

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 120

Session of
1985

INTRODUCED BY FRYER, A. C. FOSTER, JR., NOYE, FEE, GAMBLE,
DUFFY, TRELLO, LETTERMAN, CAWLEY AND PETRONE, JANUARY 29,
1985

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 29, 1985

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 ballot identification in
12 primary elections of the party of registration of every
13 candidate for the office of judge of a court of record,
14 school director and district justices.

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

17 Section 1. Section 916 of the act of June 3, 1937 (P.L.1333,
18 No.320), known as the Pennsylvania Election Code, amended
19 December 22, 1971 (P.L.613, No.165), is amended to read:

20 Section 916. Secretary of the Commonwealth to Furnish County
21 Boards with List of Candidates; Candidates to Be Notified.--The
22 Secretary of the Commonwealth, as soon as possible after the
23 last day fixed for the filing of nomination petitions with him,

1 and after the last day for the withdrawal of candidates filing
2 such nomination petitions, and after the candidates shall have
3 cast lots for the position of their names upon the primary
4 ballots or ballot labels, shall forward to the county board of
5 each county a correct list of candidates of each party for the
6 various offices, in the order in which they are to appear upon
7 the official ballots or ballot labels, which shall include the
8 political party or affiliation of each candidate for the office
9 of judge of a court of record, school director and district
10 justice, or, if a candidate for said office is not registered,
11 the word "unregistered" shall appear opposite or under his name,
12 with their respective residences, giving city, borough, town or
13 township, and post-office addresses as shown in their
14 affidavits; and shall also at the same time notify the said
15 candidates by mail that their names have been so certified to
16 said county boards. In the case of each candidate for delegate
17 or alternate delegate to a National party convention, the
18 Secretary of the Commonwealth shall certify as to whether such
19 candidate has included with his affidavit the statement provided
20 for in section 911 of this act and in cases where such candidate
21 has committed himself to a particular presidential preference,
22 the name of the presidential candidate to whom he is committed.

23 Section 2. Section 1002(b) of the act, amended December 2,
24 1976 (P.L.1221, No.269), is amended to read:

25 Section 1002. Form of Official Primary Ballot.--* * *

26 (b) On the back of each ballot shall be printed in prominent
27 type the words "OFFICIAL PRIMARY BALLOT OFPARTY FOR"
28 followed by the designation of the election district for which
29 it is prepared, the date of the primary and the facsimile
30 signatures of the members of the county board of elections. The

1 names of candidates shall in all cases be arranged under the
2 title of the office for which they are candidates, and be
3 printed thereunder in the order determined by the casting of
4 lots as provided by this act. Under the title of such offices
5 where more than one candidate is to be voted for, shall be
6 printed "Vote for not more than" (the blank space to
7 indicate the number of candidates to be voted for the particular
8 office.) At the right of the name of each candidate there shall
9 be a square of sufficient size for the convenient insertion of a
10 cross (x) or check () mark. Opposite or under the name of each
11 candidate for the office of judge of a court of record, school
12 director and district justice shall be printed the name of the
13 political party or affiliation of which he is registered, or, if
14 the candidate is not registered, the word "unregistered" shall
15 be printed opposite or under his name. There shall be left at
16 the end of the list of candidates for each office (or under the
17 title of the office itself in case there be no candidates who
18 have filed nomination petitions therefor) as many blank spaces
19 as there are persons to be voted for, for such office, in which
20 space the elector may insert the name of any person whose name
21 is not printed on the ballot as a candidate for such office.
22 Opposite or under the name of each candidate, except candidates
23 for the office of President of the United States and candidates
24 for delegate or alternate delegate to a National Party
25 Convention, who is to be voted for by the electors of more than
26 one county, shall be printed the name of the county in which
27 such candidate resides; and opposite or under the name of each
28 candidate except candidates for delegate or alternate delegate
29 to a National Party Convention who is to be voted for by the
30 electors of an entire county or any congressional, senatorial or

1 representative district within the county, shall be printed the
2 name of the city, borough, township or ward, as the case may be,
3 in which such candidate resides.

4 * * *

5 Section 3. Section 1110(c) of the act, amended April 24,
6 1947 (P.L.68, No.33), is amended to read:

7 Section 1110. Form of Ballot Labels on Voting Machines.--

8 * * *

9 (c) The ballot label for each candidate or group of
10 candidates, nominated or seeking nomination by a political
11 party, shall contain the name or designation of the political
12 party. For the primary election, the ballot label shall also
13 contain the name of the political party or affiliation of
14 registration of each candidate, for the office of judge of a
15 court of record, school director and district justice, or if the
16 candidate is not registered, the word "unregistered" shall be
17 printed opposite or under his name.

18 * * *

19 Section 4. Section 1109-A(c) of the act, added July 11, 1980
20 (P.L.600, No.128), is amended to read:

21 Section 1109-A. Forms.--* * *

22 (c) On all ballot labels the titles of offices and the names
23 of candidates shall in all elections be arranged in columns or
24 rows in a series of separate pages and, in primary elections,
25 the names of candidates for an office shall appear in the order
26 that was established under the provisions of sections 915 and
27 916. The office titles shall be printed above or at the side of
28 the names of candidates so as to indicate clearly the candidates
29 for each office and the number to be elected. In partisan
30 elections the party designation of each candidate shall be

1 printed to the right or below the candidate's name. For the
2 primary election, opposite or under the name of each candidate
3 for the office of judge of a court of record, school director
4 and district justice shall be printed the name of the political
5 party or affiliation of which he is registered, or, if the
6 candidate is not registered, the word "unregistered" shall be
7 printed opposite or under his name. All candidates for one
8 office shall be grouped on one page where practical; in case
9 there are more candidates for an office than can be printed in
10 one column or on one ballot page, the ballot label shall clearly
11 indicate that the list of candidates is continued on the
12 following column or page, and so far as possible, the same
13 number of names shall be printed on each column or page. Arrows
14 may be used to indicate the place to vote for each candidate and
15 for or against every question presented.

16 * * *

17 Section 5. This act shall apply initially to the primary
18 election next occurring after six months from the date of final
19 enactment and thereafter to all primary elections.

20 Section 6. This act shall take effect immediately.