

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2007 Session of 2019

INTRODUCED BY RABB, SOLOMON, KINSEY, WEBSTER, SCHLOSSBERG,  
 CALTAGIRONE, KENYATTA, MADDEN, STURLA, ROZZI, HILL-EVANS AND  
 KEEFER, OCTOBER 29, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 29, 2019

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 elections districts and polling places,  
 12 further providing for equipment and arrangement of polling  
 13 places, guard rail, number of voting compartments of voting  
 14 machines; in nomination of candidates, further providing for  
 15 casting of lots for position of names upon the primary  
 16 ballots or ballot labels and notice to candidates; and, in  
 17 ballots, further providing for form of official primary  
 18 ballot.

19 The General Assembly of the Commonwealth of Pennsylvania  
 20 hereby enacts as follows:

21 Section 1. Section 530 of the act of June 3, 1937 (P.L.1333,  
 22 No.320), known as the Pennsylvania Election Code, is amended by  
 23 adding a subsection to read:

24 Section 530. Equipment and Arrangement of Polling Places;  
 25 Guard Rail; Number of Voting Compartments or Voting Machines.--

1 \* \* \*

2 (a.1) The position of candidate names for the same office on  
3 a ballot shall be randomized between polling places within an  
4 election district in accordance with section 915.

5 \* \* \*

6 Section 2. Sections 915 and 1002(b) and (c) of the act are  
7 amended to read:

8 Section 915. [Casting of Lots for] Randomized Position of  
9 Names Upon the Primary Ballots or Ballot Labels; Notice to  
10 Candidates.--Immediately after the last day fixed for filing of  
11 such nomination petitions with them, the Secretary of the  
12 Commonwealth or the county board, as the case may be, shall fix  
13 a day [for the casting of lots], in such manner as may be  
14 prescribed by the Secretary of the Commonwealth, or county  
15 board, as the case may be, for the randomized position of names  
16 upon the primary ballots or ballot labels[.] between polling  
17 places. The position of names within the same polling place  
18 shall be uniform. The Secretary of the Commonwealth shall give  
19 at least two (2) days notice by mail of said date to all  
20 candidates whose petitions have been received and filed in his  
21 office, and the county board shall give at least two (2) days  
22 notice of said date by posting thereof in a conspicuous place in  
23 its office, and by publication once in at least two newspapers  
24 of general circulation published in the county. All candidates  
25 may appear in person, or by agent duly authorized by letter of  
26 attorney, signed and acknowledged by an officer empowered to  
27 take acknowledgments. In the event of any of said candidates not  
28 being present in person or by representative at the time of  
29 [casting of lots] randomization, it shall be the duty of the  
30 Secretary of the Commonwealth or the county board, as the case

1 may be, to appoint some person to represent such absentee. After  
2 said [lots are cast] randomization, the Secretary of the  
3 Commonwealth or the county board, as the case may be, shall  
4 accordingly establish the order in which the names of said  
5 candidates are to appear upon the primary ballots or ballot  
6 labels for each polling place, and certify the same for placing  
7 upon the official primary ballots or ballot labels.

8 Section 1002. Form of Official Primary Ballot.--\* \* \*

9 (b) On the back of each ballot shall be printed in prominent  
10 type the words "OFFICIAL PRIMARY BALLOT OF .....PARTY FOR"  
11 followed by the designation of the election district for which  
12 it is prepared, the date of the primary and the facsimile  
13 signatures of the members of the county board of elections. The  
14 names of candidates shall in all cases be arranged under the  
15 title of the office for which they are candidates, and be  
16 printed thereunder in the order determined by [the casting of  
17 lots] randomization as provided by [this act] section 915. Under  
18 the title of such offices where more than one candidate is to be  
19 voted for, shall be printed "Vote for not more than ....."  
20 (the blank space to indicate the number of candidates to be  
21 voted for the particular office.) At the right of the name of  
22 each candidate there shall be a square of sufficient size for  
23 the convenient insertion of a cross (x) or check ( ) mark. There  
24 shall be left at the end of the list of candidates for each  
25 office (or under the title of the office itself in case there be  
26 no candidates who have filed nomination petitions therefor) as  
27 many blank spaces as there are persons to be voted for, for such  
28 office, in which space the elector may insert the name of any  
29 person whose name is not printed on the ballot as a candidate  
30 for such office. Opposite or under the name of each candidate,

1 except candidates for the office of President of the United  
2 States and candidates for delegate or alternate delegate to a  
3 National Party Convention, who is to be voted for by the  
4 electors of more than one county, shall be printed the name of  
5 the county in which such candidate resides; and opposite or  
6 under the name of each candidate except candidates for delegate  
7 or alternate delegate to a National Party Convention who is to  
8 be voted for by the electors of an entire county or any  
9 congressional, senatorial or representative district within the  
10 county, shall be printed the name of the city, borough, township  
11 or ward, as the case may be, in which such candidate resides.

12 (c) The ballot shall vary in form only as the names of  
13 districts, offices, candidates and the random position of  
14 candidate names or the provisions of this act may require.

15 \* \* \*

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