

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 431 Session of 2015

INTRODUCED BY McNEILL, O'BRIEN, COHEN, FLYNN, MILLARD,
MACKENZIE, SNYDER, DAWKINS, BIZZARRO, DRISCOLL, FARINA,
M. DALEY, READSHAW, HARKINS, FREEMAN, O'NEILL, SCHWEYER,
SCHLOSSBERG, KAVULICH, CARROLL, TOOHIL, ROZZI AND KORTZ,
FEBRUARY 10, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 10, 2015

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 dates of elections and primaries and special
12 elections, further providing for affidavits of candidates;
13 and, in nomination of candidates, further providing for
14 affidavits of candidates.

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

17 Section 1. Sections 630.1, 910 and 981.1 of the act of June
18 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election
19 Code, amended May 12, 2006 (P.L.178, No.45), are amended to
20 read:

21 Section 630.1. Affidavits of Candidates.--Each candidate for
22 any State, county, city, borough, incorporated town, township,

1 school district or poor district office, or for the office of
2 United States Senator or Representative in Congress, selected as
3 provided in section 630 of this act, shall file with the
4 nomination certificate an affidavit stating--(a) his residence,
5 with street and number, if any, and his post-office address; (b)
6 his election district, giving city, borough, town or township;
7 (c) the name of the office for which he consents to be a
8 candidate; (d) that he is eligible for such office; (e) that he
9 will not knowingly violate any provision of this act, or of any
10 law regulating and limiting election expenses and prohibiting
11 corrupt practices in connection therewith; (f) unless he is a
12 candidate for judge of a court of common pleas, the Philadelphia
13 Municipal Court or the Traffic Court of Philadelphia, or for the
14 office of school board in a district where that office is
15 elective or for the office of justice of the peace, that he is
16 not a candidate for the same office of any party or political
17 body other than the one designated in such certificate; (g) that
18 he is aware of the provisions of section 1626 of this act
19 requiring election and post-election reporting of campaign
20 contributions and expenditures; [and] (h) that he is not a
21 candidate for an office which he already holds, the term of
22 which is not set to expire in the same year as the office
23 subject to the affidavit[.]; and (i) unless he is a candidate
24 for Federal office, that he has not been convicted of
25 embezzlement of public moneys, bribery, perjury or other
26 infamous crime.

27 Section 910. Affidavits of Candidates.--Each candidate for
28 any State, county, city, borough, incorporated town, township,
29 ward, school district, poor district, election district, party
30 office, party delegate or alternate, or for the office of United

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

1 delegate to National conventions, the candidate's affidavit
2 shall state that his signature to the delegate's statement, as
3 hereinafter set forth, if such statement is signed by said
4 candidate, was affixed to the sheet or sheets of said petition
5 prior to the circulation of same. In the case of a candidate for
6 nomination as President of the United States, it shall not be
7 necessary for such candidate to file the affidavit required in
8 this section to be filed by candidates, but the post-office
9 address of such candidate shall be stated in such nomination
10 petition.

11 Section 981.1. Affidavits of Candidates.--Each candidate for
12 any State, county, city, borough, incorporated town, township,
13 ward, school district, poor district or election district
14 office, or for the office of United States Senator or
15 Representative in Congress, selected as provided in sections 979
16 and 980 of this act, shall file with the substituted nomination
17 certificate an affidavit stating--(a) his residence, with street
18 and number, if any, and his post-office address; (b) his
19 election district, giving city, borough, town or township; (c)
20 the name of the office for which he consents to be a candidate;
21 (d) that he is eligible for such office; (e) that he will not
22 knowingly violate any provision of this act, or of any law
23 regulating and limiting election expenses and prohibiting
24 corrupt practices in connection therewith; (f) unless he is a
25 candidate for judge of a court of common pleas, the Philadelphia
26 Municipal Court or the Traffic Court of Philadelphia, or for the
27 office of school board in a district where that office is
28 elective or for the office of justice of the peace, that he is
29 not a candidate for the same office of any party or political
30 body other than the one designated in such certificate; (g) that

1 he is aware of the provisions of section 1626 of this act
2 requiring election and post-election reporting of campaign
3 contributions and expenditures; [and] (h) that he is not a
4 candidate for an office which he already holds, the term of
5 which is not set to expire in the same year as the office
6 subject to the affidavit[.]; and (i) unless he is a candidate
7 for Federal office, that he has not been convicted of
8 embezzlement of public moneys, bribery, perjury or other
9 infamous crime.

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