

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2154 Session of  
1995

INTRODUCED BY HANNA, MASLAND, BATTISTO, VAN HORNE, CARONE,  
COLAIZZO, MERRY, YOUNGBLOOD, STEELMAN, RAYMOND, PLATTS,  
TULLI, STEIL AND BOSCOLA, OCTOBER 25, 1995

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 25, 1995

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," providing for nonpartisan school board elections.

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

14 Section 1. The act of June 3, 1937 (P.L.1333, No.320), known  
15 as the Pennsylvania Election Code, is amended by adding an  
16 article to read:

17 ARTICLE IX-A

18 Nonpartisan School Board Elections

19 Section 901-A. Nomination of School Board Candidates.--(a)  
20 Notwithstanding any provisions in this act to the contrary,  
21 candidates for school board offices to be filled at the ensuing  
22 November election pursuant to section 903 in accordance with the

1 requirements set forth in this section.

2 (b) All nomination petitions circulated and filed pursuant  
3 to this section shall specify:

4 (1) that the candidate is running for a nonpartisan office;

5 (2) the name of the candidate nominated therein, his  
6 profession, business or occupation, if any, and his place of  
7 residence with street and number, if any; and

8 (3) the office, including the political district, that the  
9 candidate is seeking. No words shall be used in the petition to  
10 designate the name or appellation of any political party.

11 (c) Each signer of a nomination petition shall sign but one  
12 such petition for each office to be filled: Provided, however,  
13 That where there are to be elected two or more persons to the  
14 same office, each signer may sign petitions for as many  
15 candidates for such office as, and no more than, the signer  
16 could vote for at the succeeding election. The signer shall  
17 declare therein that he is a registered and qualified elector of  
18 the political district therein in which the election is to be  
19 held. The signer shall add his occupation and residence, giving  
20 city, borough or township, with street and number, if any, and  
21 shall add also the date of signing, expressed in words and  
22 numbers: Provided, however, That if the said political district  
23 named in the petition lies wholly within any city, borough or  
24 township, or is coextensive with same, it shall not be necessary  
25 for any signer of a nomination petition to state therein the  
26 city, borough or township of his residence. No nomination  
27 petition shall be circulated prior to the thirteenth Tuesday  
28 before the primary, and no signature shall be counted unless it  
29 bears a date affixed not earlier than the thirteenth Tuesday nor  
30 later than the tenth Tuesday prior to the primary.

1     (d) Each person filing any nomination paper under this  
2     section shall be given a statement composed by the Secretary of  
3     the Commonwealth setting forth his duties under law to file pre-  
4     election and post-election campaign finance reports and the  
5     penalties for nonfiling. Each person filing any nomination  
6     petition for public office shall be given a form to file  
7     expenses if the amount received or expended or liabilities  
8     incurred shall exceed the sum of two hundred fifty dollars  
9     (\$250), and a form containing a sworn statement that the amount  
10    received or expended or the liabilities incurred do not exceed  
11    the sum of two hundred fifty dollars (\$250), with written  
12    instructions prepared by the Secretary of the Commonwealth.  
13    Within three weeks after such candidate has filed, the  
14    appropriate supervisor shall mail the same forms and  
15    instructions to such candidate by first class mail.

16    (e) Nomination petitions for candidates under this section  
17    shall be filed with the county boards of election of the  
18    respective counties. Nomination petitions for candidates for any  
19    office to be voted upon by the electors of any school district  
20    which is situated in two or more counties shall be filed with  
21    the county board of elections of the county in which the major  
22    number of the registered electors of such school district  
23    reside. Immediately after the last day for such candidates to  
24    withdraw and after they have cast lots for their position on the  
25    ballots or ballot labels, the county board of elections shall  
26    certify to the county board of elections of each other county  
27    involved a list of the names, addresses and occupations of the  
28    candidates so filing nomination petitions, together with the  
29    order in which their names are to appear upon the ballots or  
30    ballot labels, and such other county board of elections shall

1 prepare the ballots or ballot labels to be used in the portion  
2 of such school district situate in such county accordingly.

3 (f) The two candidates who receive pluralities of the votes  
4 in their political district at the primary election shall be the  
5 candidates for their respective office: Provided, however, That  
6 where there are to be elected two or more persons to the same  
7 office, the number of candidates who may be elected plus one  
8 additional candidate shall be the candidates for their  
9 respective offices.

10 Section 902-A. Party Affiliation Not Designated.--No party  
11 affiliation shall be noted in the ballot or ballot labels in the  
12 primary or general election for school board candidates.

13 Section 903-A. Election to School Board Offices.--The  
14 candidates who receive the pluralities of the votes in their  
15 political districts at the general election shall be elected to  
16 their respective offices.

17 Section 904-A. Regulations.--The Department of State shall  
18 promulgate all necessary regulations to enforce and administer  
19 this article.

20 Section 2. All acts and parts of acts are repealed insofar  
21 as they are inconsistent with this act.

22 Section 3. This act shall take effect in one year.