

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 633 Session of  
2019

---

INTRODUCED BY M. K. KELLER, BRIGGS, BERNSTINE, DUNBAR, KEEFER,  
MACKENZIE, MULLERY, MURT, NEILSON, PICKETT, ROTHMAN, RYAN,  
SCHLOSSBERG, SIMMONS, SNYDER, TOOHL, EVERETT, POLINCHOCK,  
ZABEL, SCHWEYER, SCHMITT, DeLISSIO, VITALI, KENYATTA, FARRY  
AND CIRESI, FEBRUARY 28, 2019

---

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 28, 2019

---

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," in primary and election expenses, further  
12 providing for reporting by candidate and political committees  
13 and other persons, for late contributions and independent  
14 expenditures, for place of filing and for additional powers  
15 and duties of the Secretary of the Commonwealth.

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

18 Section 1. Section 1626 of the act of June 3, 1937  
19 (P.L.1333, No.320), known as the Pennsylvania Election Code, is  
20 amended by adding a subsection to read:

21 Section 1626. Reporting by Candidate and Political  
22 Committees and other Persons.--

23 \* \* \*

1 (k) (1) All campaign finance reports required to be filed  
2 with the Secretary of the Commonwealth shall be filed  
3 electronically using the electronic filing system developed by  
4 the Secretary of the Commonwealth that is consistent with the  
5 purposes of this subsection. A campaign finance report submitted  
6 electronically shall:

7 (i) be made under oath or equivalent affirmation;

8 (ii) require an electronic signature from the treasurer or  
9 assistant treasurer at the time of the filing of the campaign  
10 finance report. In addition, a report filed by a political  
11 committee, authorized by a candidate and created solely for the  
12 purpose of influencing an election on behalf of that candidate  
13 must be signed, using an electronic signature, under oath or  
14 equivalent affirmation by the candidate that, to the best of the  
15 candidate's knowledge, the political committee has not violated  
16 any provision of this act; and

17 (iii) be made subject to the penalties for perjury.

18 (2) A candidate or political committee not able to file  
19 electronically the report or statement required by this  
20 subsection shall request an exemption from the Secretary of the  
21 Commonwealth. The candidate or political committee upon approval  
22 of the Secretary of the Commonwealth shall file reports and  
23 statements on forms developed by the Secretary of the  
24 Commonwealth.

25 Section 2. Sections 1628, 1631 and 1640 of the act are  
26 amended to read:

27 Section 1628. Late Contributions and Independent  
28 Expenditures.--Any candidate or political committee, authorized  
29 by a candidate and created solely for the purpose of influencing  
30 an election on behalf of that candidate, which receives any

1 contribution or pledge of five hundred dollars (\$500) or more,  
2 and any person making an independent expenditure, as defined by  
3 this act, of five hundred dollars (\$500) or more after the final  
4 pre-election report has been deemed completed shall report such  
5 contribution, pledge or expenditure to the appropriate  
6 supervisor. Such report shall be sent by the candidate, chairman  
7 or treasurer of the political committee within twenty-four (24)  
8 hours of receipt of the contribution. It shall be the duty of  
9 the supervisor to confirm the substance of such report. The  
10 report shall be filed electronically in a manner prescribed by  
11 the Secretary of the Commonwealth. The report shall be made by  
12 telegram, mailgram, overnight mail or facsimile transmission.  
13 Any candidate in his own behalf, or chairman, treasurer or  
14 candidate in behalf of the political committee may also comply  
15 with this section by appearing personally before such supervisor  
16 and reporting such late contributions or pledges.

17 Section 1631. Place of Filing.--

18 Any statement or report required by this article to be filed,  
19 shall be done in the following manner:

20 (1) (i) Any candidate, individual, or committee required to  
21 file a report concerning any candidate shall file that statement  
22 or report in the office of the supervisor with whom the  
23 candidate filed a nomination paper, nomination certificate,  
24 nomination petitions or with the supervisor with whom the  
25 candidate would have filed such if he had sought nomination in  
26 that manner.

27 [(ii) All candidates and political committees, authorized by  
28 candidates and created solely for the purpose of influencing the  
29 election of such candidates, who must file reports with the  
30 Secretary of the Commonwealth, shall also file copies of their

1 reports in the county in which the candidate resides.]

2 (2) (i) Any statement or report concerning an issue to be  
3 voted on by the electors of the State at large shall be filed  
4 with the Secretary of the Commonwealth.

5 (ii) Any statement or report concerning any other issue to  
6 be voted on by the electors of this Commonwealth shall be filed  
7 in the county wherein the electors reside.

8 (3) However, if any report of any political committee  
9 concerns both candidates who file for nomination with the  
10 Secretary of the Commonwealth and candidates who file with a  
11 county board of elections, then such report shall be filed with  
12 the Secretary of the Commonwealth.

13 Section 1640. Additional Powers and Duties of the Secretary  
14 of the Commonwealth.--The Secretary of the Commonwealth shall  
15 have the following additional powers and duties:

16 (1) To serve as the State clearing house for information  
17 concerning the administration of this act.

18 (2) To prescribe suitable rules and regulations to carry out  
19 the provisions of this act.

20 (3) To develop the prescribed forms required by the  
21 provisions of this article for the making of the reports and  
22 statements required to be filed with the supervisor.

23 (4) To prepare a manual setting forth recommended uniform  
24 methods of bookkeeping and reporting which shall be furnished by  
25 the supervisor to the person required to file such reports and  
26 statements as required by this article.

27 (5) To examine the contributions to State legislative and  
28 Statewide candidates and publish a list of all those political  
29 committees who have contributed to candidates and who have  
30 failed to file reports as required by this act within six (6)

1 days of their failure to comply.

2 (6) To maintain a searchable computer database and  
3 electronic reporting system that shall contain all information  
4 necessary for the proper administration of this article,  
5 including information on contributions and expenditures by all  
6 candidates and all political committees and distribution of  
7 moneys, and including public access through a personal computer  
8 and the Internet. The database shall be designed with an  
9 emergency recovery system to ensure that campaign expense  
10 records are not lost in the case of an emergency, natural  
11 disaster or other event that could cause the system to  
12 malfunction.

13 (7) To establish a training program on the electronic  
14 reporting system and make it available to any candidate or  
15 committee.

16 (8) To cause all information contained in such a statement  
17 filed with the Secretary of the Commonwealth, which is not on  
18 the electronic reporting system, to be entered into the system  
19 as soon as practicable, but not later than four (4) business  
20 days after its receipt by the Secretary of the Commonwealth.

21 (9) The department shall issue to the registrant an  
22 electronic receipt that includes a confirmation number and the  
23 date and time of filing.

24 Section 3. This act shall apply to reports filed with the  
25 Secretary of the Commonwealth on and after the effective date of  
26 this section.

27 Section 4. This act shall take effect in 60 days.