
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 67

Session of
1989

INTRODUCED BY PRESTON, ROBINSON AND GIGLIOTTI, JANUARY 23, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 7, 1989

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 for the creation of new~~ <—
12 ~~election districts;~~ providing for the number of signers for
13 the nomination petition for the office of district council
14 member in a city of the second class and providing for the
15 fee for filing the petition; and further providing for
16 assistance in voting.

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

19 ~~Section 1. Section 502 of the act of June 3, 1937 (P.L.1333,~~ <—
20 ~~No.320), known as the Pennsylvania Election Code, amended~~
21 ~~February 19, 1986 (P.L.29, No.11), is amended to read:~~

22 ~~Section 502. Court to Create New Election Districts.—~~

23 ~~Subject to the provisions of section 501 of this act, the court~~
24 ~~of common pleas of the county in which the same are located, may~~

~~1 form or create new election districts by dividing or redividing
2 any borough, township, ward or election district into two or
3 more election districts of compact and contiguous territory,
4 having boundaries with clearly visible physical features and
5 wholly contained within any larger district from which any
6 Federal, State, county, municipal or school district officers
7 are elected, or alter the bounds of any election district, or
8 form an election district out of two or more adjacent districts
9 or parts of districts, or consolidate adjoining election
10 districts or form an election district out of two or more
11 adjacent wards, so as to suit the convenience of the electors
12 and to promote the public interests: Provided, however, That a
13 vacancy in the office of district committeeperson which is
14 created as a result of the partial or total redistricting of a
15 county of the second class shall be filled by election at the
16 next regular general primary election following the creation of
17 the vacancy by the redistricting and may not be filled,
18 temporarily or otherwise, by appointment. Election districts so
19 formed shall contain between six hundred (600) and eight hundred
20 (800) registered electors as nearly as may be. No election
21 district shall be formed that shall contain less than one
22 hundred (100) registered electors. When a school district
23 crosses county lines, the regions of the school district shall
24 be composed of contiguous election districts.~~

25 Section 2 1. Sections 912.1 and 913(b.1) of the act OF JUNE <—
26 3, 1937 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION
27 CODE, added December 12, 1984 (P.L.968, No.190), are amended to
28 read:

29 Section 912.1. Number of Signers Required for Nomination
30 Petitions of Candidates at Primaries.--Candidates for nomination

1 of offices as listed below shall present a nominating petition
2 containing at least as many valid signatures of registered and
3 enrolled members of the proper party as listed below:

4 (1) President of the United States: Two thousand.

5 (2) United States Senate: Two thousand.

6 (3) Governor: Two thousand including at least one hundred
7 from each of at least ten counties.

8 (4) Lieutenant Governor: One thousand including at least one
9 hundred from each of at least five counties.

10 (5) Treasurer: One thousand including at least one hundred
11 from each of at least five counties.

12 (6) Auditor General: One thousand including at least one
13 hundred from each of at least five counties.

14 (7) Attorney General: One thousand including at least one
15 hundred from each of at least five counties.

16 (8) Justice of the Supreme Court: One thousand including at
17 least one hundred from each of at least five counties.

18 (9) Judge of the Superior Court: One thousand including at
19 least one hundred from each of at least five counties.

20 (10) Judge of the Commonwealth Court: One thousand including
21 at least one hundred from each of at least five counties.

22 (11) For any other office to be filled by the vote of the
23 electors of the State at large or for any other party office to
24 be elected by the electors of the State at large: One thousand
25 including at least one hundred from each of at least five
26 counties.

27 (12) Representative in Congress: One thousand.

28 (13) Senator in the General Assembly: Five hundred.

29 (14) Representative in the General Assembly: Three hundred.

30 (15) Public or party offices to be filled by a vote of the

1 electors in counties of the first class at large: One thousand.

2 (16) Public or party offices to be filled by a vote of the
3 electors in counties of the second class at large: Five hundred.

4 (17) Public or party offices to be filled by a vote of the
5 electors in cities of the first class at large: One thousand.

6 (18) Public or party offices to be filled by a vote of the
7 electors in counties of the second class A at large: Two hundred
8 fifty.

9 (19) Public or party offices to be filled by a vote of the
10 electors in counties of the third class at large: Two hundred
11 fifty.

12 (20) Public or party offices to be filled by a vote of the
13 electors in counties of the fourth class at large: Two hundred
14 fifty.

15 (21) Public or party offices to be filled by a vote of the
16 electors in cities of the second class at large: Two hundred
17 fifty.

18 (22) Public or party offices to be filled by a vote of the
19 electors in cities of the second class A at large: One hundred.

20 (23) Public or party offices to be filled by a vote of the
21 electors in cities of the third class at large: One hundred.

22 (24) Public or party offices to be filled by a vote of the
23 electors in counties of the fifth class at large: One hundred.

