

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 * * *

24 (k) (1) All campaign finance reports required to be filed

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

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

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

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

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

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

26 Section 1628. Late Contributions and Independent
27 Expenditures.--Any candidate or political committee, authorized
28 by a candidate and created solely for the purpose of influencing
29 an election on behalf of that candidate, which receives any
30 contribution or pledge of five hundred dollars (\$500) or more,

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

16 Section 1631. Place of Filing.--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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