
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1350 Session of
2011

INTRODUCED BY METCALFE, BAKER, COX, CREIGHTON, EVERETT, GABLER,
GEIST, GILLEN, GINGRICH, GROVE, HESS, KAUFFMAN, MALONEY,
METZGAR, MILLARD, MILLER, MOUL, PYLE, RAPP, READSHAW, ROAE,
ROCK, SONNEY AND SWANGER, APRIL 20, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 20, 2011

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," in nomination of candidates, further providing
12 for affidavits of candidates; and providing for affidavits of
13 candidates for President and Vice President of United States.

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

16 Section 1. Section 910 of the act of June 3, 1937 (P.L.1333,
17 No.320), known as the Pennsylvania Election Code, amended May
18 12, 2006 (P.L.178, No.45), is amended to read:

19 Section 910. Affidavits of Candidates.--Each candidate for
20 any State, county, city, borough, incorporated town, township,
21 ward, school district, poor district, election district, party
22 office, party delegate or alternate, or for the office of United

1 States Senator or Representative in Congress, shall file with
2 his nomination petition his affidavit stating--(a) his
3 residence, with street and number, if any, and his post-office
4 address; (b) his election district, giving city, borough, town
5 or township; (c) the name of the office for which he consents to
6 be a candidate; (d) that he is eligible for such office; (e)
7 that he will not knowingly violate any provision of this act, or
8 of any law regulating and limiting nomination and election
9 expenses and prohibiting corrupt practices in connection
10 therewith; (f) unless he is a candidate for judge of a court of
11 common pleas, the Philadelphia Municipal Court or the Traffic
12 Court of Philadelphia, or for the office of school director in a
13 district where that office is elective or for the office of
14 justice of the peace that he is not a candidate for nomination
15 for the same office of any party other than the one designated
16 in such petition; (g) if he is a candidate for a delegate, or
17 alternate delegate, member of State committee, National
18 committee or party officer, that he is a registered and enrolled
19 member of the designated party; (h) if he is a candidate for
20 delegate or alternate delegate the presidential candidate to
21 whom he is committed or the term "uncommitted"; (i) that he is
22 aware of the provisions of section 1626 of this act requiring
23 pre-election and post-election reporting of campaign
24 contributions and expenditures; and (j) that he is not a
25 candidate for an office which he already holds, the term of
26 which is not set to expire in the same year as the office
27 subject to the affidavit. In cases of petitions for delegate and
28 alternate delegate to National conventions, the candidate's
29 affidavit shall state that his signature to the delegate's
30 statement, as hereinafter set forth, if such statement is signed

1 by said candidate, was affixed to the sheet or sheets of said
2 petition prior to the circulation of same. [In the case of a
3 candidate for nomination as President of the United States, it
4 shall not be necessary for such candidate to file the affidavit
5 required in this section to be filed by candidates, but the
6 post-office address of such candidate shall be stated in such
7 nomination petition.] Each candidate who submits an affidavit
8 under this section shall append to the affidavit documentation
9 that provides proof that the candidate is a citizen of the
10 United States, proof of the candidate's age and proof that the
11 candidate meets the applicable residency requirements for the
12 office sought.

13 Section 2. The act is amended by adding a section to read:

14 Section 910.1. Affidavits of Candidates for President and
15 Vice President of the United States.--(a) Each candidate for
16 President of the United States shall file with his or her
17 nomination petition or substituted nomination certificate or the
18 applicable nomination paper an affidavit containing information
19 enumerated in section 910(a), (b), (c), (d), (e) and (f) and
20 shall append to the affidavit documentation that provides proof
21 that the candidate is a natural born citizen, proof of the
22 candidate's age and proof that the candidate meets the residency
23 requirements set forth in section 1 of Article II of the
24 Constitution of the United States.

25 (b) No later than the eighth Tuesday prior to the general
26 election in the year of the nomination of a President of the
27 United States, each candidate for Vice President of the United
28 States shall submit to the Secretary of the Commonwealth an
29 affidavit containing information enumerated in section 910(a),
30 (b), (c), (d), (e) and (f) and shall append to the affidavit

1 documentation that provides proof that the candidate is a
2 natural born citizen, proof of the candidate's age and proof
3 that the candidate meets the residency requirements set forth in
4 section 1 of Article II of the Constitution of the United
5 States.

6 Section 3. This act shall take effect in 90 days.