

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**No. **47** Session of  
2017

INTRODUCED BY WILLIAMS, JANUARY 12, 2017

REFERRED TO STATE GOVERNMENT, JANUARY 12, 2017

## 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 ballots, further providing for form of  
12 ballots, printing ballots, stubs and numbers; and, in voting  
13 machines, further providing for form of ballot labels on  
14 voting machines and for forms.

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

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

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

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

1 number may be detached from the ballot before it is deposited in  
2 the ballot box and beside that corner shall also be printed,  
3 "Remove numbered stub immediately before depositing your ballot  
4 in ballot box."

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

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

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

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

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

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

29 \* \* \*

30 (n) Notwithstanding any other provision of this article, the

1 names of candidates on a ballot shall be arranged in accordance  
2 with section 1004(b).

3 Section 1109-A. Forms.--\* \* \*

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

7 Section 3. This act shall take effect immediately.