

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2700 Session of 2024

INTRODUCED BY KAUFER, OCTOBER 25, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 25, 2024

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,"

12 In preliminary provisions, further providing for
 13 definitions and for publication of notices;

14 In the Secretary of the Commonwealth, further providing
 15 for Voting Standards Development Board and for State Plan
 16 Advisory Board;

17 In county boards of elections, further providing for
 18 article heading, for county boards of elections and
 19 membership, for powers and duties of county boards, for
 20 records and documents to be open to public inspection and
 21 proviso and for watchers or attorneys at sessions of county
 22 board and candidates may be present;

23 In district election officers, further providing for
 24 article heading, for district election boards and election,
 25 for tie votes for judge and inspector, for clerks of election
 26 and machine inspectors, for vacancies in election boards,
 27 appointment, judge and majority inspector to be members of
 28 majority party and minority inspector to be a member of
 29 minority party, for election officers to be sworn, for
 30 compensation of district election officers, for overseers of
 31 election and for appointment of watchers;

32 In election districts and polling places, further
 33 providing for polling places to be selected by county board;

34 In dates of elections and primaries and special
 35 elections, further providing for general primary, candidates

1 to be nominated and party officers to be elected, providing
2 for nonpartisan ballot candidates, further providing for
3 elections on proposed constitutional amendments and for
4 nominations for special election for representative in
5 Congress, senator and representative in the General Assembly
6 and member of council or legislative body of cities,
7 boroughs, towns and townships, providing for nominations for
8 special election for senator and representative in the
9 General Assembly and member of council or legislative body of
10 cities, boroughs, towns and townships and further providing
11 for number, form and requirements of nomination certificates
12 and for affidavits of candidates;

13 In qualifications of electors, further providing for
14 qualifications of electors at primaries;

15 In party organization, further providing for definition
16 of political parties and political bodies and for only
17 enrolled electors to vote at primaries or hold party offices
18 and repealing provisions related to organization of State
19 committee and rules, to filling of vacancy in State
20 committee, to election of national committeemen, to county
21 committees, rules and other party officers, to selection of
22 delegates to national conventions and forwarding of rules to
23 Secretary of Commonwealth, to delegate and alternate delegate
24 commitments, authorization required and petitions, to who
25 shall be declared elected members of national or State
26 committee and party offices, to party officer elected in case
27 of tie vote and to district committees;

28 In nomination of candidates, further providing for
29 determination and certification of Statewide and countywide
30 parties, for candidates to be nominated and party officers to
31 be elected at primaries and for municipal clerks and party
32 chairman to furnish information as to offices to be filled,
33 repealing provisions related to publication of notice of
34 officers to be nominated and elected and to nomination
35 petitions to be filed, further providing for petition may
36 consist of several sheets and statement of circulator and for
37 affidavits of candidates, repealing provisions related to
38 statement of candidates for delegates to national conventions
39 and further providing for number of signers required for
40 nomination petitions of candidates at primaries, for place
41 and time of filing nomination petitions and filing fees and
42 for which candidates nominated;

43 In ballots, further providing for article heading, for
44 official ballots to be used and for form of official primary
45 ballot, providing for form of official nonpartisan primary
46 ballot, further providing for form of official election
47 ballot, providing for form of official nonpartisan election
48 ballot, further providing for form of ballots and printing
49 ballots, repealing provisions related to placement of certain
50 candidates on ballots and voting machines, providing for form
51 of nonpartisan ballots, printing ballots, stubs and numbers
52 and further providing for forms of ballots on file and open
53 to public inspection and ballots and diagrams to be furnished
54 to candidates and parties;

55 In voting machines, further providing for definition of
56 terms, for installation of voting machines, for requirements
57 of voting machines, for form of ballot labels on voting
58 machines, for preparation of voting machines by county
59 election boards, for delivery of voting machines and supplies
60 by county election boards to election officers, for election

1 officers and polling places, for delivery of voting machine
2 keys to judge of election, for instruction of voters before
3 an election, for voting by ballot and for unofficial ballot
4 labels and repair of machine or use of paper ballots;

5 In electronic voting systems, further providing for
6 definitions, for requirements of electronic voting systems,
7 for forms, for supplies and preparation of the voting system
8 and of polling places, for election day procedures and the
9 process of voting, for post election procedures and for
10 returns;

11 In preparation for and conduct of primaries and
12 elections, further providing for notice of November
13 elections, for duties of common pleas court on days of
14 primaries and elections, for meeting of election officers on
15 day of election and duties of election officers, for opening
16 of polls, posting cards of instruction and notices of
17 penalties and voters' rights and examination of voting
18 machines, for manner of applying to vote, persons entitled to
19 vote, voter's certificates, entries to be made in district
20 register, numbered lists of voters and challenges, for method
21 of marking ballots and depositing same in districts in which
22 ballots are used, for instructions of voters and manner of
23 voting in districts in which voting machines are used, for
24 duties of election officers after the close of the polls in
25 districts in which ballots are used, for count and return of
26 votes in districts in which ballots are used, for what
27 ballots shall be counted, manner of counting and defective
28 ballots, for signing and disposition of returns, district
29 register and voting check list, posting and return of ballot
30 boxes and for canvass and return of votes in districts in
31 which voting machines are used and providing for general
32 runoff;

33 In voting by qualified absentee electors, further
34 providing for applications for official absentee ballots and
35 for absentee and mail-in electors files and lists;

36 In returns of primaries and elections, further providing
37 for place of meeting for computation of votes, notice, papers
38 to be prepared and assistants to be sworn and for computation
39 of returns by county board, certification and issuance of
40 certificates of election and repealing provisions related to
41 Secretary of the Commonwealth to certify votes of national
42 delegates and members of State committee and to Secretary of
43 the Commonwealth to certify presidential votes by
44 congressional districts;

45 In recounts and contests, further providing for opening
46 ballot boxes upon petition of electors alleging fraud or
47 error and deposit or bond; and

48 In penalties, further providing for refusal to administer
49 oath and acting without being sworn, for forging and
50 destroying ballots, for election officers refusing to permit
51 elector to vote in proper party at primaries, for prying into
52 ballots and for unlawful assistance in voting and repealing
53 provisions related to elector voting ballot of wrong party at
54 primary.

55 The General Assembly of the Commonwealth of Pennsylvania

56 hereby enacts as follows:

57 Section 1. Sections 102(d), (f), (g.1) and (v), 106, 204(b)

1 (3) and (5) and 205, Article III heading, sections 301(b),
2 302(c), (e) and (m) and 308, Article IV heading and sections
3 401, 403, 404, 405 heading and (a), 406, 412.2(d), (e) and (f),
4 415, 417, 526(c) and 603 heading of the act of June 3, 1937
5 (P.L.1333, No.320), known as the Pennsylvania Election Code, are
6 amended to read:

7 Section 102. Definitions.--The following words, when used in
8 this act, shall have the following meanings, unless otherwise
9 clearly apparent from the context:

10 * * *

11 (d) The words "district election board" or "election board"
12 shall mean the nonpartisan election officers required to conduct
13 primaries and elections in any election district in accordance
14 with the provisions of this act.

15 * * *

16 (f) The word "election" shall mean any general, municipal,
17 special, runoff or primary election, unless otherwise specified.

18 * * *

19 (g.1) The words "election officer" shall include the
20 nonpartisan judge of elections and the [majority and minority]
21 two nonpartisan inspectors elected or appointed by a county
22 board of elections and the clerk or machine inspector appointed
23 by a county board of elections.

24 * * *

25 (v) The words "special election" shall mean any election
26 other than a regular general, municipal, runoff or primary
27 election.

28 * * *

29 Section 106. Publication of Notices.--Whenever under the
30 provisions of this act notice is required to be given by

1 newspaper publication in any county or in any municipal
2 subdivision thereof, such notice shall be published in at least
3 two and not more than three newspapers of general circulation as
4 defined in the "Newspaper Advertising Act," approved May 16,
5 1929 (Pamphlet Laws 1784). [At least one of said newspapers
6 shall represent the majority party, and at least one shall
7 represent the minority party, if there be that many published
8 within the limits of such county or municipal subdivision. If
9 there are not two such newspapers, then publication shall be
10 made in at least either one newspaper of general circulation
11 representing the majority party or at least one newspaper of
12 general circulation representing the minority party, whichever
13 is published in such county, and at least one newspaper of
14 general circulation representing the other party published in an
15 adjacent county and circulating in such county or municipal
16 subdivision in which such notice is required to be published:
17 Provided, however, That if in any such county, or in any
18 municipal subdivision thereof, there are at least three
19 newspapers of general circulation published within the limits of
20 such county or municipal subdivision, the foregoing provisions
21 if this section shall be deemed complied with if publication
22 shall be made in all of the said newspapers in the county or
23 municipal subdivision, notwithstanding that all such newspapers
24 may represent either the majority party or the minority party.]
25 Whenever such notice relates to any matter or proceeding in
26 court or to the sale of bonds or increase of indebtedness, the
27 same shall also be published in the legal newspaper, if any, in
28 the proper county, provided publication can be made therein on
29 the same day or days as publication is made in newspapers of
30 general circulation.

1 Section 204. Voting Standards Development Board.--* * *

2 (b) The board shall be comprised of the following members:

3 * * *

4 (3) One county director of elections appointed by the
5 [Minority Leader] President pro tempore of the Senate, who shall
6 be from a county in which votes are cast on punch card voting
7 systems.

8 * * *

9 (5) One county director of elections appointed by the
10 [Minority Leader] Speaker of the House of Representatives, who
11 shall be from a county in which votes are cast on optical scan
12 voting systems.

13 * * *

14 Section 205. State Plan Advisory Board.--(a) There is
15 hereby established within the Department of State a State Plan
16 Advisory Board [comprised of fifteen members] for the purpose of
17 advising the Secretary of the Commonwealth on the development of
18 the State Plan required by the Help America Vote Act of 2002
19 (Public Law 107-252, [42 U.S.C. § 15301] 52 U.S.C. § 20901 et
20 seq.).

21 (b) The board shall be comprised of the following members:

22 (1) One director of elections from a county of the first
23 class.

24 (2) One director of elections from a county of the second
25 class.

26 [(3) The chairperson of the political party with the highest
27 number of registered voters in the Commonwealth.]

28 [(4) The chairperson of the political party with the second
29 highest number of registered voters in the Commonwealth.]

30 (5) Eleven members appointed by the Secretary of the

1 Commonwealth as follows:

2 (i) Seven directors of elections, one from a county of the
3 second class A and one each from a county of the third, fourth,
4 fifth, sixth, seventh and eighth class.

5 (ii) One representative of an organization of disabled
6 Pennsylvania veterans.

7 (iii) One representative of an organization of blind and
8 visually impaired Pennsylvanians.

9 (iv) Two representatives of the public at large, who shall
10 be registered electors of the Commonwealth.

11 (c) The board shall elect a chairman from among its members.
12 Each member appointed by the secretary shall serve for a term of
13 five years. A vacancy shall be filled in the same manner as the
14 original appointment.

15 (d) The board shall meet as needed to fulfill the
16 requirements of this section.

17 (e) [~~Eight~~] Six members of the board shall constitute a
18 quorum. A vote of the majority of the members of the board is
19 required for the issuance of recommendations in accordance with
20 subsection (h).

21 (f) The board may establish any rules necessary for its
22 operation consistent with the provisions of subsection (e).

23 (g) The members of the board shall receive no compensation
24 for their services on the board but shall be reimbursed by the
25 department for ordinary and necessary expenses incurred in the
26 performance of their duties.

27 (h) The board shall have the power and duty to advise the
28 Secretary of the Commonwealth on the development of the State
29 Plan, which the secretary must develop and submit to the Federal
30 Election Assistance Commission in accordance with the Help

1 America Vote Act of 2002. The board shall make recommendations
2 on all aspects of the State Plan described in section 254 of the
3 Help America Vote Act of 2002.

4 ARTICLE III

5 Nonpartisan County Boards of Elections

6 Section 301. County Boards of Elections; Membership.--* * *

7 (b) In each county of the Commonwealth, the county board of
8 elections shall consist of the county commissioners of such
9 county ex officio, or any officials or board who are performing
10 or may perform the duties of the county commissioners, who shall
11 serve without additional compensation as such. Except in
12 counties of the first class, in counties which have adopted home
13 rule charters or optional plans the board of elections shall
14 consist of the members of the county body which performs
15 legislative functions unless the county charter or optional plan
16 provides for the appointment of the board of elections. [In
17 either case, there shall be minority representation on the
18 board. The county body which performs legislative functions
19 shall in the case where the board does not contain minority
20 representation appoint such representation from a list submitted
21 by the county chairman of the minority party.]

22 * * *

23 Section 302. Powers and Duties of County Boards.--The county
24 boards of elections, within their respective counties, shall
25 exercise, in the manner provided by this act, all powers granted
26 to them by this act, and shall perform all the duties imposed
27 upon them by this act, which shall include the following:

28 * * *

29 (c) To purchase, preserve, store and maintain primary and
30 election equipment of all kinds, including voting booths,

1 partisan and nonpartisan ballot boxes and voting machines, and
2 to procure partisan and nonpartisan ballots and all other
3 supplies for elections.

4 * * *

5 (e) To issue certificates of appointment to nonpartisan
6 watchers at primaries and elections.

7 * * *

8 (m) To prepare and submit, within twenty days after the last
9 day to register to vote in each primary, municipal and general
10 election, a report to the Secretary of the Commonwealth in the
11 form prescribed by him, which shall contain a statement of the
12 total number of electors registered in each election district[,
13 together with a breakdown of registration by each political
14 party or other designation. Copies of said statement shall be
15 furnished, upon request, to the county chairman of each
16 political party and political body]. The Secretary of the
17 Commonwealth shall forthwith submit such information to the
18 Legislative Data Processing Center and shall publicly report the
19 total number of registered electors [for each political party or
20 other designation in each county] not later than five days prior
21 to the primary, municipal or general election.

22 * * *

23 Section 308. Records and Documents to Be Open to Public
24 Inspection; Proviso.--The records of each county board of
25 elections, general and duplicate returns, tally papers,
26 affidavits of voters and others, nomination petitions,
27 certificates and papers, other petitions, appeals, witness
28 lists, accounts, contracts, reports and other documents and
29 records in its custody, except the contents of partisan and
30 nonpartisan ballot boxes and voting machines and records of

1 assisted voters, shall be open to public inspection, except as
2 herein provided, and may be inspected and copied by any
3 qualified elector of the county during ordinary business hours,
4 at any time when they are not necessarily being used by the
5 board, or its employes having duties to perform thereto:
6 Provided, however, That such public inspection thereof shall
7 only be in the presence of a member or authorized employe of the
8 county board, and shall be subject to proper regulation for
9 safekeeping of the records and documents, and subject to the
10 further provisions of this act: And provided further, That
11 general and duplicate returns, tally papers, affidavits of
12 voters and others, and all other papers required to be returned
13 by the election officers to the county board sealed, shall be
14 open to public inspection only after the county board shall, in
15 the course of the computation and canvassing of the returns,
16 have broken such seals and finished, for the time, their use of
17 said papers in connection with such computation and canvassing.

18 Section 310. Nonpartisan Watchers or Attorneys at Sessions
19 of County Board; Candidates May Be Present.--

20 (a) Any [party or political body or] body of citizens that
21 is not affiliated with a party or political body which now is,
22 or hereafter may be, entitled to have watchers at any
23 registration, primary or election, shall also be entitled to
24 appoint watchers who are qualified electors of the county or
25 attorneys to represent such [party or political body or] body of
26 citizens that is not affiliated with a party or political body
27 at any public session or sessions of the county board of
28 elections, and at any computation and canvassing of returns of
29 any primary or election and recount of ballots or recanvass of
30 voting machines under the provisions of this act. Such watchers

1 or attorneys may exercise the same rights as watchers at
2 registration and polling places, but the number who may be
3 present at any one time may be limited by the county board to
4 not more than three for each [party, political body or] body of
5 citizens that is not affiliated with a party or political body.

