

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 392

Session of
1987

INTRODUCED BY OLIVER, RYBAK, HARPER, DEAL, ACOSTA, ROEBUCK AND
RICHARDSON, FEBRUARY 23, 1987

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, DECEMBER 7, 1987

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," further providing penalties for certain
12 candidates who file false affidavits.

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

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

18 Section 1802.1. False Affidavits of Candidates.--Any
19 candidate for State, county, city, borough, incorporated town,
20 township or school district office or for the office of United
21 States Senator or Representative in Congress, OR ANY OTHER <—
22 ELECTIVE PUBLIC OFFICE, who has been found to have filed a false <—

1 ~~affidavit with regard to his qualifications~~ KNOWINGLY MAKES A <—
2 ~~FALSE STATEMENT REGARDING HIS ELIGIBILITY OR QUALIFICATIONS FOR~~
3 ~~SUCH OFFICE IN HIS CANDIDATE'S AFFIDAVIT shall be guilty of a~~ <—
4 ~~misdemeanor of the second degree, and, upon conviction thereof,~~
5 ~~shall be sentenced to pay a fine not exceeding five thousand~~
6 ~~(\$5,000) FIVE HUNDRED (\$500) dollars, or to undergo an~~ <—
7 ~~imprisonment of not more than two (2) years, or both AT THE~~ <—
8 ~~DISCRETION OF THE COURT., IN LITIGATION WHICH RESULTS IN THE~~ <—
9 ~~REMOVAL OF THE CANDIDATE FROM THE BALLOT, BE LIABLE FOR COURT~~
10 ~~COSTS, INCLUDING FILING FEES, ATTORNEY FEES, INVESTIGATION FEES~~
11 ~~AND SIMILAR COSTS, IN AN AMOUNT UP TO TEN THOUSAND (\$10,000)~~
12 ~~DOLLARS.~~

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