

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 553 Session of 2019

INTRODUCED BY KAUFFMAN AND GABLER, FEBRUARY 20, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 20, 2019

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 nomination of candidates, further providing
 12 for casting of lots for position of names upon the primary
 13 ballots or ballot labels and notice to candidates.

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

16 Section 1. Section 915 of the act of June 3, 1937 (P.L.1333,
 17 No.320), known as the Pennsylvania Election Code, is amended to
 18 read:

19 Section 915. Casting of Lots for Position of Names Upon the
 20 Primary Ballots or Ballot Labels; Notice to Candidates.--(a)
 21 Immediately after the last day fixed for filing of such
 22 nomination petitions with them, the Secretary of the
 23 Commonwealth or the county board, as the case may be, shall fix
 24 a day for the casting of lots, in such manner as may be

1 prescribed by the Secretary of the Commonwealth, or county
2 board, as the case may be, for the position of names upon the
3 primary ballots or ballot labels. The Secretary of the
4 Commonwealth shall give at least two (2) days notice by mail of
5 said date to all candidates whose petitions have been received
6 and filed in his office, and the county board shall give at
7 least two (2) days notice of said date by posting thereof in a
8 conspicuous place in its office, and by publication once in at
9 least two newspapers of general circulation published in the
10 county.

11 (b) All candidates may appear in person, or by agent duly
12 authorized by letter of attorney, signed and acknowledged by an
13 officer empowered to take acknowledgments. In the event of any
14 of said candidates not being present in person or by
15 representative at the time of casting of lots, it shall be the
16 duty of the Secretary of the Commonwealth or the county board,
17 as the case may be, to appoint some person to represent such
18 absentee.

19 (c) The lots shall be cast first by the candidates who
20 appear in person, and those candidates shall receive the highest
21 positions on the primary ballots. If there is only one absentee,
22 the absentee shall receive the lowest position on the primary
23 ballots. If there is more than one absentee, the lots shall be
24 drawn separately by the representatives for the absentees and
25 they shall receive the lowest positions on the primary ballots.

26 (d) After [said] all lots are cast, the Secretary of the
27 Commonwealth or the county board, as the case may be, shall
28 accordingly establish the order in which the names of said
29 candidates are to appear upon the primary ballots or ballot
30 labels, and certify the same for placing upon the official

1 primary ballots or ballot labels.

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