

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 33 Session of 2009

INTRODUCED BY PILEGGI, SCARNATI, MELLOW, ALLOWAY, ORIE,
RAFFERTY, FERLO, FOLMER, ROBBINS, O'PAKE, TARTAGLIONE, EARLL,
KASUNIC, TOMLINSON, PICCOLA, McILHINNEY, STACK AND PIPPY,
JANUARY 20, 2009

REFERRED TO STATE GOVERNMENT, JANUARY 20, 2009

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 restrictions on alteration
12 of boundaries of election districts.

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

15 Section 1. Section 536 of the act of June 3, 1937 (P.L.1333,
16 No.320), known as the Pennsylvania Election Code, amended May
17 16, 2002 (P.L.310, No.44), is amended to read:

18 Section 536. Restrictions on Alteration.--(a) Except as
19 provided in subsection (b), there shall be no power to
20 establish, abolish, divide, consolidate or alter in any manner
21 an election district during the period [June 1, 2000] June 1,
22 2009, through [June 30, 2002] November 30, 2012, or through

1 resolution of all judicial appeals to the [2002] 2012
2 Congressional [Reapportionment] Redistricting Plan, whichever
3 occurs later.

4 (b) During the period from [June 1, 2000] June 1, 2009,
5 through December 31, [2000] 2010, an election district may be
6 divided or election districts may be combined if the following
7 are met:

8 (1) In the case of the division of an election district, the
9 boundary of each resulting district is composed entirely of
10 clearly visible physical features conforming with the census
11 block lines or portions of the original boundary of the election
12 district which was divided.

13 (2) In the case of the combination of election districts,
14 the boundary of each resulting district is composed entirely of
15 portions of the original boundaries of the election districts
16 which were combined.

17 (c) If an alteration of an election district under
18 subsection (b) is sought, the following shall apply:

19 (1) The county board of elections shall notify the [bureau]
20 secretary, in writing, of the proposed alteration. The notice
21 shall include a map and a description of the proposed boundary
22 of any new or altered district or districts. The [bureau]
23 secretary shall forward a copy of any notice of proposed
24 alteration to the Legislative Data Processing Center within
25 seven (7) days of receipt.

26 (2) Before a county board of elections may petition the
27 court for a change in the boundary of an election district under
28 this [act] section, the secretary must make a determination that
29 the board has complied with subsection (b). Any of the following
30 constitute evidence of the determination under this clause:

1 (i) A certification by the secretary that the determination
2 has been made.

3 (ii) A certification by the board that notice under this
4 clause has been given to the [bureau] secretary and that the
5 secretary has not acted within forty-five (45) days of the
6 notice.

7 (3) The board shall forward a copy of the order approving
8 any alteration to the secretary and the Legislative Data
9 Processing Center within seven (7) days of the issuance of that
10 order.

11 Section 2. This act shall take effect immediately.