6 (b) Every candidate shall be entitled to be present in
7 person or by attorney in fact duly authorized, and to
8 participate in any proceeding before any county board whenever
9 any matters which may affect his candidacy are being heard,
10 including any computation and canvassing of returns of any
11 primary or election or recount of partisan and nonpartisan
12 ballots or recanvass of voting machines affecting his candidacy.

13 (c) Any candidate, attorney or watcher that is not
14 affiliated with a party or political body present at any recount
15 of ballots or recanvass of voting machines shall be entitled to
16 examine the partisan and nonpartisan ballots or the voting
17 machine and to raise any objections regarding the same, which
18 shall be decided by the county board, subject to appeal, in the
19 manner provided by this act.

20 ARTICLE IV

21 Nonpartisan District Election Officers

22 Section 401. District Election Boards; Election.--All
23 primaries and elections shall be conducted in each election
24 district by a district election board consisting of a judge of
25 election, [a majority inspector of election and a minority
26 inspector] two nonpartisan inspectors of election, assisted by
27 clerks and machine inspectors in certain cases, as hereinafter
28 provided. The judge and inspectors of election of each election
29 district shall be elected by the electors thereof at the
30 municipal election, and shall hold office for a term of four

1 years from the first Monday of January next succeeding their
2 election. Each elector may vote for one person as judge and for
3 one person as inspector, and the person receiving the highest
4 number of votes for judge shall be declared elected judge of
5 election, the person receiving the highest number of votes for
6 inspector shall be declared [elected majority] the first
7 nonpartisan inspector of election, and the person receiving the
8 second highest number of votes for inspector shall be declared
9 [elected minority] the second nonpartisan inspector of election.

10 Section 403. Tie Votes for Judge and Inspector.--If at any
11 municipal election in any district there shall be a tie vote for
12 the office of judge of election, the [majority inspector] two
13 nonpartisan inspectors of election elected at said election
14 shall decide the tie vote. If at any municipal election in any
15 district there is a tie vote for inspectors, the two candidates
16 who receive the same number of votes shall [determine by lot
17 which of them shall be the majority inspector] be elected the
18 two nonpartisan inspectors of election, and the other candidate
19 shall be the minority inspector, and in case of a tie vote also
20 for judge of election at said election, the tie shall be decided
21 by the [person so determined to be majority inspector] two
22 nonpartisan inspectors. The county board shall be notified
23 immediately upon the determination of any such tie vote.

24 Section 404. Clerks of Election, Machine Inspectors.--Prior
25 to the opening of the polls at each primary and election in
26 districts in which voting machines are not used, each inspector
27 shall appoint one clerk to serve at such primary or election.
28 One clerk shall be appointed by the [minority inspector]
29 inspectors in each district in which a voting machine or
30 machines are used, and in each district in which more than one

1 voting machine is used, the county board of elections shall,
2 prior to each primary and election, appoint for each additional
3 voting machine to be used in such district, one qualified
4 registered elector of the county to serve as machine inspector
5 therein for such primary or election. The qualifications of
6 clerks and machine inspectors shall be the same as herein
7 provided for election officers.

8 Section 405. Vacancies in Election Boards; Appointment;
9 Judge and [Majority Inspector to Be Members of Majority Party;
10 Minority Inspector to Be Member of Minority Party] Nonpartisan
11 Inspectors of Election.--(a) Vacancies in election boards
12 existing by reason of the disqualification, removal, resignation
13 or death of an election officer, or from any other cause,
14 occurring prior to the fifth day before any primary or election,
15 shall, in all cases, be filled by appointment, by the court of
16 the proper county, of competent persons, qualified in accordance
17 with the provisions of this act, who shall serve for the
18 unexpired term of the person whose place he is appointed to
19 fill[: Provided, however, That any district election officer
20 who, after his election or appointment, changes his political
21 affiliation, shall not thereby become disqualified to serve on
22 said election board, and shall not thereby be subject to
23 removal]. In making such appointments, the court shall receive
24 and consider any petitions filed by qualified electors of the
25 district affected, and shall make no appointment to fill any
26 vacancy unless notice of the time at which they will make such
27 appointment shall have been posted on the polling place of such
28 district, and in the immediate vicinity thereof, at least five
29 days prior thereto. [In the appointment of inspectors in any
30 election district, both shall not be of the same political party

1 at the time of said appointment, but one shall be of the party
2 having the largest number of votes and the other shall be of the
3 party having the second largest number of votes in said district
4 at the last preceding November election, as nearly as the judge
5 or judges can ascertain the fact. The judge of election shall,
6 in all cases of appointment, be of the political party having
7 the majority of votes in said district at the last preceding
8 November election, as nearly as the judge or judges can
9 ascertain the fact.] Immediately upon the entry of an order of
10 court filling any vacancy on an election board, the clerk of
11 said court shall forthwith transmit a certified copy of said
12 order to the county board, giving the name and address of said
13 appointee. Notwithstanding any provisions to the contrary, in
14 counties which have adopted home rule charters or optional plans
15 and which appoint the members of the county election board under
16 section 301(b), vacancies in the county board of elections shall
17 be filled consistent with the provisions for appointment of
18 county election board members under that section.

19 * * *

20 Section 406. Election Officers to Be Sworn.--All judges,
21 inspectors, clerks of election and machine inspectors shall,
22 before entering upon their duties at any primary or election, be
23 duly sworn in the presence of each other and of the watchers and
24 overseers, if any. The judge shall first be sworn by [the
25 minority inspector] one of the nonpartisan inspectors of
26 election or by a magistrate, alderman or justice of the peace,
27 and the inspectors, clerks and machine inspectors shall then be
28 sworn by the judge. Each of them shall forthwith sign in
29 duplicate the oath taken by him upon forms to be furnished by
30 the county board, and the same shall be attested by the officer

1 who administered the oath.

2 Section 412.2. Compensation of District Election Officers.--

3 * * *

4 (d) For transmitting returns of elections and the partisan
5 and nonpartisan ballot box or boxes, all judges of election
6 shall be entitled to receive the additional sum of \$20.

7 (e) The county board of elections may require [the minority
8 inspector] one of the inspectors of election to accompany the
9 judge of election in transmitting the returns of elections, in
10 which case the [minority] inspector of election shall be
11 entitled to receive the additional sum of \$20.

12 (f) The individual furnishing transportation to the judge of
13 election and the [minority] inspector in transmitting returns
14 and ballot boxes shall be entitled to a minimum of 35¢ per
15 circular mile from the polling place to the county court house.
16 The name of the individual shall appear on the voucher of the
17 judge of election and only one individual may receive mileage
18 compensation.

19 * * *

20 Section 415. Nonpartisan Overseers of Election.--On the
21 petition of five or more duly registered electors of any
22 election district, setting forth that the appointment of
23 nonpartisan overseers is a reasonable precaution to secure the
24 purity and fairness of any primary or election in said district,
25 it shall be the duty of the court of common pleas of the proper
26 county, all the law judges of the said court able to act at the
27 time concurring, to appoint two judicious, sober and intelligent
28 electors of the said district [belonging to different political
29 parties], overseers of election to supervise the proceedings of
30 election officers thereof and to make report of the same as they

1 may be required by such court. Said overseers shall be persons
2 qualified to serve upon election boards, but shall not be
3 required to comply with the provisions of section 414 of this
4 act. They shall be sworn or affirmed by the judge of election,
5 to the faithful discharge of their duties, and each shall sign
6 said oath in duplicate, and shall have the right to be present
7 with the officers of such primary or election within the
8 enclosed space during the entire time the same is held, the
9 votes counted, and the returns made out and signed by the
10 election officers; to keep a list of voters if they see proper;
11 to challenge any person offering to vote and interrogate him and
12 his witnesses under oath in regard to his right of suffrage at
13 said primary or election, and to examine his papers produced.
14 Overseers shall sign returns of elections as hereinafter
15 required. Whenever the members of an election board shall differ
16 in opinion, the overseers, if they shall be agreed thereon,
17 shall decide the question of difference.

18 Section 417. Appointment of Watchers.--

19 (a) Each candidate for nomination or election at any
20 election shall be entitled to appoint two watchers for each
21 election district in which such candidate is voted for. [Each
22 political party and each political body which has nominated
23 candidates in accordance with the provisions of this act, shall
24 be entitled to appoint three watchers at any general, municipal
25 or special election for each election district in which the
26 candidates of such party or political body are to be voted for.]
27 Such watchers shall serve without expense to the county.

28 (b) Each watcher so appointed must be a qualified registered
29 elector of the county in which the election district for which
30 the watcher was appointed is located. Each watcher so appointed

1 shall be authorized to serve in the election district for which
2 the watcher was appointed and, when the watcher is not serving
3 in the election district for which the watcher was appointed, in
4 any other election district in the county in which the watcher
5 is a qualified registered elector: Provided, That only one
6 watcher for each candidate at primaries[, or for each party or
7 political body at general, municipal or special elections,]
8 shall be present in the polling place at any one time from the
9 time that the election officers meet prior to the opening of the
10 polls under section 1208 until the time that the counting of
11 votes is complete and the district register and voting check
12 list is locked and sealed, and all watchers in the room shall
13 remain outside the enclosed space. It shall not be a requirement
14 that a watcher be a resident of the election district for which
15 the watcher is appointed. After the close of the polls and while
16 the ballots are being counted or voting machine canvassed, all
17 the watchers shall be permitted to be in the polling place
18 outside the enclosed space. Each watcher shall be provided with
19 a certificate from the county board of elections, stating his
20 name and the name of the candidate[, party or political body he
21 represents]. Watchers shall be required to show their
22 certificates when requested to do so. Watchers allowed in the
23 polling place under the provisions of this act, shall be
24 permitted to keep a list of voters and shall be entitled to
25 challenge any person making application to vote and to require
26 proof of his qualifications, as provided by this act. During
27 those intervals when voters are not present in the polling place
28 either voting or waiting to vote, the judge of elections shall
29 permit watchers, upon request, to inspect the voting check list
30 and either of the two numbered lists of voters maintained by the

1 county board: Provided, That the watcher shall not mark upon or
2 alter these official election records. The judge of elections
3 shall supervise or delegate the inspection of any requested
4 documents.

5 (c) No candidate [or committee of a political party or of a
6 political body,] nor any other person or persons shall pay to
7 any watcher compensation in excess of one hundred twenty
8 (\$120.00) dollars per diem. No committee of a political party or
9 of a political body may pay a watcher any compensation.

10 (d) A watcher whose watcher's certificate is destroyed or
11 lost on election day may appear before the court of common pleas
12 under section 1206 and, after swearing under oath or affirmation
13 that the watcher's certificate was destroyed or lost, may
14 immediately receive a replacement watcher's certificate issued
15 by the court.

16 Section 526. Polling Places to Be Selected by County
17 Board.--* * *

18 (c) The county board of elections shall publicly announce,
19 not less than twenty days prior to the primary election, special
20 election, municipal election [or], general election[,] or
21 general election runoff election by posting at its office in a
22 conspicuous place, a list of the places at which the election is
23 to be held in the various election districts of the county. The
24 list shall be available for public inspection at the office of
25 the county board of elections.

26 Section 603. General Primary; Candidates to Be Nominated
27 [and Party Officers to Be Elected].--* * *

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

29 Section 603.1. Nonpartisan Ballot Candidates.--For each
30 political office on a nonpartisan ballot, the two candidates who

1 receive the highest number of votes for the office, but not less
2 than twenty-five (25) per centum of the votes cast for the
3 office, shall proceed to the November general election.

4 Section 3. Sections 605 and 629 of the act are amended to
5 read:

6 Section 605. Elections on Proposed Constitutional
7 Amendments.--Unless the General Assembly shall prescribe
8 otherwise with respect to any particular proposed amendment or
9 amendments and the manner and time of submitting to the
10 qualified electors of the State any proposed amendment or
11 amendments to the Constitution for the purpose of ascertaining
12 whether the same shall be approved by a majority of those voting
13 thereon, the said amendment or amendments which have heretofore,
14 or which may hereafter be proposed, and which have not been
15 submitted to the qualified electors of the State, shall be
16 submitted to the qualified electors of the State for the purpose
17 aforesaid, at the first municipal or general election at which
18 such amendment or amendments may be legally submitted to the
19 electors, which election shall occur at least three months after
20 the date upon which such proposed amendment or amendments shall
21 have been agreed to for the second time by a majority of the
22 members elected to each house of the General Assembly, as
23 provided in Article Eighteen, section one of the Constitution.
24 Said election shall be conducted on said election day in the
25 manner prescribed by the provisions of this act. Such proposed
26 constitutional amendments shall be printed on the nonpartisan
27 ballots or ballot labels in brief form to be determined by the
28 Secretary of the Commonwealth with the approval of the Attorney
29 General.

30 Section 629. Nominations for Special Election for

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

22 Section 4. The act is amended by adding a section to read:

23 Section 629.1. Nominations for Special Election for Senator
24 and Representative in the General Assembly and Member of Council
25 or Legislative Body of Cities, Boroughs, Towns and Townships.--
26 Candidates to fill vacancies in the offices of Senator and
27 Representative in the General Assembly and member of the council
28 or legislative body of any city, borough, town or township shall
29 file nomination petitions in accordance with Article IX not
30 later than fifteen (15) days after the issuance of the writ of

1 election.

2 Section 5. Sections 630, 630.1, 702, 801 and 802 of the act
3 are amended to read:

4 Section 630. Number, Form and Requirements of Nomination
5 Certificates.--Each political party shall be entitled to
6 nominate and to file nomination certificates for as many
7 candidates as will be voted for at such special election for the
8 office of United States Senator or Representative to Congress.

9 Every nomination certificate for a special election to be held
10 under the provisions of this article shall be in form prescribed
11 by the Secretary of the Commonwealth, and shall set forth the
12 following:

13 (a) The office and district, if any, for which it is filed;

14 (b) The cause of the vacancy;

15 (c) The rule or rules of the political party, setting forth
16 the provisions applicable to the nomination of a candidate or
17 candidates to fill said vacancy;

18 (d) That a quorum of the committee, caucus or convention as
19 provided by the party rules, duly convened, and the names of
20 those present at said meeting, or their proxies; that said
21 persons are the duly appointed or elected members of said
22 committee, caucus or convention;

23 (e) The name, residence and occupation of the candidate duly
24 nominated at said meeting;

25 Every such certificate of nomination shall be signed by the
26 presiding officer and the secretary or secretaries of the
27 committees, caucus or convention, and shall be sworn or affirmed
28 to by them before any officer qualified to administer oaths.

29 Section 630.1. Affidavits of Candidates.--Each candidate for
30 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 for the office of school board in a district
14 where that office is elective or for the office of justice of
15 the peace, that he is not a candidate for the same office of any
16 party or political body other than the one designated in such
17 certificate;] (g) that he is aware of the provisions of section
18 1626 of this act requiring election and post-election reporting
19 of campaign contributions and expenditures; and (h) that he is
20 not a candidate for an office which he already holds, the term
21 of which is not set to expire in the same year as the office
22 subject to the affidavit.

