

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2428 Session of
1990

INTRODUCED BY CHADWICK, RYBAK, NAILOR, FARGO, MRKONIC, BUNT,
CAWLEY, GODSHALL, ARGALL, J. L. WRIGHT, COHEN, NOYE, GEIST,
BARLEY, HESS, SAURMAN, ROBINSON, KONDRICH, LEVDANSKY, MELIO,
CARLSON, HERMAN, DEMPSEY, FARMER, ANGSTADT, NAHILL, LANGTRY,
B. SMITH, SERAFINI, PRESSMANN, DeLUCA, SEMMEL, VEON, ADOLPH,
LASHINGER, BELARDI, KASUNIC, GIGLIOTTI, PETRARCA, LEH, TELEK,
MAIALE, MERRY, J. H. CLARK, McHALE, MARSICO, RITTER, CESSAR
AND THOMAS, APRIL 3, 1990

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 20, 1990

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," ESTABLISHING A SEPARATE NOMINATION PETITION <—
12 FILING FEE FOR CERTAIN THIRD CLASS CITY OFFICES; AND further
13 providing for absentee ballots for permanently disabled
14 electors.

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

17 SECTION 1. SECTION 913(B.1) OF THE ACT OF JUNE 3, 1937 <—
18 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE,
19 AMENDED FEBRUARY 13, 1989 (P.L.1, NO.1), IS AMENDED TO READ:
20 SECTION 913. PLACE AND TIME OF FILING NOMINATION PETITIONS;

1 FILING FEES.--* * *

2 (B.1) 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. ALL MONEYS PAID ON ACCOUNT OF FILING FEES
8 SHALL BE TRANSMITTED BY THE COUNTY BOARD TO THE COUNTY TREASURER
9 AND SHALL BECOME PART OF THE GENERAL FUND. CERTIFIED CHECKS OR
10 MONEY ORDERS IN PAYMENT OF FILING FEES SHALL BE MADE PAYABLE TO
11 THE COMMONWEALTH OF PENNSYLVANIA OR TO THE COUNTY, AS THE CASE
12 MAY BE, AND SHALL BE TRANSMITTED TO THE STATE TREASURER OR TO
13 THE COUNTY TREASURER AND SHALL BECOME PART OF THE GENERAL FUND.

14 1. IF FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES, OR
15 FOR ANY PUBLIC OFFICE TO BE FILLED BY THE ELECTORS OF THE STATE
16 AT LARGE, THE SUM OF TWO HUNDRED DOLLARS (\$200.00).

17 2. IF FOR THE OFFICE OF REPRESENTATIVE IN CONGRESS, THE SUM
18 OF ONE HUNDRED FIFTY DOLLARS (\$150.00).

19 3. IF FOR THE OFFICE OF JUDGE OF A COURT OF RECORD,
20 EXCEPTING JUDGES TO BE VOTED FOR BY THE ELECTORS OF THE STATE AT
21 LARGE, THE SUM OF ONE HUNDRED DOLLARS (\$100.00).

22 4. IF FOR THE OFFICES OF SENATOR OR REPRESENTATIVE IN THE
23 GENERAL ASSEMBLY, FOR ANY OFFICE TO BE FILLED BY THE ELECTORS OF
24 AN ENTIRE COUNTY, FOR THE OFFICE OF DISTRICT COUNCILMAN IN A
25 CITY OF THE FIRST CLASS AND FOR ANY OFFICE TO BE FILLED BY THE
26 ELECTORS OF AN ENTIRE CITY OTHER THAN A CITY OF THE THIRD CLASS
27 OR A SCHOOL DISTRICT OFFICE, THE SUM OF ONE HUNDRED DOLLARS
28 (\$100.00).

29 4.1. IF FOR NONSCHOOL BOARD OFFICES FOR ANY THIRD CLASS CITY
30 OFFICIAL, THE SUM OF TWENTY-FIVE DOLLARS (\$25.00).

1 5. IF FOR ANY BOROUGH, TOWN, OR TOWNSHIP OF THE FIRST CLASS,
2 NOT OTHERWISE PROVIDED FOR, THE SUM OF FIVE DOLLARS (\$5.00).

3 6. IF FOR THE OFFICE OF DELEGATE OR ALTERNATE DELEGATE TO
4 NATIONAL PARTY CONVENTION, OR MEMBER OF NATIONAL COMMITTEE OR
5 MEMBER OF STATE COMMITTEE, THE SUM OF TWENTY-FIVE DOLLARS
6 (\$25.00).

7 7. IF FOR THE OFFICE OF CONSTABLE, THE SUM OF TEN DOLLARS
8 (\$10.00).

9 8. IF FOR THE OFFICE OF DISTRICT COUNCILMAN IN A CITY OF THE
10 SECOND CLASS OR THE OFFICE OF DISTRICT JUSTICE, THE SUM OF FIFTY
11 DOLLARS (\$50.00).

12 * * *

13 Section ± 2. Section 1302(e.1) of the act ~~of June 3, 1937~~ <—
14 ~~(P.L.1333, No.320), known as the Pennsylvania Election Code,~~
15 amended May 5, 1986 (P.L.150, No.47), is amended to read:

16 Section 1302. Applications for Official Absentee Ballots.--*

17 * *

18 (e.1) Any qualified registered elector, including any
19 qualified bedridden or hospitalized veteran, who is unable
20 because of illness or physical disability to attend his polling
21 place on the day of any primary or election or operate a voting
22 machine and state distinctly and audibly that he is unable to do
23 so as required by section 1218 of this act [may,] shall, UPON <—
24 APPLICATION AND with the certification by his attending
25 physician that he is permanently disabled, and physically unable
26 to attend the polls or operate a voting machine and make the
27 distinct and audible statement required by section 1218 appended
28 to the application hereinbefore required, be placed on a
29 permanently disabled absentee ballot list file. An absentee
30 ballot ~~±application±~~ shall be mailed to every such person for <—

1 each primary or election so long as he does not lose his voting
2 rights by failure to vote as otherwise required by this act.
3 Such person shall not be required to file a physician's
4 certificate of disability with each application as required in
5 subsection (e) of this section but such person must submit a
6 written statement asserting continuing disability every four
7 years in order to maintain his eligibility to vote under the
8 provisions of this subsection. Should any such person lose his
9 disability he shall inform the county board of elections of the
10 county of his residence. NO PERSON SHALL BE PLACED ON A <—
11 PERMANENTLY DISABLED ABSENTEE BALLOT LIST FILE WITHOUT EXPRESS
12 VOLUNTARY AUTHORIZATION BY THE PERSON PERMITTING THE COUNTY
13 BOARD OF ELECTIONS TO DO SO. FURTHER, PERSONS PLACED ON A
14 PERMANENTLY DISABLED ABSENTEE BALLOT LIST FILE MAY REQUIRE THE
15 COUNTY BOARD OF ELECTIONS TO REMOVE THEIR NAMES FROM SUCH LIST
16 AT ANY TIME WITHOUT CONDITION BY SUBMITTING A WRITTEN STATEMENT
17 TO THE COUNTY BOARD OF ELECTIONS REQUESTING SUCH ACTION. NO
18 PERSON SHALL BE URGED OR COERCED TO BEING PLACED ON A <—
19 PERMANENTLY DISABLED ABSENTEE BALLOT LIST FILE SOLELY BASED ON
20 THE ACCESSIBILITY, INACCESSIBILITY OR PHYSICAL CONDITION OF
21 POLLING PLACES IN THE COUNTY IN WHICH THE PERSON IS REGISTERED
22 TO VOTE.

23 * * *

24 Section 2 3. This act shall take effect immediately. <—