

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 826

Session of  
1977

INTRODUCED BY RAVENSTAHL, CAPUTO AND GEISLER, MARCH 29, 1977

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 29, 1977

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," providing for the county board of elections in  
 12 certain instances.

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

15 Section 1. Section 301, act of June 3, 1937 (P.L.1333,  
 16 No.320), known as the "Pennsylvania Election Code," amended  
 17 December 2, 1976 (No.269), is amended to read:

18 Section 301. County Boards of Elections; Membership.--

19 (a) There shall be a county board of elections in and for  
 20 each county of this Commonwealth, which shall have jurisdiction  
 21 over the conduct of primaries and elections in such county, in  
 22 accordance with the provisions of this act.

23 (b) In each county of the Commonwealth, the county board of

1 elections shall consist of the county commissioners of such  
2 county ex officio, or any officials or board who are performing  
3 or may perform the duties of the county commissioners, who shall  
4 serve without additional compensation as such.

5 (c) Whenever the members of the board of county  
6 commissioners are candidates for nomination or election to any  
7 public office [or whenever there appears on the ballot a  
8 question relating to the adoption of a Home Rule Charter for the  
9 county or amendments to an existing county Home Rule Charter,]  
10 the county commissioners shall not sit as the county board of  
11 elections. The President Judge of the Court of Common Pleas  
12 shall appoint judges to serve as the county board of election or  
13 where an insufficient number of judges are present, the  
14 president judge shall appoint a reputable elector of the county  
15 to serve as a member, with the judges on the county board of  
16 elections.

17 Section 2. This act shall take effect immediately.