

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1393 Session of
1997

INTRODUCED BY CORNELL, FICHTER, PESCI, GODSHALL, BUNT, CAWLEY,
MELIO, VAN HORNE, TRELLO, DeLUCA, SERAFINI AND J. TAYLOR,
APRIL 30, 1997

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 30, 1997

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," further providing for reporting by candidate and
12 political committees and other persons.

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

15 Section 1. Section 1626(a) and (b)(1) of the act of June 3,
16 1937 (P.L.1333, No.320), known as the Pennsylvania Election
17 Code, added October 4, 1978 (P.L.893, No.171), are amended to
18 read:

19 Section 1626. Reporting by Candidate and Political
20 Committees and other Persons.--

21 (a) Each treasurer of a political committee and each
22 candidate for election to public office shall file with the

1 appropriate supervisor reports of receipts and expenditures on
2 forms, designed by the Secretary of the Commonwealth, if the
3 amount received or expended or liabilities incurred shall exceed
4 the sum of [two hundred fifty dollars (\$250)] seven hundred
5 fifty dollars (\$750). Should such an amount not exceed [two
6 hundred fifty dollars (\$250)] seven hundred fifty dollars
7 (\$750), then the candidate or the treasurer of the committee
8 shall file a sworn statement to that effect with the appropriate
9 supervisor rather than the report required by this section.

10 (b) Each report shall include the following information:

11 (1) The full name, mailing address, occupation and name of
12 employer, if any, or the principal place of business, if self-
13 employed, of each person who has made one or more contributions
14 to or for such committee or candidate within the reporting
15 period in an aggregate amount or value in excess of [two hundred
16 fifty dollars (\$250)] seven hundred fifty dollars (\$750),
17 together with the amount and date of such contributions. The
18 accuracy of the information furnished to the candidate or
19 committee shall be the responsibility of the contributor.

20 * * *

21 Section 2. Section 1626.1 of the act, added July 11, 1980
22 (P.L.591, No.127), is amended to read:

23 Section 1626.1. Waiver of Reporting by Local Candidates Upon
24 Filing of Additional Affidavits.--

25 (a) In lieu of filing the reports or statements required by
26 sections 1626 and 1627, a candidate for local office (which
27 shall include county, township, city, school district,
28 magisterial district, town and borough offices), who does not
29 form a political committee, shall file an additional affidavit
30 on the form required in section 910 or 951 attesting to the

1 following:

2 (1) that the candidate for local office does not intend to
3 receive contributions or make expenditures in excess of [two
4 hundred fifty dollars (\$250)] seven hundred fifty dollars (\$750)
5 during any reporting period;

6 (2) that the candidate for local office will keep records of
7 contributions and expenditures, as required by this act;

8 (3) that the candidate for local office will file reports in
9 accord with sections 1626 and 1627 for any reporting period
10 during which he receives contributions or makes expenditures in
11 excess of [two hundred fifty dollars (\$250)] seven hundred fifty
12 dollars (\$750).

13 (b) Any candidate for local office filing an affidavit
14 pursuant to this section, who exceeds the [two hundred fifty
15 dollar (\$250)] seven hundred fifty dollars (\$750) limit herein
16 specified, during a reporting period shall file the report
17 required by section 1626 which shall be cumulative from the
18 beginning of the reporting period. No further report shall be
19 required for any subsequent period unless a candidate for local
20 office receives contributions or makes expenditures in excess of
21 [two hundred fifty dollars (\$250)] seven hundred fifty dollars
22 (\$750) during said reporting period.

23 Section 3. Section 1627 of the act, amended July 11, 1980
24 (P.L.591, No.127) and July 11, 1980 (P.L.625, No.129), is
25 amended to read:

26 Section 1627. Annual Reports.--

27 (a) All political committees and candidates, including those
28 committees and candidates filing reports under section 1626 (d)
29 and (e), shall file a report on January 31 of each year which
30 shall be complete as of December 31 of the prior year. Such

1 reports shall be filed annually at this time until there is no
2 balance or debt in the report of the candidate or political
3 committee. Such reports shall be cumulative. However, if there
4 has been no change in the account, then the candidate or
5 political committee shall file a statement to that effect with
6 the appropriate supervisor. Each form designated by the
7 Secretary of the Commonwealth for filing a report or statement
8 required by section 1626(e) shall contain a block which may be
9 marked by the candidate or political committee designating it a
10 termination report or statement. If such report or statement is
11 so designated, or if an authorized candidate elects to file no
12 report or statement pursuant to section 1626.1, no annual report
13 need be filed under this section unless contributions were
14 received or expenditures made subsequent to the time period for
15 filing of such termination report. However, no candidate or
16 political committee may terminate by way of a statement where
17 the unpaid balance indicated in the previous report was greater
18 than [two hundred fifty dollars (\$250)] seven hundred fifty
19 dollars (\$750). In the case of annual reports said report shall
20 cover the campaign activity of a candidate or political
21 committee from the last prior report or statement.

22 (b) Any political committee required to be registered under
23 this act and not reporting under section 1626 shall file an
24 annual report under this section. However, if a political
25 committee makes aggregate expenditures as defined in section
26 1621 in an amount less than [two hundred fifty dollars (\$250)]
27 seven hundred fifty dollars (\$750) or incurs aggregate debt in
28 an amount less than [two hundred fifty dollars (\$250)] seven
29 hundred fifty dollars (\$750) during the calendar year to
30 influence an election, it need not file an annual report;

1 provided that this exception shall not be applicable to a
2 candidate's political committee or to a State or county
3 committee of a political party or political body or to a
4 political action committee of a corporation or unincorporated
5 association.

6 Section 4. This act shall take effect January 1, 1998.