23 Section 702. Qualifications of Electors at Primaries.--The
24 qualifications of electors entitled to vote at primaries shall
25 be the same as the qualifications of electors entitled to vote
26 at elections within the election district where the primary is
27 held, provided that [no elector who is not registered and
28 enrolled as a member of a political party, in accordance with
29 the provisions of this act, shall be permitted to vote the
30 ballot of such party or any other party ballot] all registered

1 electors shall be permitted to vote for any candidate,
2 regardless of the elector's party or political body affiliation,
3 on the partisan ballot at any primary.

4 Section 801. Definition of Political Parties and Political
5 Bodies.--

6 (a) Any party or political body, one of whose candidates at
7 the general election next preceding the primary polled in each
8 of at least ten counties of the State not less than two per
9 centum of the largest entire vote cast in each of said counties
10 for any elected candidate, and polled a total vote in the State
11 equal to at least two per centum of the largest entire vote cast
12 in the State for any elected candidate, is hereby declared to be
13 a political party within the State, and shall nominate all its
14 candidates for [any of the offices provided for in this act, and
15 shall elect its delegates and alternate delegates to the
16 National convention as party rules provide. State committee
17 members, and also such party officers, including members of the
18 National committee, as its rules provide, shall be elected by a
19 vote of the party electors,] President and Vice-President of the
20 United States or United States Senator or Representative to
21 Congress in accordance with the provisions of this act [and
22 party rules].

23 (b) Any party or political body, one of whose candidates at
24 [either] the general [or municipal] election preceding the
25 primary polled at least five per centum of the largest entire
26 vote cast for [any elected candidate in any county,] President
27 and Vice-President of the United States or United States Senator
28 or Representative to Congress is hereby declared to be a
29 political party within said county[; and shall nominate all its
30 candidates for office in such county and in all political

1 districts within said county, or of which said county forms a
2 part, and shall elect such party officers as its rules provide
3 shall be elected therein, by a vote of the party electors, in
4 accordance with the provisions of this act.]

5 (c) Any political body which is not a political party, as
6 hereinabove defined, but which has nominated candidates for
7 President and Vice-President of the United States or United
8 States Senator or Representative to Congress for such general
9 [or municipal] election by nomination papers in the manner
10 provided by this act, shall be deemed to be a political body
11 within the meaning of this act[, but such political body shall
12 not be entitled to nominate its candidates or elect its party
13 officers at primaries held under the provisions of this act].

14 (d) Provided, however, That the words "political party" and
15 the words "political body", as hereinabove defined, shall not
16 include any political party, political organization or political
17 body composed of a group of electors, whose purposes or aims, or
18 one of whose purposes or aims, is the establishment, control,
19 conduct, seizure or overthrow of the Government of the
20 Commonwealth of Pennsylvania or the United States of America by
21 the use of force, violence, military measures, or threats of one
22 or more of the foregoing.

23 Section 802. [Only] All Enrolled Electors to Vote for Any
24 Candidate at Primaries [or Hold Party Offices].--[No person who
25 is not] All persons who are registered and enrolled [as a member
26 of a political party] to vote shall be entitled to vote at any
27 primary [of such party or to be elected or serve as a party
28 officer, or a member or officer of any party committee, or
29 delegate or alternate delegate to any party convention] for any
30 candidate, regardless of party or political body affiliation of

1 the elector or the candidate.

2 Section 6. Sections 804, 805, 806, 807, 808.1, 809.1, 810,
3 811 and 812 of the act are repealed:

4 [Section 804. Organization of State Committee; Rules.--Each
5 political party shall be directed by a State committee, to be
6 chosen in such a manner and for such a term of office as party
7 rules may provide. The members of the State committee shall meet
8 for organization not later than the sixth Wednesday following
9 their election, at such hour and place as shall be designated by
10 the State chairman of each political party. The State committee
11 of each political party may make such rules for government of
12 the party in the State, not inconsistent with law, as it may
13 deem expedient; and may also revoke, alter or renew, in any
14 manner not inconsistent with law, any present or future rules of
15 such political party. No such rules shall be effective until a
16 certified copy thereof has been filed in the office of the
17 Secretary of the Commonwealth.

18 Section 805. Filling of Vacancy in State Committee.--
19 Vacancies happening at any time in the office of member of the
20 State committee shall be filled according to the rules of the
21 party.

22 Section 806. Election of National Committeemen.--National
23 committeemen shall be elected, and vacancies happening at any
24 time in said office shall be filled, by the State committee of
25 the proper party, unless the rules of the national party
26 otherwise provide, in which case such committeemen shall be
27 elected and vacancies be filled in the manner provided by the
28 rules of the national party.

29 Section 807. County Committees; Rules; Other Party
30 Officers.--There may be in each county a county committee for

1 each political party within such county, the members of which
2 shall be elected at the Spring primary, or appointed, as the
3 rules of the respective parties within the county may provide.
4 The county committee of each party may make such rules for the
5 government of the party in the county, not inconsistent with law
6 or with the State rules of the party, as it may deem expedient,
7 and may also revoke, alter or renew in any manner not
8 inconsistent with law or with such State rules, any present or
9 future county rules of such party. No such rules shall be
10 effective until a certified copy thereof has been filed in the
11 office of the county board of elections. The members of all
12 other party committees, and all other party officers whose
13 election is required by the party rules, shall also be elected
14 at the Spring primary, in the manner provided by this act.

15 Section 808.1. Selection of Delegates to National
16 Conventions; Forwarding of Rules to Secretary of Commonwealth.--
17 Delegates and alternate delegates to a National convention of a
18 political party shall be apportioned, selected or elected in
19 such manner as the rules of the party may provide. The secretary
20 of any political party shall certify and forward to the
21 Secretary of the Commonwealth a copy of the party rules at least
22 thirty days prior to the first day on which nomination petitions
23 may be circulated for the offices which are to be filled at the
24 Spring primaries in the years in which candidates for the
25 President of the United States are to be nominated, or at such
26 other times as a political party shall meet in National
27 convention or conference when candidates for the President of
28 the United States are not to be nominated.

29 Section 809.1. Delegate and Alternate Delegate Commitments;
30 Authorization Required; Petitions.--(a) Whenever the rules of a

1 party provide that a candidate for delegate or alternate
2 delegate to a National convention of a political party may
3 pledge his support to a presidential candidate, he shall be
4 committed to support and vote for the nomination of that
5 candidate as President as party rules provide, the notation of
6 which shall be printed upon the ballot in accordance with
7 section 1002 of this act.

8 (b) No candidate for delegate or alternate delegate shall
9 make a commitment unless he has obtained prior authorization to
10 do so from the presidential candidate to whom he is pledging
11 support. No candidate for delegate or alternate delegate shall
12 be allowed to commit himself to any presidential candidate nor
13 shall the Secretary of the Commonwealth cause any notation of
14 commitment to be printed on any ballot unless the presidential
15 candidate forwards notice to the Secretary of the Commonwealth,
16 upon a form prescribed by the secretary, that he is a candidate
17 for the nomination of President of the United States and that he
18 authorizes delegates and alternate delegates to pledge their
19 support and commit themselves to him. This notice must be
20 received by the secretary at least fifteen days prior to the
21 first day on which nomination petitions may be circulated for
22 the offices which are to be filled at the Spring primaries in
23 the years in which candidates for the President of the United
24 States are to be nominated.

25 (c) Nomination petitions for delegates committed to
26 particular presidential candidates shall be obtained only from
27 the presidential candidate or his duly authorized representative
28 who is certified by the Secretary of the Commonwealth as being
29 authorized by the candidate to distribute nomination petitions
30 bearing his name.

1 Section 810. Who Shall Be Declared Elected Members of
2 National or State Committee and Party Offices.--Candidates of
3 the various political parties for the office of member of the
4 State committee, or for the office of member of the National
5 committee, in cases where the rules of the party provide that
6 such office shall be filled by a vote of the party electors, who
7 receive a plurality of the votes of the party electors at a
8 primary, shall be the duly elected members of the State or
9 National committee, as the case may be, of their respective
10 parties. Candidates for other party offices, who receive a
11 plurality of the votes of the party electors at a primary, shall
12 be the party officers of their respective parties.

13 Section 811. Party Officer Elected in Case of Tie Vote.--In
14 the case of a tie vote for any party office, the candidates
15 receiving the tie vote shall cast lots before the county board
16 or the Secretary of the Commonwealth, as the case may be, at
17 twelve (12) o'clock noon on the third Friday following the
18 primary, and the one to whom the lot shall fall shall be
19 entitled to the election. In any case where the fact of a tie
20 vote is not authoritatively determined until after the third
21 Wednesday following the primary, the day for casting lots shall
22 be the second day after the fact of such tie vote is
23 authoritatively determined. If any candidate or candidates,
24 receiving a tie vote, fail to appear before twelve (12) o'clock
25 noon on said day, the county board or the Secretary of the
26 Commonwealth, as the case may be, shall cast lots for him or
27 them. For the purpose of casting lots any candidate may appear
28 in person, or by proxy appointed in writing.

29 Section 812. District Committees.--Whenever two or more
30 members of a political party shall be elected or appointed, as

1 the rules of the party may provide, as members of a political
2 committee to represent the members of such party in the
3 respective election districts, such members shall constitute a
4 political committee of said political party to function within
5 such election district: Provided, that, When acting in the
6 capacity of a political committee, such duly elected or
7 appointed members shall be subject to the control, direction and
8 supervision of the political committee of which they are
9 members.]

10 Section 7. Sections 901(a), 902 and 904 of the act are
11 amended to read:

12 Section 901. Determination and Certification of State-wide
13 and County-wide Parties.--(a) The Secretary of the Commonwealth
14 shall determine which organizations are political parties within
15 the State, within the meaning of section 801(a) of this act, and
16 not later than the thirteenth Tuesday preceding each primary
17 shall transmit to each county board a list of said political
18 parties which shall be entitled to nominate candidates for the
19 partisan ballot at primaries.

20 * * *

21 Section 902. Candidates to Be Nominated [and Party Officers
22 to Be Elected at Primaries].--All candidates of political
23 parties, as defined in section 801 of this act, for the offices
24 of United States Senator, Representative in Congress and for all
25 other elective public offices within this State, except that of
26 presidential electors, shall be nominated[, and party delegates
27 and alternate delegates, committeemen and officers who, under
28 the provisions of Article VIII of this act or under the party
29 rules, are required to be elected by the party electors, shall
30 be elected] at primaries held in accordance with the provisions

1 of this act, except as otherwise provided in this act. In the
2 years when candidates for the office of President of the United
3 States are to be nominated, every registered and enrolled
4 [member of a political party] elector shall have the opportunity
5 at the Spring primary in such years to vote [his] a preference
6 for one person to be the candidate of [his] a political party
7 for President.

8 Section 904. Municipal Clerks [and Party Chairmen] to
9 Furnish Information as to Offices to Be Filled.--To assist the
10 respective county boards in ascertaining the offices to be
11 filled, it shall be the duty of the clerks or secretaries of the
12 various cities, boroughs, towns, townships and school districts,
13 with the advice of their respective solicitors, on or before the
14 thirteenth Tuesday preceding the Municipal primary, to send to
15 the county boards of their respective counties a written notice
16 setting forth all city, borough, town, township and school
17 district offices to be filled in their respective subdivisions
18 at the ensuing municipal election, and for which candidates are
19 to be nominated at the ensuing primary. [It shall also be the
20 duty of the chairman of the State committee of each political
21 party to forward to the Secretary of the Commonwealth and to the
22 respective county boards, on or before the thirteenth Tuesday
23 preceding the General primary, a written notice setting forth
24 the number of delegates and alternate delegates to the National
25 convention of such party who are to be elected in the State at
26 large at the ensuing primary, and the number of such delegates
27 and alternate delegates who are to be elected at said primary in
28 such county, or in any district within such county, or of which
29 it forms a part. The said notice shall also set forth the number
30 of members of the National committee, if any, who, under the

1 National party rules, are to be elected at the said primary in
2 the State at large, and the number of members of the State
3 committee to be elected at the said primary in such county, or
4 in any district, or part of a district within such county. It
5 shall also be the duty of the chairman of the county committee
6 and, in cases where a city is coextensive with a county, the
7 chairman of the city committee of each party, on or before the
8 thirteenth Tuesday preceding the General primary, to send to the
9 county board of such county a written notice setting forth all
10 party offices to be filled in the county at the ensuing
11 primary.]

12 Section 8. Sections 906 and 907 of the act are repealed:

13 [Section 906. Publication of Notice of Officers to Be
14 Nominated and Elected.--Beginning not earlier than twelve weeks,
15 nor later than eleven weeks before any General or Municipal
16 primary, the county board of each county shall publish in
17 newspapers, as provided by section 106 of this act, a notice
18 setting forth the number of delegates and alternate delegates to
19 the National convention of each party who are to be elected in
20 the State at large at the ensuing primary, and the number of
21 delegates and alternate delegates who are to be elected at the
22 said primary in said county, or in any district of which said
23 county or part thereof forms a part, and also setting forth the
24 names of all public offices for which nominations are to be
25 made, and the names of all party offices, including that of
26 members of the National committee, if any, and State committee,
27 for which candidates are to be elected at said primary in said
28 county, or in any district of which such county or part thereof
29 forms a part, or in the State at large. Said notice shall
30 contain the date of the primary, and shall be published once

1 each week for two successive weeks in counties of the first and
2 second class and once in all other counties.

3 Section 907. Nomination Petitions to Be Filed.--The names of
4 candidates for nomination as President of the United States, and
5 the names of all other candidates for party nominations, and for
6 election as delegates, alternate delegates, members of
7 committees and other party officers, shall be printed upon the
8 official primary ballots or ballot labels of a designated party,
9 upon the filing of separate nomination petitions in their
10 behalf, in form prescribed by the Secretary of the Commonwealth,
11 signed by duly registered and enrolled members of such party who
12 are qualified electors of the State, or of the political
13 district, as the case may be, within which the nomination is to
14 be made or election is to be held. Nomination petitions of
15 delegates and alternate delegates to National conventions
16 committed to support a particular presidential candidate must be
17 signed by the particular presidential candidate to whom support
18 is pledged before it can be certified by the Secretary of the
19 Commonwealth. The name of no candidate shall be placed upon the
20 official ballots or ballot labels of a political party to be
21 used at any primary, unless such petition shall have been filed
22 in his behalf. In no event shall any person's name be printed
23 upon the official ballots or ballot labels of any party for the
24 office of delegate, alternate delegate, member of committee or
25 other party officer, unless he is a duly registered and enrolled
26 member of said party.]

27 Section 9. Sections 909 and 910 of the act are amended to
28 read:

29 Section 909. Petition May Consist of Several Sheets;
30 Statement of Circulator.--Said nomination petition may be on one

1 or more sheets, and different sheets must be used for signers
2 resident in different counties. If more than one sheet is used,
3 they shall be bound together when offered for filing if they are
4 intended to constitute one petition, and each sheet shall be
5 numbered consecutively beginning with number one, at the foot of
6 each page. [In cases of petitions for delegate or alternate
7 delegate to National conventions, each sheet shall contain a
8 notation indicating the presidential candidate to whom he is
9 committed or the term "uncommitted."] Each sheet shall have
10 appended thereto the statement of the circulator of each sheet,
11 setting forth, subject to the penalties of 18 Pa.C.S. § 4904
12 (relating to unsworn falsification to authorities)--(a) that he
13 or she is a qualified elector of the Commonwealth, who is duly
14 registered [and enrolled as a member of the party designated in
15 said petition, unless said petition relates to the nomination of
16 a candidate for a court of common pleas, for the Philadelphia
17 Municipal Court or for justice of the peace, in which event the
18 circulator need not be a duly registered and enrolled member of
19 the designated party;] in the political district; (b) his
20 residence, giving city, borough or township, with street and
21 number, if any; (c) that the signers thereto signed with full
22 knowledge of the contents of the petition; (d) that their
23 respective residences are correctly stated therein; (e) that
24 they all reside in the county named in the statement; (f) that
25 each signed on the date set opposite his name; and (g) that, to
26 the best of the circulator's knowledge and belief, the signers
27 are qualified electors and duly registered [and enrolled members
28 of the designated party of the State, or of the political
29 district, as the case may be] in the political district.

