

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 464

Session of  
1979

INTRODUCED BY FREIND, SPITZ, MICOZZIE, ALDEN, GANNON, ARTY,  
EARLEY, DURHAM, F. J. LYNCH AND RYAN, MARCH 5, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 5, 1979

AN ACT

1 Amending the act of April 29, 1937 (P.L.487, No.115), entitled,  
2 as amended, "An act to provide for the permanent personal  
3 registration of electors in cities of the second class,  
4 cities of the second class A, cities of the third class,  
5 boroughs, towns, and townships as a condition of their right  
6 to vote at elections and primaries, and their enrollment as  
7 members of political parties as a further condition of their  
8 right to vote at primaries; prescribing certain procedure for  
9 the conduct of elections and primaries and the challenge and  
10 proof of qualifications of electors; requiring the county  
11 commissioners of the various counties to act as a  
12 registration commission therefor; and prescribing the powers  
13 and duties of citizens, parties, political bodies,  
14 registration commissions, commissioners, registrars,  
15 inspectors of registration and other appointees of  
16 registration commissions, county election boards, election  
17 officers, municipal officers, departments and bureaus, police  
18 officers, courts, judges, prothonotaries, sheriffs, county  
19 commissioners, peace officers, county treasurers, county  
20 controllers, registrars of vital statistics, certain public  
21 utility corporations, real estate brokers, rental agents, and  
22 boards of school directors; and imposing penalties," further  
23 providing for enrollment in political parties.

24 The General Assembly of the Commonwealth of Pennsylvania  
25 hereby enacts as follows:

26 Section 1. Subsection (e) of section 20 and subsection (b)  
27 of section 28, act of April 29, 1937 (P.L.487, No.115), known as  
28 "The Permanent Registration Act for Cities of the Second Class,"

1 reenacted and amended May 31, 1955 (P.L.62, No.32), are amended  
2 to read:

3 Section 20. Applicants to Register May Be Challenged;  
4 Procedure; Challenge Affidavit.--\* \* \*

5 [(e) Any person making application to be enrolled as a  
6 member of a political party for the purpose of voting at  
7 primaries may be challenged by any qualified elector of the  
8 county. Any person so challenged shall be enrolled as a member  
9 of such party if he shall make and subscribe to an affidavit  
10 that, at the last election at which he voted, he voted for a  
11 majority of the candidates of such party, all of the candidates  
12 of a party for presidential elector being counted as two  
13 candidates; but if he is unable or unwilling to make such  
14 affidavit, he shall be denied enrollment as a member of such  
15 party, but he shall not be deemed to be guilty of any violation  
16 or attempted violation of any law by reason thereof.]

17 Section 28. Change of Enrollment of Political Party;  
18 Cancellation of Party Enrollment; Persons Suffering Disability  
19 After Registration to Have Fact Recorded; Cancellation.--

20 \* \* \*

21 [(b) At any time not later than the tenth day preceding any  
22 primary, any qualified elector of the city of the second class,  
23 city of the second class A, city of the third class, borough,  
24 town or township, including any watcher, may petition the  
25 commission to cancel the party enrollment of any registered  
26 elector of such city of the second class, city of the second  
27 class A, city of the third class, borough, town or township who  
28 has previously enrolled as a member of a party for the purpose  
29 of voting at primary elections, setting forth, under oath, that  
30 he believes that such elector is no longer a member of the party

1 with which he has been enrolled, and also setting forth that due  
2 notice of the time and place when said petition would be  
3 presented had been given to the person so registered, at least  
4 twenty-four hours prior to presentation of the same, by  
5 delivering a copy of the petition to him personally or by  
6 leaving it with an adult member of the family with which he  
7 resides. If, at the hearing of any such petition, the elector  
8 against whom the petition is filed appears and swears or affirms  
9 that, at the last general or municipal election at which he  
10 voted, he voted for a majority of the candidates of the party  
11 with which he is enrolled at the time of said hearing, all of  
12 the candidates of a party for presidential elector being counted  
13 as two candidates, the petition shall be refused, otherwise, the  
14 party enrollment of such elector shall be forthwith cancelled.]

15 \* \* \*

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