
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 417 Session of
2019

INTRODUCED BY MARTIN, FOLMER, SCHWANK, KILLION, STEFANO, ARGALL,
BARTOLOTTA, COSTA, K. WARD, GORDNER, BROWNE AND BREWSTER,
MARCH 19, 2019

REFERRED TO STATE GOVERNMENT, MARCH 19, 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 party organization, further providing for who
12 shall be declared elected members of national or State
13 committee and party offices; and, in returns of primaries and
14 elections, further providing for manner of computing
15 irregular ballots.

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

18 Section 1. Sections 810 and 1405 of the act of June 3, 1937
19 (P.L.1333, No.320), known as the Pennsylvania Election Code, are
20 amended to read:

21 Section 810. Who Shall Be Declared Elected Members of
22 National or State Committee and Party Offices.--Candidates of
23 the various political parties for the office of member of the
24 State committee, or for the office of member of the National

1 committee, in cases where the rules of the party provide that
2 such office shall be filled by a vote of the party electors, who
3 receive a plurality of the votes of the party electors at a
4 primary, shall, except as provided under section 1405, be the
5 duly elected members of the State or National committee, as the
6 case may be, of their respective parties. Candidates for other
7 party offices, who receive a plurality of the votes of the party
8 electors at a primary, shall, except as provided under section
9 1405, be the party officers of their respective parties.

10 Section 1405. Manner of Computing Irregular Ballots.--The
11 county board, in computing the votes cast at any primary or
12 election, shall compute and certify votes cast on irregular
13 ballots exactly as such names were written, stamped, affixed to
14 the ballot by sticker, or deposited or affixed in or on
15 receptacles for that purpose, and as they have been so returned
16 by the election officers. In the primary or election the
17 Secretary of the Commonwealth shall not certify the votes cast
18 on irregular ballots for any person for a National office
19 including that of the President of the United States, United
20 States Senator and Representative in Congress; or for any State
21 office including that of Governor and Lieutenant Governor,
22 Auditor General, State Treasurer, Senator and Representative in
23 the General Assembly, justices and judges of courts of record or
24 for any party office including that of delegate or alternate
25 delegate to National conventions and member of State committee
26 unless the total number of votes cast for said person is equal
27 to or greater than the number of signatures required on a
28 nomination petition for the particular office. In the primary or
29 election the county board shall not certify the votes cast on
30 irregular ballots for any person for a [justice of the peace]

1 magisterial district judge, constable, National, State, county,
2 city, borough, town, township, ward, school district, election
3 or local party office unless the total number of votes cast for
4 said person is equal to or greater than the number of signatures
5 required on a nomination petition for the particular office.

6 Section 2. The amendment of sections 810 and 1405 of the act
7 shall apply to elections held after December 31, 2019.

8 Section 3. This act shall take effect immediately.