30 Section 910. Affidavits of Candidates.--Each candidate for

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

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

10 Section 10. Section 911 of the act is repealed:

11 [Section 911. Statement of Candidates for Delegates to
12 National Conventions.--Each candidate for election as delegate
13 or alternate delegate to a National party convention may
14 include, with his affidavit, the statement hereinafter set forth
15 in this section; but his failure to include such statement shall
16 not be a valid ground, on the part of the Secretary of the
17 Commonwealth, for refusal to receive and file his nomination
18 petition. Such statement, if signed, shall be signed on all the
19 sheets of said petition, together with the date of signing and
20 shall be in substantially the following form:

21 Delegate's Statement

22 I hereby declare to the voters of my political party in the
23 (here insert "State of Pennsylvania," if a delegate or alternate
24 delegate at large; otherwise, insert ".....District") that,
25 if elected and in attendance as a delegate to the National
26 convention of the party, I shall, with all fidelity, to the best
27 of my judgment and ability, in all matters coming before the
28 convention, support (here insert name of presidential candidate)
29 for President of the United States and shall use all honorable
30 means within my power to aid in securing the nomination for such

1 candidate for President.

2

3 (Signature of candidate for delegate or alternate delegate, and
4 date of signing.)

5 On the ballots or ballot labels used at a primary, after or
6 under the name of each candidate for delegate or alternate
7 delegate to a National party convention, shall appear the words
8 "committed to (here insert name of presidential candidate)" or
9 "uncommitted" according to whether the candidate included, or
10 failed to include, the above statement with his affidavit.]

11 Section 11. Sections 912.1, 913(a) and (b.1) and 922,
12 Article X heading and sections 1001 and 1002(a) and (b) of the
13 act are amended to read:

14 Section 912.1. Number of Signers Required for Nomination
15 Petitions of Candidates at Primaries.--Candidates for nomination
16 of offices as listed below shall present a nominating petition
17 containing at least as many valid signatures of registered and
18 enrolled members of the proper party as listed below:

19 (1) President of the United States: Two thousand.

20 (2) United States Senate: Two thousand.

21 (3) Governor: Two thousand including at least one hundred
22 from each of at least ten counties.

23 (4) Lieutenant Governor: One thousand including at least one
24 hundred from each of at least five counties.

25 (5) Treasurer: One thousand including at least one hundred
26 from each of at least five counties.

27 (6) Auditor General: One thousand including at least one
28 hundred from each of at least five counties.

29 (7) Attorney General: One thousand including at least one
30 hundred from each of at least five counties.

1 (8) Justice of the Supreme Court: One thousand including at
2 least one hundred from each of at least five counties.

3 (9) Judge of the Superior Court: One thousand including at
4 least one hundred from each of at least five counties.

5 (10) Judge of the Commonwealth Court: One thousand including
6 at least one hundred from each of at least five counties.

7 (11) For any other office to be filled by the vote of the
8 electors of the State at large or for any other party office to
9 be elected by the electors of the State at large: One thousand
10 including at least one hundred from each of at least five
11 counties.

12 (12) Representative in Congress: One thousand.

13 (13) Senator in the General Assembly: Five hundred.

14 (14) Representative in the General Assembly: Three hundred.

15 (15) Public [or party] offices to be filled by a vote of the
16 electors in counties of the first class at large: One thousand.

17 (16) Public [or party] offices to be filled by a vote of the
18 electors in counties of the second class at large: Five hundred.

19 (17) Public [or party] offices to be filled by a vote of the
20 electors in cities of the first class at large: One thousand.

21 (18) Public [or party] offices to be filled by a vote of the
22 electors in counties of the second class A at large: Two hundred
23 fifty.

24 (19) Public [or party] offices to be filled by a vote of the
25 electors in counties of the third class at large: Two hundred
26 fifty.

27 (20) Public [or party] offices to be filled by a vote of the
28 electors in counties of the fourth class at large: Two hundred
29 fifty.

30 (21) Public [or party] offices to be filled by a vote of the

1 electors in cities of the second class at large: Two hundred
2 fifty.

3 (22) Public [or party] offices to be filled by a vote of the
4 electors in cities of the second class A at large: One hundred.

5 (23) Public [or party] offices to be filled by a vote of the
6 electors in cities of the third class at large: One hundred.

7 (24) Public [or party] offices to be filled by a vote of the
8 electors in counties of the fifth class at large: One hundred.

9 (25) Public [or party] offices to be filled by a vote of the
10 electors in counties of the sixth class at large: One hundred.

11 (26) Public [or party] offices to be filled by a vote of the
12 electors in counties of the seventh class at large: One hundred.

13 (27) Public [or party] offices to be filled by a vote of the
14 electors in counties of the eighth class at large: One hundred.

15 (28) Office of judge of any court of record other than a
16 Statewide court or a court in a county of the first or second
17 class: Two hundred fifty.

18 [(29) District delegate or alternate district delegate to a
19 National party convention: Two hundred fifty.]

20 [(30) Member of State committee: One hundred.]

21 (31) Office of district council member in a city of the
22 first class: Seven hundred fifty.

23 (31.1) Office of district council member in a city of the
24 second class: One hundred.

25 (32) Office of magisterial district judge: One hundred, but
26 only for a candidate's primary election when the candidate does
27 not already hold the office of magisterial district judge. A
28 sitting magisterial district judge elected to the office shall
29 not be required to file a nominating petition under this section
30 to run for the office of magisterial district judge but may

1 instead file a certificate of nomination for reelection
2 specifying the intent to seek reelection to the office. If a
3 sitting magisterial district judge files a certificate of
4 nomination for reelection, the sitting magisterial district
5 judge may not challenge the nominating petition of another
6 candidate for magisterial district judge.

7 (33) Office of judge of election: Ten.

8 (34) Inspector of elections: Five.

9 (35) School director: Ten.

10 (36) All other public and party offices: Ten.

11 Section 913. Place and Time of Filing Nomination Petitions;

12 Filing Fees.--(a) Nomination petitions in the case of

13 candidates for the office of President of the United States,

14 United States Senator, Representative in Congress and for all

15 State offices[, including senators, representatives and judges

16 of courts of record, for the office of delegate or alternate

17 delegate to National party conventions, and for the office of a

18 member of a State or National committee,] shall be filed with

19 the Secretary of the Commonwealth. Nomination petitions in all

20 other cases shall be filed with the county boards of election of

21 the respective counties. Nomination petitions for candidates for

22 any office to be voted for by the electors of any city, borough,

23 township, ward or school district which is situate in two or

24 more counties, shall be filed with the county board of the

25 county in which the major number of the registered electors of

26 such city, borough, township, ward or school district reside.

27 Immediately after the last day for such candidates to withdraw

28 and after they have cast lots for their position on the ballots

29 or ballot labels, the said county board shall certify to the

30 county board of each other county involved a list of the names,

1 addresses and occupations of the candidates so filing nomination
2 petitions for each party, together with the order in which their
3 names are to appear upon the primary ballots or ballot labels,
4 and such other county board shall prepare the primary ballots or
5 ballot labels to be used in the portion of such city, borough,
6 township, ward or school district situate in such county
7 accordingly.

8 (b.1) Each person filing any nomination petition shall pay
9 for each petition, at the time of filing, a filing fee to be
10 determined as follows, and no nomination petition shall be
11 accepted or filed, unless and until such filing fee is paid by a
12 certified check or money order or also by cash when filed with
13 the county board. All moneys paid on account of filing fees
14 shall be transmitted by the county board to the county treasurer
15 and shall become part of the General Fund. Certified checks or
16 money orders in payment of filing fees shall be made payable to
17 the Commonwealth of Pennsylvania or to the county, as the case
18 may be, and shall be transmitted to the State Treasurer or to
19 the county treasurer and shall become part of the General Fund.

20 1. If for the office of President of the United States, or
21 for any public office to be filled by the electors of the State
22 at large, the sum of two hundred dollars (\$200.00).

23 2. If for the office of Representative in Congress, the sum
24 of one hundred fifty dollars (\$150.00).

25 3. If for the office of judge of a court of record,
26 excepting judges to be voted for by the electors of the State at
27 large, the sum of one hundred dollars (\$100.00).

28 4. If for the offices of Senator or Representative in the
29 General Assembly, for any office to be filled by the electors of
30 an entire county, for the office of district councilman in a

1 city of the first class and for any office other than school
2 district office to be filled by the electors of an entire city,
3 the sum of one hundred dollars (\$100.00), except as provided in
4 paragraph 4.1.

5 4.1. If for nonschool board offices for any third class city
6 official, the sum of twenty-five dollars (\$25.00).

7 [6. If for the office of delegate or alternate delegate to
8 National party convention, or member of National committee or
9 member of State committee, the sum of twenty-five dollars
10 (\$25.00).]

11 7. If for the office of constable, the sum of ten dollars
12 (\$10.00).

13 8. If for the office of district councilman in a city of the
14 second class or the office of district justice, the sum of fifty
15 dollars (\$50.00).

16 * * *

17 Section 922. Which Candidates Nominated.--Candidates [of the
18 various political parties] for nomination, except for the office
19 of President of the United States, who receive a plurality of
20 votes of their party electors in the State, or in the political
21 district, as the case may be, at the primary election, together
22 with the candidates for the office of presidential elector
23 nominated as herein provided, shall be candidates of their
24 respective parties, and it shall be the duty of the proper
25 county boards to print their names upon the official ballots and
26 ballot labels at the succeeding election: Provided, That when a
27 candidate for nomination shall have died before or on the day of
28 the primary election and shall nevertheless receive a plurality
29 of votes of his party electors cast for the office for which he
30 sought nomination, then no candidate shall have been nominated

1 for the office at such primary and a substituted nomination may
2 be made in the manner hereinafter provided.

3 ARTICLE X

4 Partisan and Nonpartisan Ballots

5 Section 1001. Official Ballots to Be used.--All primaries
6 and elections in this Commonwealth shall be conducted by a
7 partisan and nonpartisan ballot, except in districts in which
8 voting machines are used under the provisions of Article XI of
9 this act. All partisan and nonpartisan ballots used at primaries
10 and elections in election districts in which ballots are used,
11 shall be provided by the respective county boards of elections,
12 in accordance with the provisions of this act, and, except as
13 otherwise provided in this act, only official partisan and
14 nonpartisan ballots furnished by the county boards of elections
15 shall be cast or counted at any primary or election in any
16 district in which ballots are used.

17 Section 1002. Form of Official Partisan Primary Ballot.--(a)
18 At primaries separate official ballots shall [be prepared for
19 each party] combine party candidates on one partisan ballot
20 where the candidates may designate party, political body or
21 third-party affiliation which shall be in substantially the
22 following form:

23 Official..... Primary Ballot.
24 (Name of Party)
25District,.....Ward, City of.....,
26 County of....., State of Pennsylvania
27Primary election held on the.....day of....., [19]
28 20...

29 Make a cross (X) or check (✓) in the square to the right of
30 each candidate for whom you wish to vote. If you desire to vote

1 for a person whose name is not on the ballot, write or stamp his
2 name in the blank space provided for that purpose. Mark ballot
3 only in black lead pencil, indelible pencil or blue, black or
4 blue-black ink in fountain pen or ball point pen. Use the same
5 pencil or pen for all markings you place on the ballot.

6

7

President of the United States.

8

(Vote for one)

9 John Doe

10 Richard Roe

11 John Stiles

12

13

United States Senator.

14

(Vote for one)

15 John Doe

16 Richard Roe

17 John Stiles

18

19

[Governor.

20

(Vote for one)

21 John Doe

22 Richard Roe

23 John Stiles]

24

25

Representative in Congress.....District.

26

(Vote for one)

27 John Doe

28 Richard Roe

29 John Stiles

30

1 [Delegates at Large to National Convention.

2 (Vote for.....)

3 John Doe

4 (Committed to Jeremiah Smith)

5 John Stiles

6 (Uncommitted)

7

8 Delegate to National Convention.....District.

9 (Vote for.....)

10 John Doe

11 (Committed to Jeremiah Smith)

12 John Stiles

13 (Uncommitted)

14

15 Senator in the General Assembly.....District.

16 (Vote for one)

17 John Doe

18 Richard Roe

19 John Stiles

20

21 Member of State Committee.

22 (Vote for one)

23 John Doe

24 Richard Roe

25 John Stiles

26

27 Party Committeemen.

28 (Vote for.....)

29 John Doe

30 Richard Roe

1 John Stiles]

2 (b) On the back of each ballot shall be printed in prominent
3 type the words "OFFICIAL PARTISAN PRIMARY BALLOT [OF
4PARTY FOR]" followed by the designation of the election
5 district for which it is prepared, the date of the primary and
6 the facsimile signatures of the members of the county board of
7 elections. The names of candidates shall in all cases be
8 arranged under the title of the office for which they are
9 candidates, and be printed thereunder in the order determined by
10 the casting of lots as provided by this act. Under the title of
11 such offices where more than one candidate is to be voted for,
12 shall be printed "Vote for not more than" (the blank
13 space to indicate the number of candidates to be voted for the
14 particular office.) At the right of the name of each candidate
15 there shall be a square of sufficient size for the convenient
16 insertion of a cross (x) or check (✓) mark. There shall be left
17 at the end of the list of candidates for each office (or under
18 the title of the office itself in case there be no candidates
19 who have filed nomination petitions therefor) as many blank
20 spaces as there are persons to be voted for, for such office, in
21 which space the elector may insert, by writing or stamping, the
22 name of any person whose name is not printed on the ballot as a
23 candidate for such office. Opposite or under the name of each
24 candidate, except candidates for the office of President of the
25 United States and candidates for delegate or alternate delegate
26 to a National Party Convention, who is to be voted for by the
27 electors of more than one county, shall be printed the name of
28 the county in which such candidate resides; and opposite or
29 under the name of each candidate except candidates for delegate
30 or alternate delegate to a National Party Convention who is to

1 be voted for by the electors of an entire county or any
2 congressional, senatorial or representative district within the
3 county, shall be printed the name of the city, borough, township
4 or ward, as the case may be, in which such candidate resides.

5 * * *

6 Section 12. The act is amended by adding a section to read:

7 Section 1002.1. Form of Official Nonpartisan Primary
8 Ballot.--(a) At primaries separate official nonpartisan ballots
9 shall be prepared that will not designate any party or political
10 body affiliation and shall be in substantially the following
11 form:

12 Official..... Primary Ballot.

13District,.....Ward, City

14 of.....,

15 County of....., State of

16 Pennsylvania

17Primary election held on the.....day of.....,

18 20...

19 Make a cross (X) or check (✓) in the square to the right of
20 each candidate for whom you wish to vote. If you desire to vote
21 for a person whose name is not on the ballot, write, print or
22 paste his name in the blank space provided for that purpose.

23 Mark ballot only in black lead pencil, indelible pencil or blue,
24 black or blue-black ink in fountain pen or ball point pen. Use
25 the same pencil or pen for all markings you place on the ballot.

