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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1758 Session of  
2017

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INTRODUCED BY RABB, THOMAS, J. HARRIS, DAVIS AND BERNSTINE,  
SEPTEMBER 5, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 5, 2017

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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 nominations for special  
13 election for Representative in Congress, Senator and  
14 Representative in the General Assembly and member of council  
15 or legislative body of cities, boroughs, towns and townships,  
16 providing for special election for Senator or Representative  
17 in General Assembly, creating the Special Election Fund and  
18 imposing duties on the Department of State.

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. Section 629 of the act of June 3, 1937 (P.L.1333,  
22 No.320), known as the Pennsylvania Election Code, is amended to  
23 read:

24 Section 629. Nominations for Special Election for  
25 Representative in Congress, Senator and Representative in the  
26 General Assembly and Member of Council or Legislative Body of

1 Cities, Boroughs, Towns and Townships.--[Candidates] Subject to  
2 section 629.1 of this act, candidates to fill vacancies in the  
3 offices of Representative in Congress, Senator and  
4 Representative in the General Assembly and member of the council  
5 or legislative body of any city, borough, town or township shall  
6 be nominated by political parties, in accordance with the party  
7 rules relating to the filling of vacancies, by means of  
8 nomination certificates, in the form prescribed in section 630  
9 of this act; and by political bodies, by means of nomination  
10 papers, in accordance with the provisions of sections 951, 952  
11 and 954 of this act. Said nomination certificates and nomination  
12 papers for the office of Representative in Congress, Senator and  
13 Representative in the General Assembly shall be filed in the  
14 office of the Secretary of the Commonwealth not later than fifty  
15 (50) days prior to the date of the special election, and for the  
16 office of member of the council or legislative body of a city,  
17 borough, town or township, in the office of the county board of  
18 elections wherein such city, borough, town or township is  
19 situate, not later than fifteen (15) days after the issuance of  
20 the writ of election.

21 Section 2. The act is amended by adding a section to read:

22 Section 629.1. Special Election for Senator or  
23 Representative in General Assembly.--(a) Notwithstanding any  
24 other provision of law, an individual who seeks consideration as  
25 a candidate in a special election for Senator or Representative  
26 in the General Assembly shall do all of the following:

27 (1) File with the chairperson of the political party with  
28 whom the individual is affiliated within each county in which  
29 the legislative district is located, on a form prescribed by the  
30 department, the following information:

1 (i) The name of the individual.

2 (ii) The residence and contact information of the  
3 individual, including, as applicable, street address, telephone  
4 number and e-mail address.

5 (iii) The name of the office for which the individual seeks  
6 to become a candidate in the special election.

7 (iv) Other information required by the department.

8 (2) Pay a filing fee in the amount of two hundred fifty  
9 dollars (\$250) to the fund, which the department shall  
10 distribute on a pro rata basis to the political party of each  
11 county in which the legislative district is located.

12 (3) Either of the following:

13 (i) Prepare a short video announcing the individual's  
14 interest in becoming a candidate in the special election. The  
15 following shall apply:

16 (A) The video shall be made available to be posted on the  
17 department's publicly accessible Internet website and made  
18 available for public broadcast on the Pennsylvania Cable Network  
19 or its assigns or successors.

20 (B) The department shall determine whether it would be  
21 appropriate to have the video posted or broadcast on another  
22 form of media, including social media.

23 (C) The individual shall be responsible for all costs  
24 associated with the preparation of the video and any costs  
25 associated with the posting or broadcast of the video.

26 (D) For the purpose of enabling the general public to be  
27 better informed regarding prospective candidates for the special  
28 election, the video shall be available no fewer than ten (10)  
29 days prior to the nomination of the candidate for the special  
30 election and shall remain online or otherwise available to the

1 general public until the date of the certification of the  
2 candidate for the special election.

3 (ii) File with the chairperson of the political party with  
4 whom the individual is affiliated within each county in which  
5 the legislative district is located, on a form prescribed by the  
6 department, a statement that the individual wishes to opt out of  
7 preparing the video and having the video posted or broadcast  
8 under subparagraph (i).

9 (b) Each chairperson of the political party described under  
10 subsection (a) (1) shall schedule a public meeting of elected  
11 party committee members from the legislative district to  
12 consider each individual who seeks consideration as a candidate  
13 in the special election. The following shall apply:

14 (1) The chairperson shall ensure that each voting district  
15 in the county's legislative district which shall hold the  
16 special election is fairly represented at the public meeting.

17 (2) For the purpose of conducting the public meeting, no  
18 fewer than a majority of the elected committee members from each  
19 voting district must be present at the public meeting.

20 (3) The public meeting shall be advertised in at least one  
21 local newspaper of general circulation or on another local media  
22 outlet no fewer than fourteen (14) days before the public  
23 meeting and the nomination of the candidate for the special  
24 election.

25 (c) The Special Election Fund is established as a separate  
26 restricted account within the General Fund to distribute money  
27 to county political parties as described in subsection (a) (2).

28 (d) The department shall develop forms and promulgate rules  
29 and regulations necessary to implement the provisions of this  
30 section.

1     (e) As used in this section, the following words and phrases  
2 shall have the meanings given to them in this subsection unless  
3 the context clearly indicates otherwise:

4     "Department." The Department of State of the Commonwealth.

5     "Fund." The Special Election Fund established under  
6 subsection (c).

7     Section 3. This act shall take effect in 60 days.