

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 362 Session of 2013

INTRODUCED BY DELUCA AND BENNINGHOFF, JANUARY 29, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 29, 2013

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 limitations on eligibility
 12 of candidates.

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

15 Section 1. Section 951.1 of the act of June 3, 1937
 16 (P.L.1333, No.320), known as the Pennsylvania Election Code,
 17 added June 12, 1980 (P.L.649, No.134), is amended to read:

18 Section 951.1. Limitations on Eligibility of Candidates.--

19 (a) Any person who is a registered and enrolled member of a
 20 party during any period of time beginning with thirty (30) days
 21 before the primary and extending through the general or
 22 municipal election of that same year shall be ineligible to be
 23 the candidate of a political body in a general or municipal

1 election held in that same year nor shall any person who is a
2 registered and enrolled member of a party be eligible to be the
3 candidate of a political body for a special election.

4 (b) A candidate may not file a nominating petition for more
5 than one State, county or municipal public office in an election
6 year.

7 (c) A public official may not file a nominating petition for
8 State, county or municipal public office, unless any of the
9 following apply:

10 (1) The nominating petition is for the same State, county or
11 municipal public office that the public official currently
12 holds.

13 (2) The nominating petition is for a State, county or
14 municipal public office that begins after the public official's
15 current term of office expires.

16 (3) The public official resigns from the public office that
17 the public official currently holds.

18 (d) The provisions of subsections (b) and (c) shall not
19 apply to a candidate for the office of President or Vice
20 President of the United States.

21 (e) As used in this section, the term "public official"
22 shall have the meaning as defined in 65 Pa.C.S. § 1102 (relating
23 to definitions).

24 Section 2. This act shall take effect January 1, 2014.