26 Governor.

27 (Vote for one)

28 John Doe

29 Richard Roe

30 John Stiles

1 Senator in the General Assembly.....District.

2 (Vote for one)

3 John Doe

4 Richard Roe

5 John Stiles

6 House Representative in the General Assembly

7 (Vote for one)

8 John Doe

9 Richard Roe

10 John Stiles

11 (b) On the back of each ballot shall be printed in prominent
12 type the words "OFFICIAL NONPARTISAN PRIMARY BALLOT" followed by
13 the designation of the election district for which it is
14 prepared, the date of the primary and the facsimile signatures
15 of the members of the county board of elections. The names of
16 candidates shall in all cases be arranged under the title of the
17 office for which they are candidates, and be printed thereunder
18 in the order determined by the casting of lots as provided by
19 this act. Under the title of such offices where more than one
20 candidate is to be voted for, shall be printed "Vote for not
21 more than" (the blank space to indicate the number of
22 candidates to be voted for the particular office.) At the right
23 of the name of each candidate there shall be a square of
24 sufficient size for the convenient insertion of a cross (X) or
25 check (✓) mark. There shall be left at the end of the list of
26 candidates for each office (or under the title of the office
27 itself in case there be no candidates who have filed nomination
28 petitions therefor) as many blank spaces as there are persons to
29 be voted for, for such office, in which space the elector may
30 insert the name of any person whose name is not printed on the

1 ballot as a candidate for such office. Opposite or under the
2 name of each candidate who is to be voted for by the electors of
3 more than one county, shall be printed the name of the county in
4 which such candidate resides; and opposite or under the name of
5 each candidate who is to be voted for by the electors of an
6 entire county or any congressional, senatorial or representative
7 district within the county, shall be printed the name of the
8 city, borough, township or ward, as the case may be, in which
9 such candidate resides.

10 (c) The ballot shall vary in form only as the names of
11 districts, offices, candidates or the provisions of this act may
12 require.

13 Section 13. Section 1003(a), (b) and (f) of the act are
14 amended to read:

15 Section 1003. Form of Official Election Ballot.--

16 (a) The official ballots for general, municipal and special
17 elections shall be in substantially the following form:

18

19

OFFICIAL BALLOT

20

21 District, Ward,

22 City of, County of,

23 State of Pennsylvania

24 Election held on the day of, 20.....

25

26 A cross (X) or check (✓) mark in the square opposite the name
27 of any candidate indicates a vote for that candidate.

28 To vote for a person whose name is not on the ballot, write
29 or stamp his name in the blank space provided for that purpose.

30 A cross (X) or check (✓) mark in the square opposite the names

1 of the candidates of any party for President and Vice-President
2 of the United States indicates a vote for all the candidates of
3 that party for presidential elector. To vote for individual
4 candidates for presidential elector, write or stamp their names
5 in the blank spaces provided for that purpose under the title
6 "Presidential Electors." Mark ballot only in black lead pencil,
7 indelible pencil or blue, black or blue-black ink, in fountain
8 pen or ball point pen; use the same pencil or pen for all
9 markings you place on the ballot.

10 Before leaving the voting compartment, fold this ballot,
11 without displaying the markings thereon, in the same way it was
12 folded when received, then leave the compartment and exhibit the
13 ballot to one of the election officers who shall ascertain by an
14 inspection of the number appearing upon the right hand corner of
15 the back of the ballot whether the ballot so exhibited to him is
16 the same ballot which the elector received before entering the
17 voting compartment. If it is the same, the election officer
18 shall direct the elector, without unfolding the ballot, to
19 remove the perforated corner containing the number, and the
20 elector shall immediately deposit the ballot in the ballot box.
21 Any ballot deposited in a ballot box at any primary or election
22 without having the said number torn off shall be void and shall
23 not be counted.

24

25 Presidential Electors.

26 (Vote for the candidates of one party for President and Vice
27 President, or insert the names of candidates)

28 For

29 John Stiles and Richard Doe..... Democratic

30 For

1 John Doe and Richard Roe..... Republican
2 For
3 John Smith and William Jones..... Socialist
4 For
5 Citizens

7 United States Senator.

8 (Vote for one)

9 Richard Roe Democratic
10 John Doe Republican
11 Richard Stiles Socialist

13 [Governor.

14 (Vote for one)

15 Richard Roe Democratic
16 John Doe Republican
17 Richard Stiles
18 Socialist]

20 Representatives in Congress,

21 District.

22 (Vote for one)

23 Richard Roe Democratic
24 John Doe Republican
25 Richard Stiles Socialist

27 [Senator in the General Assembly,

28 District.

29 (Vote for one)

30 John Doe Democratic

1 Richard Roe

2 Republican]

3 (b) On the back of each ballot shall be printed in prominent
4 type the words "Official Partisan Ballot," followed by the
5 designation of the election district for which it is prepared,
6 the date of the election and the facsimile signatures of the
7 members of the county board of elections. The names of
8 candidates shall be arranged under the title of the office for
9 which they are candidates. [, and shall be printed thereunder in
10 the order of the votes obtained by the parties or bodies at the
11 last gubernatorial election, beginning with the party obtaining
12 the highest number of votes: Provided, however, That in the case
13 of parties or bodies not represented on the ballot at the last
14 gubernatorial election, the names of the candidates of such
15 parties shall be arranged alphabetically, according to the party
16 name or political appellation. In the case of offices for which
17 two or more candidates are to be voted for, the candidates of
18 each party shall be arranged together in the order of the number
19 of votes obtained by them at the primary, beginning with the
20 candidates obtaining the highest number of votes, and the
21 candidates of each political body shall be arranged in the order
22 in which their names were placed in their nomination paper.]

23 Under the title of such offices where more than one candidate is
24 to be voted for, shall be printed "Vote for not more
25 than" (the blank space to indicate the number of
26 candidates to be voted for the particular office.) Opposite or
27 under the name of each candidate shall be printed the name or
28 appellation of the political party or political body nominating
29 him, and at the right of such name or appellation there shall be
30 a square of sufficient size for the convenient insertion of a

1 cross (X) or check (✓) mark.

2 * * *

3 (f) In order that each elector may have the opportunity of
4 designating his choice for all the candidates nominated by one
5 political party or political body, there shall be printed on the
6 extreme left of the ballot, and separated from the rest of the
7 ballot by a space of at least one-half inch, a list of the names
8 of all the political parties or political bodies represented on
9 such ballot which have nominated candidates to be voted for at
10 such election. [Such names shall be arranged in the order of the
11 votes obtained at the last gubernatorial election by the
12 candidate for Governor of the parties or bodies nominating,
13 beginning with the party that received the highest number of
14 votes cast. Following the names of such political parties and
15 political bodies shall be the names of the parties and bodies
16 not represented on the ballot at the last gubernatorial
17 election, arranged alphabetically, according to the party name
18 or appellation. A square of sufficient size for the convenient
19 insertion of a cross mark shall be placed at the right of each
20 party name or appellation.]

21 * * *

22 Section 14. The act is amended by adding a section to read:

23 Section 1003.1. Form of Official Nonpartisan Election

24 Ballot.--(a) The official nonpartisan ballots for general,
25 runoff general, municipal and special elections shall be in
26 substantially the following form:

27 OFFICIAL NONPARTISAN BALLOT

28District,.....

29 Ward,

30 City of....., County

1 of.....,

2 State of

3 Pennsylvania.....

4 Election held on the.....day of.....,

5 20.....

6 A cross (X) or check (✓) mark in the square opposite the
7 name of any candidate indicates a vote for that candidate.

8 To vote for a person whose name is not on the ballot, write,
9 print or paste his name in the blank space provided for that
10 purpose. Mark ballot only in black lead pencil, indelible pencil
11 or blue, black or blue-black ink in fountain pen or ball point
12 pen. Use the same pencil or pen for all markings you place on
13 the ballot.

14 Before leaving the voting compartment, fold this ballot,
15 without displaying the markings thereon, in the same way it was
16 folded when received, then leave the compartment and exhibit the
17 ballot to one of the election officers who shall ascertain by an
18 inspection of the number appearing upon the right hand corner of
19 the back of the ballot whether the ballot so exhibited to him is
20 the same ballot which the elector received before entering the
21 voting compartment. If it is the same, the election officer
22 shall direct the elector, without unfolding the ballot, to
23 remove the perforated corner containing the number and the
24 elector shall immediately deposit the ballot in the ballot box.
25 Any ballot deposited in a ballot box at any primary or election
26 without having the said number torn off shall be void and shall
27 not be counted.

28 Governor.

29 (Vote for one)

30 Richard Roe

1 John Doe

2 Richard Stiles

3 Senator in the General Assembly,

4District.

5 (Vote for one)

6 John Doe

7 Richard Roe

8 House Representative in the General Assembly

9District.

10 (Vote for one)

11 John Doe

12 Richard Roe

13 (b) On the back of each ballot shall be printed in prominent
14 type the words "Official Nonpartisan Ballot," followed by the
15 designation of the election district for which it is prepared,
16 the date of the election and the facsimile signatures of the
17 members of the county board of elections. The names of
18 candidates shall be arranged under the title of the office for
19 which they are candidates. In the case of offices for which two
20 or more candidates are to be voted for, the candidates shall be
21 arranged together. Under the title of such offices where more
22 than one candidate is to be voted for, shall be printed "Vote
23 for not more than" (the blank space to indicate the
24 number of candidates to be voted for the particular office.) At
25 the right of such name or appellation there shall be a square of
26 sufficient size for the convenient insertion of a cross (X) or
27 check (✓) mark.

28 (c) There shall also be left at the end of each group of
29 candidates for each other office (or under the title of the
30 office itself in case no candidates have been nominated

1 therefor), as many blank spaces as there are persons to be voted
2 for for such office, in which space the elector may insert the
3 name of any person whose name is not printed on the ballot as a
4 candidate for such office.

5 (d) In order that each elector may have the opportunity of
6 designating his choice for all the candidates, a square of
7 sufficient size for the convenient insertion of a cross mark
8 shall be placed at the right of each party name or appellation.

9 (e) The official nonpartisan ballots shall vary in form only
10 as the names of districts, offices, candidates or the provisions
11 of this act may require. When constitutional amendments or other
12 questions are submitted to a vote of the electors, each
13 amendment or other question so submitted may be printed upon the
14 ballot below the groups of candidates for the various offices,
15 and, when required by law, shall be so printed. Constitutional
16 amendments so submitted shall be printed in brief form, to be
17 determined by the Secretary of the Commonwealth, and other
18 questions so submitted shall be printed in brief form, to be
19 determined by the Secretary of the Commonwealth in the case of
20 questions to be voted on by the electors of the State at large,
21 and by the county boards in other cases. To the right of each
22 question there shall be placed the words "yes" and "no,"
23 together with appropriate squares to the right of each for the
24 convenient insertion of a cross mark.

25 Section 15. Section 1004 of the act is amended to read:

26 Section 1004. Form of Partisan Ballots; Printing Ballots.--
27 From the lists furnished by the Secretary of the Commonwealth
28 under the provisions of sections 915 and 984, and from petitions
29 and papers filed in their office, the county election board
30 shall print the official primary and election ballots in

1 accordance with the provisions of this act.[: Provided, however,
2 That in no event, shall the name of any person consenting to be
3 a candidate for nomination for any one office, except the office
4 of judge of a court of common pleas, the Philadelphia Municipal
5 Court or the office of school director in districts where that
6 office is elective or the office of justice of the peace be
7 printed as a candidate for such office upon the official primary
8 ballot of more than one party.] All partisan ballots for use in
9 the same election district at any primary or election shall be
10 alike.

11 Section 16. Section 1004.1 of the act is repealed:

12 [Section 1004.1. Placement of Certain Candidates on Ballots
13 and Voting Machines.--Notwithstanding any other provisions of
14 this act to the contrary, the names of candidates for the party
15 offices of delegate or alternate delegate to a National Party
16 Convention, member of the State committee, member of a county
17 committee and any other party office as prescribed by the bylaws
18 of the political party shall appear at the end of the ballot
19 after the names of the candidates for all public offices. In any
20 case where voting machines are used, the names of the candidates
21 for the aforementioned offices shall appear in the final columns
22 or rows, as the case may be, of the voting machine.]

23 Section 17. The act is amended by adding a section to read:

24 Section 1004.2. Form of Nonpartisan Ballots; Printing
25 Ballots; Stubs; Numbers.--From the lists furnished by the
26 Secretary of the Commonwealth under the provisions of sections
27 915 and 984, and from petitions and papers filed in their
28 office, the county election board shall print the official
29 primary and election ballots in accordance with the provisions
30 of this act. All nonpartisan ballots for use in the same

1 election district at any primary or election shall be alike.
2 They shall be at least six inches long and four inches wide, and
3 shall have a margin extending beyond any printing thereon. They
4 shall be printed with the same kind of type (which shall not be
5 smaller than the size known as "brevier" or "eight point body")
6 upon white paper of uniform quality, without any impression or
7 mark to distinguish one from another, and with sufficient
8 thickness to prevent the printed matter from showing through.
9 Each ballot shall be attached to a stub, and all the ballots for
10 the same election district shall be bound together in books of
11 fifty, in such manner that each ballot may be detached from its
12 stub and removed separately. The ballots for each party to be
13 used at a primary shall be bound separately. The stubs of the
14 ballots shall be consecutively numbered. The number which
15 appears upon the stub shall also be printed in the upper right
16 hand corner of the back of the ballot, separated from the
17 remainder of the ballot by a diagonal perforated line so
18 prepared that the upper right hand corner of the back of the
19 ballot containing the number may be detached from the ballot
20 before it is deposited in the ballot box and beside that corner
21 shall also be printed, "Remove numbered stub immediately before
22 depositing your ballot in ballot box."

23 Section 18. Sections 1008, 1101(12), 1104(a)(2), 1107, 1110,
24 1111(a), (c), (d) and (f), 1112(a) and (c), 1113(a), 1114(b),
25 1115(a), 1116 and 1117 of the act are amended to read:

26 Section 1008. Forms of Ballots on File and Open to Public
27 Inspection[; Ballots and Diagrams to Be Furnished to Candidates
28 and Parties].--

29 (a) The county board of elections shall have on file in its
30 office after the Thursday before each primary and election, open

1 to public inspection, forms of the ballots and ballot labels.
2 The forms of the ballots and ballot labels shall be published on
3 the county board's publicly accessible Internet website.

4 (b) On the Thursday before each primary, the county board
5 shall, upon request made at their office, deliver to each
6 candidate whose name is printed on the ballot of any party, or
7 to his authorized representative, without charge, three sample
8 ballots of such party for the entire district.

9 [(c) On the Thursday before each November election, the
10 county board shall, upon request made at their office, deliver
11 to the county chairman or other authorized representative of
12 each political party and political body in the county, without
13 charge, two sample ballots for each election district within the
14 county in which candidates of such party or political body are
15 running for office.]

16 Section 1101. Definition of Terms.--The list of offices and
17 candidates, and the statements of questions on the voting
18 machine shall be deemed an "official ballot."

19 As used in this act:

20 * * *

21 (12) The words "election" and "elections," whenever used in
22 this act, shall be held to include and mean all general, general
23 runoff, municipal, primary and special elections;

24 * * *

25 Section 1104. Installation of Voting Machines.--(a) * * *

26 [(2) Whenever there shall be a number of candidates in a
27 primary election so great as to require voting machines limited
28 to the candidates of one political party, there shall be two
29 voting machines of the same kind in any district for any party
30 which has more than three hundred and fifty (350) registered

1 qualified electors in that district.]

2 * * *

3 Section 1107. Requirements of Voting Machines.--No voting
4 machine shall, upon any examination or reexamination, be
5 approved by the Secretary of the Commonwealth, or by any
6 examiner appointed by him, unless it shall, at the time, satisfy
7 the following requirements:

8 (a) It shall provide facilities for voting for such
9 candidates as may be nominated, and upon such questions as may
10 be submitted.

