a registered and enrolled member of  
26 the party designated in such petition: Provided, however, That  
27 where there are to be elected two or more persons to the same  
28 office, each signer may sign petitions for as many candidates  
29 for such office as, and no more than, he could vote for at the  
30 succeeding election. He shall also declare therein that he is a

1 qualified elector of the county therein named, and in case the  
2 nomination is not to be made or candidates are not to be elected  
3 by the electors of the State at large, or the political district  
4 therein named, in which the nomination is to be made or the  
5 election is to be held. He shall add his occupation and  
6 residence, giving city, borough or township, with street and  
7 number, if any, and shall add the date of signing, expressed in  
8 words or numbers: Provided, however, That if the said political  
9 district named in the petition lies wholly within any city,  
10 borough or township, or is coextensive with same, it shall not  
11 be necessary for any signer of a nomination petition to state  
12 therein the city, borough or township of his residence. No  
13 nomination petition shall be circulated prior to the  
14 [thirteenth] fifteenth Tuesday before the primary, and no  
15 signature shall be counted unless it bears a date affixed not  
16 earlier than the [thirteenth] fifteenth Tuesday nor later than  
17 the [tenth] twelfth Tuesday prior to the primary.

18 Section 913. Place and Time of Filing Nomination Petitions;  
19 Filing Fees.--\* \* \*

20 (d) All nomination petitions shall be filed on or before the  
21 [tenth] twelfth Tuesday prior to the primary.

22 Section 2. This act shall take effect July 1, 1989.