AN ACT

Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
"An act concerning elections, including general, municipal,
special and primary elections, the nomination of candidates,
primary and election expenses and election contests; creating
and defining membership of county boards of elections;
imposing duties upon the Secretary of the Commonwealth,
courts, county boards of elections, county commissioners;
imposing penalties for violation of the act, and codifying,
revising and consolidating the laws relating thereto; and
repealing certain acts and parts of acts relating to
elections," in provisions relating to the Secretary of the
Commonwealth, further providing for powers and duties of the
Secretary of the Commonwealth and for explanation of ballot
question; and, in ballots, further providing for form of
official election ballot.

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

Section 1. Section 201 of the act of June 3, 1937 (P.L.1333,
No.320), known as the Pennsylvania Election Code, is amended by
adding a subsection to read:

Section 201. Powers and Duties of the Secretary of the
Commonwealth.--The Secretary of the Commonwealth shall exercise
in the manner provided by this act all powers granted to him by
this act, and shall perform all the duties imposed upon him by
this act, which shall include the following:

* * *

(c.1) To certify to county boards of elections the
information contained in fiscal notes received from the Office
of the Budget under section 201.1(b).

* * *

Section 2. Section 201.1 of the act, added February 19, 1986
(P.L.29, No.11), is amended to read:

Section 201.1. Explanation of Ballot Question.--(a)
Whenever a proposed constitutional amendment or other State-wide
ballot question shall be submitted to the electors of the
Commonwealth in referendum, the Attorney General shall prepare a
statement in plain English which indicates the purpose,
limitations and effects of the ballot question on the people of
the Commonwealth. The Secretary of the Commonwealth shall
include such statement in his publication of a proposed
constitutional amendment as required by Article XI of the
Constitution of Pennsylvania. The Secretary of the Commonwealth
shall certify such statement to the county boards of elections
who shall publish such statement as a part of the notice of
elections required by section 1201 or any other provision of
this act. The county board of elections shall also require that
at least three copies of such statement be posted in or about
the voting room outside the enclosed space with the specimen
ballots and other instructions and notices of penalties. In
election questions which affect only one county or portion
thereof, the county board of elections shall fulfill these
requirements in the place of the Attorney General and the
Secretary of the Commonwealth.

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(b) (1) In addition to the requirements of subsection (a), whenever a Statewide ballot question shall be submitted to the electors of the Commonwealth in referendum for the issuance of debt, the Office of the Budget shall prepare a fiscal note in plain English, which includes a detailed description of the project that may be funded by the debt, the total costs for the project, the anticipated interest costs over the term of the debt and any anticipated future costs for issuing the debt. The fiscal note shall specify that the estimated costs of borrowing are relevant within the period of time indicated by the Office of the Budget. The Office of the Budget shall submit the fiscal note to the Secretary of the Commonwealth, and the Secretary of the Commonwealth shall certify the fiscal note to the county boards of elections, who shall publish the fiscal note as a part of the notice of elections required by section 1201 or any other provision of this act. The county boards of elections shall also require that at least three copies of the fiscal note be posted in or about the voting room outside the enclosed space with the specimen ballots and other instructions and notices of penalties.

(2) In election questions for the issuance of debt that affects only one county, city, borough, township, school district or other political subdivision or incorporated district contained in any county, the governing body of the local government unit shall originate the fiscal note, which shall include the description of the project that may be funded by the debt, the total costs for the project, the anticipated interest costs over the term of the debt and any anticipated future costs for issuing the debt. The fiscal note shall specify that the approximate costs of borrowing are relevant within the period of...
time indicated in the information of the governing body that is seeking to acquire the electorate-approved debt. The governing body of the local government unit shall submit the ballot question and fiscal note to the county board of election and shall publish the fiscal note as a part of the notice of elections required by section 1201 or any other provision of this act. The county board of elections shall also require that at least three copies of the fiscal note be posted in or about the voting room outside the enclosed space with the specimen ballots and other instructions and notices of penalties.

Section 3. Section 1003(g) of the act, amended April 24, 1947 (P.L.68, No.33), is amended to read:

Section 1003. Form of Official Election Ballot.--

* * *

(g) The official ballots shall vary in form only as the names of districts, offices, candidates or the provisions of this act may require. When constitutional amendments or other questions, including fiscal notes prepared by the Office of the Budget or local government unit under section 201.1(b), are submitted to a vote of the electors, each amendment or other question, including fiscal notes, so submitted may be printed upon the ballot below the groups of candidates for the various offices, and, when required by law, shall be so printed. Constitutional amendments so submitted shall be printed in brief form, to be determined by the Secretary of the Commonwealth, and other questions, including fiscal notes, so submitted shall be printed in brief form, to be determined by the Secretary of the Commonwealth in the case of questions to be voted on by the electors of the State at large, and by the county boards in other cases. To the right of each question there shall be placed
the words "yes" and "no," together with appropriate squares to
the right of each for the convenient insertion of a cross mark.

Section 4. This act shall apply to elections occurring at
least 60 days after the effective date of this section.

Section 5. This act shall take effect in 60 days.