

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 49 Session of 2013

INTRODUCED BY WILLIAMS, FARNESE AND WASHINGTON, JANUARY 4, 2013

REFERRED TO STATE GOVERNMENT, JANUARY 4, 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 form of ballots, printing
 12 ballots, stubs and numbers, for form of ballot labels on
 13 voting machines and for forms.

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

16 Section 1. Section 1004 of the act of June 3, 1937
 17 (P.L.1333, No.320), known as the Pennsylvania Election Code,
 18 amended February 19, 1986 (P.L.29, No.11), is amended to read:

19 Section 1004. Form of Ballots; Printing Ballots; Stubs;
 20 Numbers.--[From] (a) Except as provided in subsection (b), from
 21 the lists furnished by the Secretary of the Commonwealth under
 22 the provisions of sections 915 and 984, and from petitions and
 23 papers filed in their office, the county election board shall
 24 print the official primary and election ballots in accordance

1 with the provisions of this act: Provided, however, That in no
2 event, shall the name of any person consenting to be a candidate
3 for nomination for any one office, except the office of judge of
4 a court of common pleas, the Philadelphia Municipal Court or the
5 Traffic Court of Philadelphia, or the office of school director
6 in districts where that office is elective or the office of
7 justice of the peace be printed as a candidate for such office
8 upon the official primary ballot of more than one party. All
9 ballots for use in the same election district at any primary or
10 election shall be alike. They shall be at least six inches long
11 and four inches wide, and shall have a margin extending beyond
12 any printing thereon. They shall be printed with the same kind
13 of type (which shall not be smaller than the size known as
14 "brevier" or "eight point body") upon white paper of uniform
15 quality, without any impression or mark to distinguish one from
16 another, and with sufficient thickness to prevent the printed
17 matter from showing through. Each ballot shall be attached to a
18 stub, and all the ballots for the same election district shall
19 be bound together in books of fifty, in such manner that each
20 ballot may be detached from its stub and removed separately. The
21 ballots for each party to be used at a primary shall be bound
22 separately. The stubs of the ballots shall be consecutively
23 numbered, and in the case of primary ballots, the number shall
24 be preceded by an initial or abbreviation designating the party
25 name. The number and initial or abbreviation which appears upon
26 the stub shall also be printed in the upper right hand corner of
27 the back of the ballot, separated from the remainder of the
28 ballot by a diagonal perforated line so prepared that the upper
29 right hand corner of the back of the ballot containing the
30 number may be detached from the ballot before it is deposited in

1 the ballot box and beside that corner shall also be printed,
2 "Remove numbered stub immediately before depositing your ballot
3 in ballot box."

4 (b) In all elections for the office of judge of a court of
5 common pleas in a city of the first class, the Philadelphia
6 Municipal Court or the Traffic Court of Philadelphia where there
7 are more candidates than persons to be nominated or elected for
8 a particular office and the same office appears on ballots in
9 more than one ward, the order of the names of the candidates
10 shall appear on ballots as follows:

11 (1) In printing ballots for each ward, relative positions of
12 names for each nomination or office shall be changed as many
13 times as there are candidates for that nomination or office, and
14 to the extent reasonably possible, a candidate's name shall not
15 appear at the top of the list more times than the name of any
16 other candidate.

17 (2) Names of candidates shall be arranged alphabetically by
18 surname in the first ward. In the second ward, names shall
19 appear in the same order as in the first ward, except that the
20 name at the top of the ballot in the first ward shall appear at
21 the bottom of the ballot in the second ward. The rotation shall
22 continue in the same manner for remaining wards.

23 (3) For purposes of this section, each absentee ballot shall
24 be treated as a separate ward.

25 Section 2. Sections 1110 and 1109-A of the act are amended
26 by adding subsections to read:

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

28 * * *

29 (n) Notwithstanding any other provision of this article, the
30 names of candidates on a ballot shall be arranged in accordance

1 with section 1004(b).

2 Section 1109-A. Forms.--* * *

3 (h) Notwithstanding any other provision of this article, the
4 names of candidates on a ballot shall be arranged in accordance
5 with section 1004(b).

6 Section 3. This act shall take effect immediately.