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, PIPPY, LOGAN,
    YAW, WARD, WASHINGTON, BOSCOLA AND D. WHITE, JANUARY 20, 2009

AS AMENDED ON SECOND CONSIDERATION, MAY 4, 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. TO FACILITATE EFFECTIVE REAPPORTIONMENT AND   ←

12 REDISTRICTING PROCESSES FOLLOWING THE 2010 UNITED STATES CENSUS,

13 NO LATER THAN AUGUST 15, 2009, THE SECRETARY OF THE COMMONWEALTH

14 SHALL SUBMIT TO THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU

15 OF THE CENSUS, ANY CORRECTIONS TO MUNICIPAL BOUNDARIES AND

16 ELECTION DISTRICT BOUNDARIES AS DEPICTED ON THE MAPS MAINTAINED

17 BY THE BUREAU WHICH MAY BE NECESSARY TO CONFORM THE BOUNDARIES

18 TO THE OFFICIAL MUNICIPAL BOUNDARIES AND ELECTION DISTRICT

19 BOUNDARIES OF THE COMMONWEALTH. IF THE SECRETARY OF THE

20 COMMONWEALTH DETERMINES THAT NO CORRECTIONS ARE NECESSARY, THE

21 SECRETARY SHALL SO NOTIFY THE MAJORITY LEADER AND THE MINORITY

22 LEADER OF THE SENATE AND THE MAJORITY LEADER AND THE MINORITY

23 LEADER OF THE HOUSE OF REPRESENTATIVES.

24   Section 2 3. This act shall take effect immediately.   ←