

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2837 Session of
2008

INTRODUCED BY METCALFE, BAKER, CLYMER, COX, DENLINGER, FLECK,
HELM, HICKERNELL, KAUFFMAN, KORTZ, MARSICO, McILHATTAN,
QUINN, READSHAW, ROAE, ROCK, ROHRER, SCAVELLO, R. STEVENSON,
SWANGER AND MENSCH, NOVEMBER 19, 2008

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 19, 2008

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 nomination of candidates, further providing
12 for affidavits of candidates.

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

15 Section 1. Section 910 of the act of June 3, 1937 (P.L.1333,
16 No.320), known as the Pennsylvania Election Code, amended May
17 12, 2006 (P.L.178, No.45), is amended to read:

18 Section 910. Affidavits of Candidates.--Each candidate for
19 any State, county, city, borough, incorporated town, township,
20 ward, school district, poor district, election district, party
21 office, party delegate or alternate, or for the office of
22 President of the United States, United States Senator or

1 Representative in Congress, shall file with his nomination
2 petition his affidavit stating--(a) his residence, with street
3 and number, if any, and his post-office address; (b) his
4 election district, giving city, borough, town or township; (c)
5 the name of the office for which he consents to be a candidate;
6 (d) that he is eligible for such office; (e) that he will not
7 knowingly violate any provision of this act, or of any law
8 regulating and limiting nomination and election expenses and
9 prohibiting corrupt practices in connection therewith; (f)
10 unless he is a candidate for judge of a court of common pleas,
11 the Philadelphia Municipal Court or the Traffic Court of
12 Philadelphia, or for the office of school director in a district
13 where that office is elective or for the office of justice of
14 the peace that he is not a candidate for nomination for the same
15 office of any party other than the one designated in such
16 petition; (g) if he is a candidate for a delegate, or alternate
17 delegate, member of State committee, National committee or party
18 officer, that he is a registered and enrolled member of the
19 designated party; (h) if he is a candidate for delegate or
20 alternate delegate the presidential candidate to whom he is
21 committed or the term "uncommitted"; (i) that he is aware of the
22 provisions of section 1626 of this act requiring pre-election
23 and post-election reporting of campaign contributions and
24 expenditures; and (j) that he is not a candidate for an office
25 which he already holds, the term of which is not set to expire
26 in the same year as the office subject to the affidavit. In
27 cases of petitions for delegate and alternate delegate to
28 National conventions, the candidate's affidavit shall state that
29 his signature to the delegate's statement, as hereinafter set
30 forth, if such statement is signed by said candidate, was

1 affixed to the sheet or sheets of said petition prior to the
2 circulation of same. [In the case of a candidate for nomination
3 as President of the United States, it shall not be necessary for
4 such candidate to file the affidavit required in this section to
5 be filed by candidates, but the post-office address of such
6 candidate shall be stated in such nomination petition.] Each
7 candidate who submits an affidavit under this section, except
8 for a candidate for President of the United States, shall append
9 to the affidavit documentation that provides proof that the
10 candidate is a citizen of the United States, proof of the
11 candidate's age and proof that the candidate meets the
12 applicable residency requirements for the office sought. Each
13 candidate for President of the United States shall append to the
14 affidavit documentation that provides proof that the candidate
15 is a natural born citizen, proof of the candidate's age and
16 proof that the candidate meets the residency requirements for
17 President of the United States, as set forth in section 2 of
18 Article II of the Constitution of the United States.

19 Section 2. This act shall take effect in 60 days.