11 [(c) It shall permit each voter, at other than primary
12 elections, to vote a ticket selected from the nominees of any
13 and all political parties, from the nominees of any and all
14 political bodies, and from persons not in nomination.]

15 (d) It shall permit each voter to vote, at any election, for
16 any person and for any office for whom and for which he is
17 lawfully entitled to vote, whether or not the name of such
18 person appears upon a ballot label as a candidate for nomination
19 or election, and to vote for as many persons for an office as he
20 is entitled to vote for, and to vote for or against any question
21 upon which he is entitled to vote.

22 [(e) It shall preclude each voter from voting for any
23 candidate, or upon any question, for whom or upon which he is
24 not entitled to vote, and from voting for more persons for any
25 office than he is entitled to vote for, and from voting for any
26 candidate for the same office or upon any question more than
27 once, except in districts and for offices where cumulative
28 voting is authorized by law.]

29 (f) It shall be capable of adjustment by election officers,
30 so as to permit each voter at a primary election to vote only

1 for the candidates for nonpartisan nomination, if any, and for
2 the candidates seeking nomination by the political party in
3 which he is registered and enrolled, if he is enrolled as a
4 member of a political party, and so as to preclude him from
5 voting for the candidates seeking nomination by any political
6 party in which he is not enrolled.]

7 (g) It shall permit each voter to deposit, write in, or
8 affix upon receptacles or devices provided for the purpose,
9 ballots containing the names of persons for whom he desires to
10 vote, whose names do not appear upon the machine.

11 (h) It shall permit each voter to change his vote for any
12 candidate, or upon any question appearing upon the ballot
13 labels, up to the time he begins the final operation to register
14 his vote, or indicates or expresses his intention to register
15 his vote.

16 (i) It shall permit and require voting in absolute secrecy,
17 and shall be so constructed that no person can see or know for
18 whom any other elector has voted or is voting, save a voter whom
19 he has assisted or is assisting in voting, as prescribed by law.

20 (j) It shall have voting devices for separate candidates and
21 questions[, which shall be arranged in separate parallel rows or
22 columns, so that, at any primary election, one or more adjacent
23 rows or columns may be assigned to the candidates of a party,
24 and shall have parallel office columns or rows transverse
25 thereto].

26 (k) It shall have a counter, or other device, the register
27 of which is visible from the outside of the machine, which shall
28 show during any period of voting the total number of voters who
29 have operated the machine during said period of voting.

30 (l) It shall have a protective counter, or other device, the

1 register of which cannot be reset, which shall record the
2 cumulative total number of movements of the operating mechanism.

3 (m) It shall be provided with a lock or locks, by the use of
4 which, immediately after the polls are closed, or the operation
5 of the machine for an election is completed, all movement of the
6 registering mechanism is absolutely prevented.

7 (n) It shall be provided with a screen, hood or curtain,
8 which shall conceal the actions of the voter while voting.

9 (o) It shall be constructed of material of good quality, in
10 a neat and workmanlike manner.

11 (p) It shall, when properly operated, register or record
12 correctly and accurately every vote cast.

13 (q) It shall be so constructed that a voter may readily
14 learn the method of operating it.

15 (r) It shall be safely transportable.

16 (s) It shall be so constructed and controlled that, during
17 the progress of voting, it shall preclude every person from
18 seeing or knowing the number of votes registered for any
19 candidate, and from tampering with any of the registering
20 mechanism.

21 (t) If it is of a type equipped with mechanism for printing
22 paper proof sheets, and not requiring the counters to be made
23 visible in order to canvass the votes recorded on the machine,
24 the door, or other device, concealing such counters, or keeping
25 the same concealed, may be equipped with a lock or locks,
26 requiring the simultaneous use of three separate and
27 substantially different keys to open or operate the same.

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

29 (a) The papers, cards or strips, enclosed within the ballot
30 frame or frames of any voting machine, and containing the names

1 of a candidate or candidates, [or political party,] or the
2 statement of a question to be voted upon, hereinafter referred
3 to as ballot labels, shall be printed in black ink, upon clear
4 white material, of such size as will fit the ballot frame, and
5 in plain clear type so as to be easily readable by persons with
6 normal vision.

7 (b) If the construction of the machine shall require it, the
8 ballot label for each candidate, group of candidates, [political
9 party,] or question, to be voted on, shall bear the designating
10 letter or number of the counter on the voting machine which will
11 register or record votes therefor. Each question to be voted on
12 shall appear on the ballot labels, in brief form, of not more
13 than seventy-five words, to be determined by the Secretary of
14 the Commonwealth in the case of constitutional amendments or
15 other questions to be voted on by the electors of the State at
16 large, and by the county election board in other cases.

17 [(c) The ballot label for each candidate or group of
18 candidates, nominated or seeking nomination by a political
19 party, shall contain the name or designation of the political
20 party.]

21 (d) The titles of offices may be arranged horizontally or
22 vertically, with the names of candidates for an office arranged
23 transversely under or opposite the title of the office. Under
24 the title of such offices where more than one candidate is to be
25 voted for, shall be printed "Vote for not more than"
26 (the blank space to indicate the number of candidates to be
27 voted for the particular office.)

28 (e) [The names of all candidates, nominated or seeking
29 nomination by a political party, shall appear in adjacent rows
30 or columns containing generally the names of candidates

1 nominated or seeking nomination by such party, provided that
2 the] The names of individual candidates for presidential elector
3 shall not appear upon the ballot labels, but, in lieu thereof,
4 the names of the candidates of said party for President and
5 Vice-President shall be printed on a single ballot label,
6 together with the name of said party.

7 [(f) When the same person has been nominated for the same
8 office by more than one political party, his name shall appear
9 in the rows or columns containing generally, the names of
10 candidates nominated by each such party, his position in such
11 rows or columns to be determined by the number of votes he
12 received at the primary in the party entitled to priority on the
13 ballot as determined by the votes obtained in the State at the
14 last gubernatorial election by the candidate for Governor.]

15 (g) The form and arrangement of ballot labels shall be
16 prepared by the county election board.

17 [(h) The names of all candidates of a political party shall
18 appear in the same row or column, and except in cases of names
19 of presidential commitments of nominees for delegate or
20 alternate delegate to political party National conventions no
21 other names shall appear in the same row or column. Where the
22 names of the delegate or alternate delegate and the presidential
23 candidate he is supporting shall both appear, the print size of
24 the name of the delegate or alternate delegate shall be equal to
25 the size of the name of the particular presidential candidate to
26 whom he is committed, or in the case where he is uncommitted,
27 the word "uncommitted" shall appear in the same size print. The
28 names of such candidates shall be arranged under or opposite the
29 title of the office for which they are candidates, and shall
30 appear in the order of the votes obtained by the candidate for

1 Governor of the party nominated at the last gubernatorial
2 election, beginning with the party obtaining the highest number
3 of votes: Provided, however, That in the case of parties or
4 bodies not represented on the ballot at the last gubernatorial
5 election, the names of the candidates of such parties shall be
6 arranged alphabetically, according to the party or body name.
7 The names of all candidates of a political body shall appear in
8 the same row or column, and, if the number of parties and bodies
9 permits, each political body shall be entitled exclusively to a
10 separate row or column. If, however, the number of political
11 parties and political bodies renders it impossible or
12 impracticable to so arrange the political bodies, in such case
13 said bodies shall not be entitled to a separate row or column,
14 but shall be listed by political appellations on the first left
15 hand or top row, with the designating letter and number of the
16 ballot label where their candidates may be found, together with
17 the political appellations of other political bodies, whose
18 candidates may be interspersed on the same row or column.
19 Subject to the aforesaid limitations, the form and arrangement
20 of ballot labels, as to the placing thereon of political bodies,
21 shall be within the discretion of the county board.]

22 (i) In primary elections, the ballot labels, containing the
23 names of candidates seeking nomination by a political party,
24 shall be segregated on the face of the machine in adjacent rows
25 or columns by parties[, the priority of such political parties
26 on the ballot labels to be determined in the same manner as
27 provided for determining priority on paper ballots in section
28 1003 (f) herein].

29 (j) In primary elections, if it shall be impossible or
30 impracticable to place on the ballot labels of one machine the

1 names of all candidates [seeking nomination in all political
2 parties], the county election board may arrange for each
3 election district the names of the candidates on separate voting
4 machines: Provided, however, That the names of all the
5 candidates [seeking nomination in any one political party] shall
6 appear on one machine.

7 (k) Except as hereinafter provided in primary elections
8 where there are a sufficient number of ballot frames on one row
9 or column to accommodate all the candidates [of a political
10 party], the names of all the candidates shall appear on that row
11 or column [in the order that was established under the
12 provisions of sections 915 and 916 of this act]. Where there are
13 four or more candidates for a particular office, the names of
14 the candidates may be divided between the rows or columns as
15 equally as possible [so long as the order as provided in
16 sections 915 and 916 is maintained].

17 (l) [At the written request of a State committee, filed with
18 the party rules and on the deadline prescribed by section 808.1
19 of this act, a] A party may have a "no preference" column added
20 to the list of candidates for the office of President of the
21 United States at the primary election. The ballot position for
22 "no preference" shall be drawn in the same manner as the other
23 candidates for that office: Provided, however, That this
24 position shall be drawn by the Secretary of the Commonwealth or
25 his or her designee.

26 (m) Notwithstanding any other provision of this section, a
27 county election board may, to avoid voter confusion, provide for
28 the use of a color scheme to identify all the candidates for a
29 specific office.

30 Section 1111. Preparation of Voting Machines by County

1 Election Boards.--

2 (a) The county election board of each county shall cause the
3 proper ballot labels to be placed on each voting machine which
4 is to be used in any election district within such county; and
5 shall cause each machine to be placed in proper order for
6 voting; shall examine each machine before it is sent out to a
7 polling place; shall see that each registering counter, except
8 the protective counter, on each machine is set at zero (000);
9 shall lock each machine so that the counting machinery cannot be
10 operated, and shall seal each machine with a numbered seal. [The
11 county election board or their duly authorized agent shall
12 adjust each machine to be used at a primary election, so that
13 the election officers may lock it on primary election day, in
14 such a way that each voter can vote only for the candidates for
15 nonpartisan nomination, if any, and for the candidates seeking
16 nomination by the political party in which he is enrolled, if he
17 is enrolled as a member of a political party, and so that no
18 voter can vote for the candidates seeking nomination by any
19 political party in which he is not enrolled.]

20 * * *

21 [(c) On or before the fortieth day preceding an election,
22 the county election board shall mail to the chairman of the
23 county committee of each political party, which shall be
24 entitled under existing laws to participate in primary elections
25 within the county, and to the chairman or presiding officer of
26 any organization of citizens within the county having as its
27 purpose or among its purposes the investigation or prosecution
28 of election frauds, which has registered its name and address,
29 and the names of its principal officers with the county election
30 board at least fifty (50) days before such election, a written

1 notice stating the times when and the place or places where
2 preparation of the machines for use in the several election
3 districts in the county will be started. One representative of
4 each of such political parties, certified by the respective
5 chairmen of the county committees of such parties, and one
6 representative of each such organization of citizens, certified
7 by the respective chairmen or presiding officers of such
8 organizations, shall be entitled to be present, during the
9 preparation of the machines, and to see that the machines are
10 properly prepared and are placed in proper condition and order
11 for use: Provided, however, That such representatives shall not
12 interfere with preparation of the machines, and the county board
13 may make such reasonable rules and regulations governing the
14 conduct of such representatives.]

15 (d) The custodian and deputy custodians of voting machines
16 shall make a certificate, in writing, which each shall sign, and
17 request each representative of [a party or] a citizens
18 organization [as aforesaid,] present at the preparation of the
19 machine to attest, and which shall be filed with the county
20 election board, stating--(1) the identifying number or other
21 designation of the voting machine; (2) that each registering
22 counter of the machine was set at zero (000); (3) the number
23 registered on the protective counter or other device of the
24 machine; and (4) the number on the seal with which the machine
25 is sealed.

26 * * *

27 (f) The county election board shall furnish, at the expense
28 of the county, all partisan and nonpartisan ballot labels, forms
29 of certificates, returns, and other papers and supplies,
30 required under the provisions of this act, all of which shall be

1 in the form, and according to the specifications, prescribed,
2 from time to time, by the Secretary of the Commonwealth.

3 Section 1112. Delivery of Voting Machines and Supplies by
4 County Election Boards to Election Officers.--

5 (a) The county election board shall deliver the proper
6 voting machine or voting machines, properly furnished with
7 partisan and nonpartisan ballot labels, to the polling places of
8 the respective election districts, at least one hour before the
9 time set for opening the polls at each election, and shall cause
10 each machine to be set up in the proper manner for use in
11 voting. Each machine shall then remain sealed until the
12 examination immediately preceding the opening of the polls
13 prescribed by this act.

14 * * *

15 (c) The county election board shall furnish, at the expense
16 of the county, and deliver with each voting machine:

17 1. A lantern, or a proper substitute for one, which shall
18 give sufficient light to enable voters, while in the voting
19 machine booth, to read the partisan and nonpartisan ballot
20 labels, and suitable for the use of election officers in
21 examining the counters. The lantern, or proper substitute
22 therefor, shall be prepared and in good order for use before the
23 opening of the polls.

24 2. Two diagrams or sample partisan and nonpartisan ballots,
25 of suitable size, representing such part of the face of such
26 voting machine as will be in use in the election, and
27 accompanied by directions for voting on the machine. Such
28 diagrams shall be posted prominently outside the enclosed space
29 within the polling place.

30 3. A mechanically operated model of a portion of the face of

1 a voting machine, for the instruction of electors. Such model
2 shall be placed in the polling place and at or outside of the
3 guard-rail or barrier.

4 4. A seal, for sealing the machine after the polls are
5 closed; an envelope for the return of the keys, if the
6 construction of the voting machine shall permit their separate
7 return; and such other election materials and supplies as may be
8 necessary, or as may be required by law.

9 Section 1113. Election Officers; Polling Places.--

10 (a) The election board in each election district in which a
11 voting machine is used shall consist of a judge of election, two
12 inspectors of election, and one clerk of election chosen by the
13 [minority inspector] nonpartisan inspector, as is provided by
14 this act.

15 * * *

16 Section 1114. Delivery of Voting Machine Keys to Judge of
17 Election.--

18 * * *

19 (b) No election officer shall open an envelope so delivered,
20 until the [minority inspector] nonpartisan inspectors shall be
21 present in the polling place, and shall have examined the
22 envelope to see that it has not been opened.

23 Section 1115. Instruction of Voters Before an Election.--

24 (a) During the thirty days next preceding an election, the
25 county election board shall place on public exhibition, in such
26 public places, and at such times as it may deem most suitable
27 for the information and instruction of the voters, one or more
28 voting machines, containing the partisan and nonpartisan ballot
29 labels, and showing the offices and questions to be voted upon,
30 the names and arrangements of parties, and, so far as

1 practicable, the names and arrangements of the candidates to be
2 voted for. Such machine or machines shall be under the charge
3 and care of a person competent as custodian and instructor. No
4 voting machine, which is to be assigned for use in an election,
5 shall be used for such public exhibition and instruction, after
6 having been prepared and sealed for the election.

7 * * *

8 Section 1116. Voting by Partisan and Nonpartisan Ballot.--If
9 a method of election for any candidates or offices is prescribed
10 by law, in which the use of voting machines is not possible or
11 practicable, or in case, at any election, the number of
12 candidates nominated or seeking nomination for any office
13 renders the use of voting machines for such office at such
14 election impracticable, or if, for any other reason, at any
15 election the use of voting machines is not possible or
16 practicable, the county election board may arrange to have the
17 voting for such or all offices conducted by paper partisan and
18 nonpartisan ballots. In such cases, partisan and nonpartisan
19 ballots shall be printed for such or all offices, and the
20 election conducted by the election officers herein provided for,
21 and the partisan and nonpartisan ballots counted and return
22 thereof made in the manner required by law for such offices, in
23 so far as paper partisan and nonpartisan ballots are used.

