

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 383 Session of
2007

INTRODUCED BY DePASQUALE, BELFANTI, BENNINGTON, CONKLIN,
GERGELY, GILLESPIE, GOODMAN, HORNAMAN, JAMES, KAUFFMAN,
KORTZ, MELIO, NICKOL, SAYLOR AND WANSACZ, FEBRUARY 13, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 13, 2007

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 filing for office with more
12 than one party.

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

15 Section 1. Sections 702 and 802 of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code, are
17 amended to read:

18 Section 702. Qualifications of Electors at Primaries.--The
19 qualifications of electors entitled to vote at primaries shall
20 be the same as the qualifications of electors entitled to vote
21 at elections within the election district where the primary is
22 held, provided that no elector who is not registered and

1 enrolled as a member of a political party, in accordance with
2 the provisions of this act, shall be permitted to vote the
3 ballot of such party or any other party ballot at any
4 primary[.], except for the candidates for judge of the court of
5 common pleas, the Philadelphia Municipal Court or the Traffic
6 Court of Philadelphia, or for the office of school director in a
7 district where that office is elective or for the office of
8 magisterial district judge or any other office in the future in
9 which the candidates may file a petition for nomination for the
10 same office for more than one party as outlined in this title.
11 Any elector who is not registered and enrolled as a member of a
12 political party may vote in the primary for one party for judge
13 of the court of common pleas, the Philadelphia Municipal Court
14 or the Traffic Court of Philadelphia, or for the office of
15 school director in a district where that office is elective or
16 for the office of magisterial district judge or any other office
17 in the future in which the candidates may file a petition for
18 nomination for the same office for more than one party as
19 outlined in this title and shall not be allowed to vote for
20 candidates for any other office on the ballot filed by party.

21 Section 802. Only Enrolled Electors to Vote at Primaries or
22 Hold Party Offices.--No person who is not registered and
23 enrolled as a member of a political party shall be entitled to
24 vote at any primary of such party, except as outlined in this
25 section, or to be elected or serve as a party officer, or a
26 member or officer of any party committee, or delegate or
27 alternate delegate to any party convention. Those persons who
28 are not registered and enrolled as members of a political party
29 shall be entitled to vote in the primary of one party for judge
30 of the court of common pleas, the Philadelphia Municipal Court

1 or the Traffic Court of Philadelphia, or for the office of
2 school director in a district where that office is elective or
3 for the office of magisterial district judge or any other office
4 in the future in which the candidates may file a petition for
5 nomination for the same office for more than one party as
6 outlined in this title and shall not be allowed to vote for
7 candidates for any other office on the ballot filed by party.

8 Section 2. This act shall take effect in 60 days.