

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 542 Session of 2009

INTRODUCED BY BENNINGHOFF, CREIGHTON, CUTLER, ELLIS, GINGRICH, GRELL, HUTCHINSON, LONGIETTI, MILLER, MURPHY, OBERLANDER, PICKETT, RAPP, REICHLEY, ROAE, ROCK, ROHRER, SAYLOR, SWANGER, TALLMAN AND VULAKOVICH, FEBRUARY 19, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 19, 2009

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 explanation of ballot  
12 question.

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

15 Section 1. Section 201.1 of the act of June 3, 1937 (P.L.  
16 1333, No.320), known as the Pennsylvania Election Code, added  
17 February 19, 1986 (P.L.29, No.11), is amended to read:

18 Section 201.1. Explanation of Ballot Question.--(a)  
19 Whenever a proposed constitutional amendment or other State-wide  
20 ballot question shall be submitted to the electors of the  
21 Commonwealth in referendum, the Attorney General shall prepare a  
22 statement in plain English which indicates the purpose,

1 limitations and effects of the ballot question on the people of  
2 the Commonwealth. The Secretary of the Commonwealth shall  
3 include such statement in his publication of a proposed  
4 constitutional amendment as required by Article XI of the  
5 Constitution of Pennsylvania. The Secretary of the Commonwealth  
6 shall certify such statement to the county boards of elections  
7 who shall publish such statement as a part of the notice of  
8 elections required by section 1201 or any other provision of  
9 this act. The county board of elections shall also require that  
10 at least three copies of such statement be posted in or about  
11 the voting room outside the enclosed space with the specimen  
12 ballots and other instructions and notices of penalties. In  
13 election questions which affect only one county or portion  
14 thereof, the county board of elections shall fulfill these  
15 requirements in the place of the Attorney General and the  
16 Secretary of the Commonwealth.

17 (b) In addition to the requirements of subsection (a), all  
18 ballot referendum questions allowing the Commonwealth to enter  
19 into any bond or borrowing measure shall include in the  
20 explanation of the ballot question a fiscal note generated by  
21 the Treasury Department stating all of the following:

22 (1) A detailed description of the project being funded by  
23 the bond or borrowing measure.

24 (2) The total costs for the actual project and any  
25 anticipated future costs for financing the bond or borrowing  
26 measure.

27 Section 2. The amendment of section 201.1 of the act shall  
28 apply to elections occurring 60 days from the effective date of  
29 this section.

30 Section 3. This act shall take effect in 60 days.