24 Section 1117. Unofficial Partisan and Nonpartisan Ballot
25 Labels; Repair of Machine, or Use of Paper Partisan and
26 Nonpartisan Ballots.--

27 (a) If partisan and nonpartisan ballot labels for an
28 election district, at which a voting machine is to be used,
29 shall not be delivered to the election officers as required by
30 section 1209 (b) (2) of this act, the judge of election of such

1 district shall cause other labels to be prepared, printed, or
2 written, as nearly in the form of official partisan and
3 nonpartisan ballot labels as practicable, and the election
4 officers shall cause the labels, so substituted, to be used at
5 the election, in the same manner, as near as may be, as the
6 official labels. Such labels, so substituted, shall be known as
7 unofficial ballot labels.

8 (b) If any voting machine being used in any election shall
9 become out of order during such election, it shall, if possible,
10 be repaired or another machine substituted by the custodian or
11 county election board as promptly as possible, for which purpose
12 the county board may purchase as many extra voting machines as
13 they may deem necessary, but in case such repair or substitution
14 cannot be made, paper partisan and nonpartisan ballots, printed
15 or written, and of any suitable form, may be used for the taking
16 of votes.

17 Section 19. The definition of "ballot" in section 1101-A of
18 the act is amended to read:

19 Section 1101-A. Definitions.--As used in this article:

20 * * *

21 "Ballot" means partisan and nonpartisan ballot cards or paper
22 partisan and nonpartisan ballots upon which a voter registers or
23 records his vote or the apparatus by which the voter registers
24 his vote electronically and shall include any partisan and
25 nonpartisan ballot envelope, paper or other material on which a
26 vote is recorded for persons whose names do not appear on the
27 partisan and nonpartisan ballot labels.

28 * * *

29 Section 20. Sections 1107-A(4) and (9), 1109-A(a)(2) and
30 (3), (b) and (e), 1110-A(d), 1112-A(a)(1) and (2) and (b)(4),

1 1113-A(a), (f) and (g), 1114-A(b)(2), 1201, 1206, 1208(b),
2 1209(a) and (b)(1) and (2), 1210(a.3)(4) and (5), (a.4)(4)
3 introductory paragraph, (5)(iii) and (10) and (d), 1215(b) and
4 (c), 1216(c), 1221, 1222(a) and (b), 1223(b), 1225(a) and (b)
5 and 1227(a) of the act are amended to read:

6 Section 1107-A. Requirements of Electronic Voting Systems.--
7 No electronic voting system shall, upon any examination or
8 reexamination, be approved by the Secretary of the Commonwealth,
9 or by any examiner appointed by him, unless it shall be
10 established that such system, at the time of such examination or
11 reexamination:

12 * * *

13 [(4) Permits each voter, at other than primary elections, to
14 vote a ticket selected from the nominees of any and all
15 political parties, from the nominees of any and all political
16 bodies, and from any persons whose names are not in nomination
17 and do not appear upon the official ballot.]

18 * * *

19 [(9) Permits each voter at a primary election to vote only
20 for the candidates seeking nomination by a political party in
21 which such voter is registered and enrolled, and for any
22 candidate for nonpartisan nomination, and for any question upon
23 which he is entitled to vote.]

24 * * *

25 Section 1109-A. Forms.--(a) * * *

26 (2) The pages placed on the voting device shall be of
27 sufficient number to include, following the listing of
28 particular candidates, the names of candidates, [for any
29 nonpartisan offices and any measures for which a voter may be
30 qualified to vote on a given election day.]

1 (3) In a primary election the pages placed on the voting
2 device may be arranged with the entire ballot label consisting
3 of several groups of pages, so that a separate group can be used
4 to list the names of candidates seeking nomination of each
5 qualified political party, with additional groups used to list
6 any nonpartisan offices or measures. Groups of pages may be
7 identified by color or other suitable means, and voters shall be
8 instructed to vote only for candidates of the party of their
9 choice and thereafter to vote for any nonpartisan candidates or
10 measures.]

11 (b) Ballot labels shall be printed in plain clear type, of
12 such size and arrangement as to fit the construction of the
13 voting device; and they shall be printed in a manner prescribed
14 by the Secretary of the Commonwealth to identify different
15 ballots or parts of a ballot [and in primary elections to
16 identify each political party].

17 * * *

18 [(e) In primary elections, the Secretary of the Commonwealth
19 shall prescribe a method to ensure that the elector votes the
20 correct ballot.]

21 * * *

22 Section 1110-A. Supplies; Preparation of the Voting System
23 and of Polling Places.--* * *

24 [(d) On or before the fortieth day preceding any election,
25 the county board of elections shall mail to the chairman of the
26 county committee of each political party which shall be entitled
27 under existing laws to participate in primary elections within
28 the county, and to the chairman or presiding officer of any
29 organization of citizens within the county which has as its
30 purpose or among its purposes the investigation or prosecution

1 of election frauds and which has registered its name and address
2 and the names of its principal officers with the county board of
3 elections at least fifty days before the election, a written
4 notice stating the times when and the place or places where
5 preparation of the system and its components for use in the
6 several election districts in the county or municipality will be
7 started. One representative of each such political party,
8 certified by the respective chairman of the county committee of
9 such party, and one representative of each such organization of
10 citizens, certified by the respective chairman or presiding
11 officer of such organization shall be entitled to be present
12 during the preparation of the voting system and its components
13 and to see that they are properly prepared and are in proper
14 condition and order for use. Such representatives shall not
15 interfere with the preparation of the system and its components,
16 and the county board may make reasonable rules and regulations
17 governing the conduct of such representatives.]

18 * * *

19 Section 1112-A. Election Day Procedures and the Process of
20 Voting.--(a) In an election district which uses an electronic
21 voting system in which votes are registered electronically, the
22 following procedures will be applicable for the conduct of the
23 election at the election district:

24 [(1) At primary elections, the election officer in charge
25 shall adjust the voting system before the voter records any vote
26 so that the voter will only be able to register a vote for
27 candidates on the ballot of the party in which he is registered
28 and enrolled or for persons whose names are not on the official
29 ballot, for candidates for nonpartisan nominations, if any, and
30 for any questions upon which he is entitled to vote.]

1 (2) At all elections, the voter shall be able to vote for
2 [each] any candidate individually by the means provided. The
3 voter may also vote individually for or against a question
4 submitted to the vote of the electors.

5 * * *

6 (b) In an election district which uses an electronic voting
7 system which utilizes paper ballots or ballot cards to register
8 the votes, the following procedures will be applicable for the
9 conduct of the election at the election district:

10 * * *

11 [(4) If he desires to vote for the entire group of
12 presidential electors nominated by any party or political body,
13 he may make a cross (X) or check (✓) or punch or mark sense
14 mark or otherwise indicate a selection associated with the names
15 of the candidates for President and Vice-President of such party
16 or body. If he desires to vote a ticket for presidential
17 electors made up of the names of persons nominated by different
18 parties or political bodies, or partially of names of persons so
19 in nomination and partially of names of persons not in
20 nomination by any party or political body, or wholly of names of
21 persons not in nomination by any party or political body, he
22 shall insert the names of the candidates for presidential
23 electors for whom he desires to vote on the write-in ballot
24 under the title of the office "Presidential Electors". In case
25 of a question submitted to the vote of the electors, he may make
26 a cross (X) or check (✓) or punch or mark sense mark or
27 otherwise indicate a selection associated with the answer which
28 he desires to give.]

29 * * *

30 Section 1113-A. Post Election Procedures.--(a) As soon as

1 the polls have been closed and the last elector has voted in
2 districts having an electronic voting system which employs paper
3 ballots or ballot cards, and district tabulation is provided
4 for, the number of such ballots issued to electors [(at primary
5 elections, the number issued to the electors of each party) and
6 the number of ballots (at primaries the number of ballots of
7 each party)], if any, spoiled and returned by voters and
8 cancelled, shall be announced to all present in the polling
9 place and entered on the general returns of votes cast at such
10 primary or election. The district election officers shall then
11 compare the number of names marked as voting in the district
12 register, "Voting Check List" and numbered lists of voters,
13 shall announce the result, and shall enter on the general
14 returns the number of electors who have voted, as shown by the
15 "Voter's Check List." Any differences which exist shall be
16 reconciled where possible, and where reconciliation is not
17 possible such differences shall be noted on the general returns.
18 The district register, the "Voting Check List" and the numbered
19 lists of voters, together with all unused ballots, and all
20 spoiled and cancelled ballots, and all rejected voters
21 certificates shall then be placed in separate packages,
22 containers or envelopes and sealed before the tabulation of any
23 ballots.

24 * * *

25 (f) In the event district tabulation of votes is provided
26 for by the voting system, the district election officers shall,
27 immediately upon the close of the polls, cause the automatic
28 tabulating equipment to tabulate the ballots cast during the
29 election and shall prepare duplicate records of the total number
30 of voters whose ballots have been tabulated; the total number of

1 votes cast for each candidate whose name appears on the ballot;
2 the total number of write-in votes properly cast for each office
3 on the ballot; and the total number of votes cast for or against
4 any question appearing on the ballot. One such record shall be
5 publicly posted at the district polling place. All votes so cast
6 and tabulated in the district may also be recorded on a district
7 totals card and all properly cast write-in votes may also be
8 recorded on the district totals card, and the delivery of such
9 district totals cards and reporting forms to the county board of
10 elections shall be the responsibility of the judge of election.
11 The [minority inspector] nonpartisan inspectors shall keep
12 duplicate copies of all such reports and returns. At the close
13 of the election and after the tabulation of all ballots, the
14 automatic tabulating equipment or other component of the voting
15 system which contains ballots shall be locked and sealed so that
16 no further ballots may be deposited in or removed from any such
17 equipment or component, and all components of the voting system,
18 suitably packaged and secured for storage, shall be held for
19 delivery to the county election board.

20 (g) In the event district tabulation of votes is not
21 provided for by the voting system, the judge of election shall
22 prepare a report of the number of voters who have voted, as
23 indicated by the "Voting Check List" and numbered lists of
24 voters poll list. He shall also prepare a report of the number
25 of spoiled ballots and the number of unused ballots. He shall
26 deliver the original copy of this report to the county board of
27 elections under seal. The [minority inspector] nonpartisan
28 inspectors shall keep a duplicate copy of this report. The judge
29 of election and [minority inspector] nonpartisan inspectors
30 shall forthwith deliver the sealed transport carrier containing

1 all voted ballot cards to the county board of elections or to
2 such places as the county board may designate. The county board
3 of elections may provide that the ballot container and reports
4 may upon proper certification and signature instead be picked up
5 at the polling places by two authorized election deputies of
6 opposite parties.

7 * * *

8 Section 1114-A. Returns.--* * *

9 (b) * * *

10 [(2) Each political party or political body represented on
11 the official ballot may have one technically qualified person,
12 authorized by the county chairman and deputized by the county
13 board of elections, present during the testing of the central
14 automatic tabulating equipment and the actual counting of the
15 ballot or district totals cards. Such persons shall be allowed
16 to make independent tests of the equipment prior to, during, and
17 following the vote count: Provided, however, That such testing
18 shall in no way interfere with the official tabulation of the
19 ballots and district totals cards. In addition, each political
20 party or political body shall be entitled to have observers at
21 the central tabulation center, in a number, as determined by the
22 county board of elections, sufficient to permit accurate
23 observation of the receipt, handling, duplication, and
24 processing of all ballots and district totals cards.]

25 * * *

26 Section 1201. Notice of November Elections.--The county
27 board of each county shall, not earlier than ten days nor later
28 than three days before each November election, give notice of
29 the same by newspaper publication in the county in accordance
30 with the provisions of section 106 of this act, said notice to

1 be published twice in counties of the first class and once in
2 all other counties. Such notice shall set forth--(a) the
3 officers to be elected in the State at large, or in said county,
4 or in any district of which said county or part thereof forms a
5 part, or in any city, borough, township, school district, poor
6 district, ward or other district which is contained in such
7 county; (b) the names of the candidates for election to Federal,
8 State, county and city offices, whose names will appear upon the
9 partisan and nonpartisan ballots or partisan and nonpartisan
10 ballot labels; (c) the text of all constitutional amendments and
11 other questions to be submitted at such election; (d) the places
12 at which the election is to be held in the various election
13 districts of the county; and (e) the date of the election and
14 the hours during which the polls will be open. Such notice may
15 include a portion of the form of partisan and nonpartisan ballot
16 or diagram of the face of the voting machine in reduced size.

17 Section 1206. Duties of Common Pleas Court on Days of
18 Primaries and Elections.--The court of common pleas of each
19 county of the Commonwealth or a judge or judges thereof, shall
20 be in continuous session at the courthouse of said county, or,
21 in judicial districts composed of more than one county, at the
22 courthouse of the county in which such judge or judges reside,
23 on the day of each primary and election from 7 o'clock A.M.
24 until 10 o'clock P.M. and so long thereafter as it may appear
25 that the process of said court will be necessary to secure a
26 free, fair and correct computation and canvass of the votes cast
27 at said election. In judicial districts having but one judge of
28 the court of common pleas, such judge shall not be required to
29 be in session, as aforesaid, between the hours of 12 o'clock
30 noon and 2 o'clock P.M., nor between the hours of 5:30 o'clock

1 P.M. and 7 o'clock P.M. During such period said court shall act
2 as a committing magistrate for any violation of the election
3 laws; shall settle summarily controversies that may arise with
4 respect to the conduct of the election; shall issue process, if
5 necessary, to enforce and secure compliance with the election
6 laws; and shall decide such other matters pertaining to the
7 election as may be necessary to carry out the intent of this
8 act. When an individual is seeking a judicial order to vote, the
9 court shall, pursuant to the provisions of the Help America Vote
10 Act of 2002 (Public Law 107-252, 42 U.S.C. § 15301 et seq.),
11 inform the individual of the provisional ballot process set
12 forth in section 1210(a.4) and shall direct the individual to
13 follow the procedure in section 1210(a.4). In counties of the
14 third class the court shall have power to appoint additional
15 clerks at the polling places where needed and requested by the
16 election board[: Provided, That for each clerk appointed from
17 the majority political party, a clerk from the minority
18 political party must also be appointed].

19 Section 1208. Meeting of Election Officers on Day of
20 Election; Duties of Election Officers.--* * *

21 (b) If any judge of election shall not appear at the polling
22 place by 7 o'clock A.M., on the day of any primary or election,
23 the [majority inspector] nonpartisan inspectors shall appoint a
24 judge of election, who is qualified under the provisions of this
25 act. If any majority inspector of election shall not appear at
26 said hour, the judge of election shall appoint a [majority]
27 nonpartisan inspector, who is qualified under the provisions of
28 this act. [If any minority inspector of election shall not
29 appear at said hour, the person who received the second highest
30 vote for judge at the preceding election shall serve as minority

1 inspector, if available, and if qualified under the provisions
2 of this act. If such person is not available or not qualified,
3 the qualified electors of the district, present at said time,
4 shall, under the supervision of the judge of election, elect one
5 of their number who is duly qualified, to fill said vacancy.]

