

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:

ARTICLE IX-A

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.