24 (25) Public or party offices to be filled by a vote of the
25 electors in counties of the sixth class at large: One hundred.

26 (26) Public or party offices to be filled by a vote of the
27 electors in counties of the seventh class at large: One hundred.

28 (27) Public or party offices to be filled by a vote of the
29 electors in counties of the eighth class at large: One hundred.

30 (28) Office of judge of any court of record other than a

1 Statewide court or a court in a county of the first or second
2 class: Two hundred fifty.

3 (29) District delegate or alternate district delegate to a
4 National party convention: Two hundred fifty.

5 (30) Member of State committee: One hundred.

6 (31) Office of district council member in a city of the
7 first class: Seven hundred fifty.

8 (31.1) Office of district council member in a city of the
9 second class: One hundred.

10 (32) Office of district justice: One hundred.

11 (33) Office of judge of election: Ten.

12 (34) Inspector of elections: Five.

13 (35) All other public and party offices: Ten.

14 Section 913. Place and Time of Filing Nomination Petitions;
15 Filing Fees.--* * *

16 (b.1) Each person filing any nomination petition shall pay
17 for each petition, at the time of filing, a filing fee to be
18 determined as follows, and no nomination petition shall be
19 accepted or filed, unless and until such filing fee is paid by a
20 certified check or money order or also by cash when filed with
21 the county board. All moneys paid on account of filing fees
22 shall be transmitted by the county board to the county treasurer
23 and shall become part of the General Fund. Certified checks or
24 money orders in payment of filing fees shall be made payable to
25 the Commonwealth of Pennsylvania or to the county, as the case
26 may be, and shall be transmitted to the State Treasurer or to
27 the county treasurer and shall become part of the General Fund.

28 1. If for the office of President of the United States, or
29 for any public office to be filled by the electors of the State
30 at large, the sum of two hundred dollars (\$200.00).

1 2. If for the office of Representative in Congress, the sum
2 of one hundred fifty dollars (\$150.00).

3 3. If for the office of judge of a court of record,
4 excepting judges to be voted for by the electors of the State at
5 large, the sum of one hundred dollars (\$100.00).

6 4. If for the offices of Senator or Representative in the
7 General Assembly, for any office to be filled by the electors of
8 an entire county, for the office of district councilman in a
9 city of the first ~~or second~~ class and for any office to be <—
10 filled by the electors of an entire city other than school
11 district office, the sum of one hundred dollars (\$100.00).

12 5. If for any borough, town, or township of the first class,
13 not otherwise provided for, the sum of five dollars (\$5.00).

14 6. If for the office of delegate or alternate delegate to
15 National party convention, or member of National committee or
16 member of State committee, the sum of twenty-five dollars
17 (\$25.00).

18 7. If for the office of constable, the sum of ten dollars
19 (\$10.00).

20 8. If for the office of DISTRICT COUNCILMAN IN A CITY OF THE <—
21 SECOND CLASS OR THE OFFICE OF district justice, the sum of fifty
22 dollars (\$50.00).

23 * * *

24 Section 3 2. Section 1218(a) and (b) of the act are amended <—
25 to read:

26 Section 1218. Assistance in Voting.--

27 (a) No voter shall be permitted to receive any assistance in
28 voting at any primary or election, unless there is recorded upon
29 his registration card his declaration that, [because of
30 illiteracy] by reason of blindness, disability, or inability to

1 read or write, he is unable to read the names on the ballot or
2 on the voting machine labels, or that he has a physical
3 disability which renders him unable to see or mark the ballot or
4 operate the voting machine, or to enter the voting compartment
5 or voting machine booth without assistance, the exact nature of
6 such [disability] condition being recorded on such registration
7 card, and unless the election officers are satisfied that he
8 still suffers from the same [disability] condition. [Before he
9 shall be permitted to receive assistance, such voter shall state
10 distinctly and audibly under oath or affirmation, which shall be
11 administered to him by the judge of election, the reason why he
12 requires assistance.]

13 (b) Any elector who is entitled to receive assistance in
14 voting under the provisions of this section shall be permitted
15 by the judge of election to select a [registered elector of the
16 election district] person of the elector's choice to enter the
17 voting compartment or voting machine booth with him to assist
18 him in voting, such assistance to be rendered inside the voting
19 compartment or voting machine booth except that the elector's
20 employer or an agent of the employer or an officer or agent of
21 the elector's union shall not be eligible to assist the elector.

22 * * *

23 ~~Section 4. (a) Section 1 (section 502) of this act shall be~~ <—
24 ~~retroactive to March 27, 1987.~~

25 ~~(b) Section 2 (sections 912.1 and 913(b.1)) of this act~~
26 ~~shall be retroactive to February 13, 1989, if enacted after that~~
27 ~~date.~~

28 Section 5 3. This act shall take effect immediately. <—