6 If, for any reason, any vacancy in an election board shall not
7 have been filled, as aforesaid, by 7:30 A.M., the qualified
8 electors of the district, present at said time, shall elect a
9 qualified person or persons to fill such vacancies. If any clerk
10 shall not appear by 7 o'clock A.M., the inspector who appointed
11 said clerk shall fill said vacancy, appointing a qualified
12 elector therefor. If any machine inspector shall not appear at
13 said time, it shall be the duty of the judge of election to
14 promptly notify the county board, who shall immediately appoint
15 a qualified machine inspector to fill said vacancy. Any persons
16 thus appointed or elected to fill vacancies shall take and
17 subscribe in duplicate to the oaths required by this act, and
18 shall hold office only for said election.

19 * * *

20 Section 1209. Opening of Polls; Posting Cards of Instruction
21 and Notices of Penalties and Voters' Rights; Examination of
22 Voting Machines.--(a) In districts in which ballots are used,
23 the election officers shall, after taking the oath, open the
24 ballot boxes which have been furnished to them, and burn and
25 totally destroy all the ballots and other papers which they may
26 find therein, before the opening of the polls.

27 Whenever during any emergency, it becomes necessary to save
28 waste paper on account of a shortage thereof, the Governor of
29 the Commonwealth may, by proclamation, suspend the foregoing
30 provisions relating to the destruction of ballots and papers,

1 and in that case, the election board shall set the ballots and
2 other papers aside and they shall be collected and disposed of
3 by such means and in such manner as may be determined by the
4 county election board. When the polling place is opened, the
5 ballot box shall be securely locked, and shall not be opened
6 until the close of the polls, as provided in section 1221. At
7 the opening of the polls the seals of the packages furnished by
8 the county board shall be publicly broken, and the said packages
9 shall be opened by the judge of election. The cards of
10 instruction and notices of penalties shall be immediately posted
11 in each voting compartment, and not less than three such cards
12 and notices of penalties and voters' rights, and not less than
13 five specimen ballots [(at primaries five of each party)], shall
14 be immediately posted in or about the voting room outside the
15 enclosed space, and such cards of instruction, notices of
16 penalties and specimen ballots shall be given to any elector at
17 his request, so long as there are any on hand.

18 * * *

19 (b) (1) In districts in which voting machines are used, at
20 the opening of the polls, the seals of the package furnished by
21 the county board shall be publicly broken, and the said package
22 shall be opened by the judge of election. Not less than three
23 cards of instruction and notices of penalties, and not less than
24 two diagrams of the face of the machine shall be immediately
25 posted in or about the voting room outside the enclosed space,
26 and such cards and notices of penalties shall be given to any
27 elector at his request, so long as there are any on hand.
28 Thereupon the election officers, before opening the envelope
29 containing the keys which unlock the operating mechanism and
30 registering counters or counter compartment of the voting

1 machine, shall examine the number of the seal on the machine and
2 the number registered on the protective counter or device, and
3 shall see whether they are the same as the numbers written on
4 the envelope containing the keys. If either number shall be
5 found not to agree, the envelope shall remain unopened until the
6 election officers shall have notified the proper custodian of
7 voting machines, or the county board, and until the custodian or
8 some other person authorized by the county board shall have
9 presented himself at the polling place for the purpose of
10 reexamining the machine, and shall have certified that it is
11 properly arranged. But if the numbers on the seal and the
12 protective counter or device shall both be found to agree with
13 the numbers on the envelope, the envelope shall be opened, and
14 where the voting machine provided is not equipped with mechanism
15 for printing paper proof sheets, the election officers shall
16 examine the registering counters, and, for that purpose, shall
17 open the doors concealing such counters, if the construction of
18 the voting machine shall so require, and, before the polls are
19 opened, the judge and each inspector shall carefully examine
20 every counter, and shall see that it registers zero (000), and
21 shall allow the overseers and watchers to examine the counters.
22 When the voting machine provided is equipped with mechanism for
23 printing paper proof sheets, and requires the simultaneous use
24 of three keys to unlock the registering counters or counter
25 compartment, the judge of election shall deliver one of the two
26 keys, aforesaid, to the [minority inspector] nonpartisan
27 inspectors to be retained by [him] them as hereinafter provided,
28 and shall then print at least two proof sheets, one of which the
29 judge and each inspector shall carefully examine to ascertain
30 whether every counter registers zero (000), and shall then

1 preserve said proof sheets to be signed by them and returned to
2 the county election board, with the duplicate return sheet, and
3 shall sign and post the other proof sheet upon the wall of the
4 polling place, where it shall remain until the polls are closed.
5 The key delivered by the judge of election to the [minority
6 inspector] nonpartisan inspectors as aforesaid, shall be
7 retained by the [minority inspector] nonpartisan inspectors
8 until the polls have been closed, and the voting and counting
9 mechanism of the machine shall have been locked and sealed
10 against voting, and shall then be returned to the judge of
11 election, for return by him to the county election board, as
12 hereinafter provided.

13 (2) If the ballot labels containing the names of offices,
14 [parties, political bodies,] candidates, and questions, shall
15 not be in their proper places on the voting machine, the
16 election officers, forthwith, shall notify the proper custodian
17 of voting machines, or the county board, and the machine shall
18 not be used until the custodian, or some other person authorized
19 by the county board, shall have supplied ballot labels, as
20 herein prescribed. If the ballot labels for a voting machine
21 shall not be delivered at the time required, or if after
22 delivery, they shall be lost, destroyed, or stolen, the county
23 board or custodian shall cause other ballot labels to be
24 prepared, printed or written, as nearly in the form of the
25 official ballot labels as practicable, and shall cause such
26 ballot labels to be used in the same manner, as nearly as may
27 be, as the official ballot labels would have been used.

28 * * *

29 Section 1210. Manner of Applying to Vote; Persons Entitled
30 to Vote; Voter's Certificates; Entries to Be Made in District

1 Register; Numbered Lists of Voters; Challenges.--* * *

2 (a.3) * * *

3 (4) As each voter is found to be qualified and votes, the
4 election officer in charge of the district register shall write
5 or stamp the date of the election or primary, his number in the
6 order of admission to the voting machines[, and at primaries a
7 letter or abbreviation designating the party in whose primary he
8 votes,] and shall sign his name or initials in the proper space
9 on the registration card of such voter contained in the district
10 register.

11 (5) As each voter votes, his name in the order of voting
12 shall be recorded in [two (2) numbered lists of voters provided
13 for that purpose, with the addition of a note of each voter's
14 party enrollment after his name at primaries] a numbered list of
15 voters provided for that purpose.

16 (a.4) * * *

17 (4) Within seven calendar days of the election, the county
18 board of elections shall examine each provisional ballot
19 envelope that is received to determine if the individual voting
20 that ballot was entitled to vote at the election district in the
21 election. One authorized representative of each candidate in an
22 election [and one representative from each political party]
23 shall be permitted to remain in the room in which the
24 determination is being made. Representatives shall be permitted
25 to keep a list of those persons who cast a provisional ballot
26 and shall be entitled to challenge any determination of the
27 county board of elections with respect to the counting or
28 partial counting of the ballot under this section. Upon
29 challenge of any provisional ballot under this clause, the
30 ballot envelope shall be marked "challenged" together with the

1 reason for the challenge, and the provisional ballot shall be
2 set aside pending final determination of the challenge according
3 to the following procedure:

4 * * *

5 (5) * * *

6 (iii) One authorized representative of each candidate in an
7 election [and one representative from each party] shall be
8 permitted to remain in the room in which deliberation or
9 determination of subclause (ii) is being made.

10 * * *

11 (10) One authorized representative of each candidate in an
12 election [and one representative from each political party]
13 shall be permitted to remain in the room where provisional
14 ballots are received by the county board of elections.

15 * * *

16 (d) No person, except a qualified elector who is in actual
17 military or naval service under a requisition of the President
18 of the United States or by the authority of this Commonwealth,
19 and who votes under the provisions of Article XIII of this act,
20 shall be entitled or permitted to vote at any primary or
21 election at any polling place outside the election district in
22 which [he] the person resides, nor shall [he] the person be
23 permitted to vote in the election district in which [he] the
24 person resides, unless [he] the person has been personally
25 registered as an elector and [his] the person's registration
26 card appears in the district register of such election district,
27 except by order of the court of common pleas as provided in this
28 act, and any person, although personally registered as an
29 elector, may be challenged by any qualified elector, election
30 officer, overseer, or watcher at any primary or election as to

1 [his] the person's identity, as to [his] the person's continued
2 residence in the election district or as to any alleged
3 violation of the provisions of section 1210 of this act, and if
4 challenged as to identity or residence, [he] the person shall
5 produce at least one qualified elector of the election district
6 as a witness, who shall make affidavit of [his] the person's
7 identity or continued residence in the election district:
8 Provided, however, That no person shall be entitled to vote [as
9 a member of a party at any primary], unless [he] the person is
10 registered and enrolled [as a member of such party] upon the
11 district register[, which enrollment shall be conclusive as to
12 his party membership and shall not be subject to challenge on
13 the day of the primary].

14 * * *

15 Section 1215. Method of Marking Ballots and Depositing Same
16 in Districts in Which Ballots are Used.--* * *

17 (b) At primaries, the elector shall prepare his ballot in
18 the following manner: He shall vote for the candidates of his
19 choice [for nomination or election], according to the number of
20 persons to be voted for by him, for each office, by making a
21 cross (X) or check (✓) mark in the square opposite the name of
22 the candidate, or he may insert by writing or stamping in the
23 blank space provided therefor, any name not already printed on
24 the ballot, and such insertion shall count as a vote without the
25 making of a cross (X) or check (✓) mark. In districts in which
26 paper ballots or ballot cards are electronically tabulated,
27 stickers or labels may not be used to mark ballots.

28 (c) At elections, the elector shall prepare his ballot in
29 the following manner: He may vote for the candidates of his
30 choice for each office to be filled according to the number of

1 persons to be voted for by him for each office, by making a
2 cross (X) or check (✓) mark in the square opposite the name of
3 the candidate, or he may insert by writing or stamping in the
4 blank spaces provided therefor, any name not already printed on
5 the ballot, and such insertion shall count as a vote without the
6 making of a cross (X) or check (✓) mark. In districts in which
7 paper ballots or ballot cards are electronically tabulated,
8 stickers or labels may not be used to mark ballots. [If he
9 desires to vote for every candidate of a political party or
10 political body, except its candidates for offices as to which he
11 votes for individual candidates in the manner hereinafter
12 provided, he may make a cross (X) or check (✓) mark in the
13 square opposite the name of the party or political body of his
14 choice in the party column on the left of the ballot, and every
15 such cross (X) or check (✓) mark shall be equivalent to and be
16 counted as a vote for every candidate of a party or political
17 body so marked, including its candidates for presidential
18 electors, except for those offices as to which he has indicated
19 a choice for individual candidates of the same or another party
20 or political body, by making a cross (X) or check (✓) mark
21 opposite their names in the manner hereinabove provided, as to
22 which offices his ballot shall be counted only for the
23 candidates which he has thus individually marked,
24 notwithstanding the fact that he made a mark in the party
25 column, and even though in the case of an office for which more
26 than one candidate is to be voted for, he has not individually
27 marked for such office the full number of candidates for which
28 he is entitled to vote. If he desires to vote for the entire
29 group of presidential electors nominated by any party or
30 political body, he may make a cross (X) or check (✓) mark in

1 the appropriate square at the right of the names of the
2 candidates for President and Vice-President of such party or
3 body. If he desires to vote a ticket for presidential electors
4 made up of the names of persons nominated by different parties
5 or political bodies, or partially of names of persons so in
6 nomination and partially of names of persons not in nomination
7 by any party or political body, or wholly of names of persons
8 not in nomination by any party or political body, he shall
9 insert, by writing or stamping, the names of the candidates for
10 presidential electors for whom he desires to vote in the blank
11 spaces provided therefor under the title of the office
12 "Presidential Electors."] In case of a question submitted to the
13 vote of the electors, he may make a cross (X) or check (✓) mark
14 in the appropriate square opposite the answer which he desires
15 to give.

16 * * *

17 Section 1216. Instructions of Voters and Manner of Voting in
18 Districts in Which Voting Machines are Used.--

19 * * *

20 [(c) At primaries, before a voter is admitted to the voting
21 machine, it shall be adjusted by the election officer in charge
22 thereof, so that such voter will only be able to vote for the
23 candidates of the party in which he is registered and enrolled
24 and for candidates for nonpartisan nomination, if any.]

25 * * *

26 Section 1221. Duties of Election Officers After the Close of
27 the Polls in Districts in Which Ballots are Used.--After the
28 polls are closed and the last elector has voted in districts in
29 which ballots are used, the election officers, clerks and
30 overseers, if any, shall remain within the enclosed space.

1 Before the ballot box is opened, the number of ballots issued to
2 electors [(at primaries the number issued to the electors of
3 each party) and the number of ballots (at primaries the number
4 of ballots of each party)], if any, spoiled and returned by
5 voters and cancelled, shall be announced to all present in the
6 voting room, and entered on the general returns of votes cast at
7 such primary or election. The election officers shall then
8 compare the number of electors voting with the number of names
9 marked as voting in the district register, "Voting Check List,"
10 and numbered lists of voters, shall announce the result, and
11 shall enter on the general returns the number of electors who
12 have voted, as shown by the "Voter's Check List." If any
13 differences exist, they shall be reconciled, if possible,
14 otherwise they shall be noted on the general returns. The
15 district register, the "Voting Check List" and the numbered
16 lists of voters, together with all unused ballots, and all
17 spoiled and cancelled ballots, and all rejected voter's
18 certificates shall then be placed in separate packages,
19 containers or envelopes, and sealed, before the ballot box is
20 opened.

21 Section 1222. Count and Return of Votes in Districts in
22 Which Ballots are Used.--

23 (a) As soon as all the ballots have been properly accounted
24 for, and those outside the ballot box, as well as the "Voting
25 Check List," numbered lists of voters and district register
26 sealed, the election officers shall forthwith open the ballot
27 box, and take therefrom all ballots therein[, and at primaries,
28 separate the same according to the party to which they belong].
29 The ballots shall then be counted one by one, and a record made
30 of the total number[, and at primaries of the total number cast

1 for each party]. Then the judge, under the scrutiny of the
2 [minority inspector] nonpartisan inspectors, or the [minority
3 inspector] nonpartisan inspectors, under the scrutiny of the
4 judge, in the presence of the other officers, clerks, and of the
5 overseers, if any, and within the hearing and sight of the
6 watchers outside the enclosed space, shall read aloud the names
7 of the candidates marked or inserted upon each ballot (at
8 primaries the ballots of each party being read in sequence),
9 together with the office for which the person named is a
10 candidate, and the answers contained on the ballots to the
11 questions submitted, if any, and the [majority inspector]
12 nonpartisan inspectors and clerks shall carefully enter each
13 vote as read, and keep account of the same in ink in triplicate
14 tally papers [(triplicate tally papers for each party at
15 primaries)] to be provided by the county board of elections for
16 that purpose, all three of which shall be made at the same time.
17 All ballots, after being removed from the box, shall be kept
18 within the unobstructed view of all persons in the voting room
19 until replaced in the box. No person while handling the ballots
20 shall have in his hand any pencil, pen, stamp or other means of
21 marking or spoiling any ballot. The election officers shall
22 forthwith proceed to canvass and compute the votes cast, and
23 shall not adjourn or postpone the canvass or computation until
24 it shall have been fully completed.

25 (b) When the vote cast for the different persons named upon
26 the ballots and upon the questions, if any, appearing thereon,
27 shall have been fully recorded in the tally papers and counted,
28 the election officers shall duly certify to the number of votes
29 cast for each person [(upon the respective party tickets at
30 primaries)], and shall prepare in ink two (2) general returns,

1 showing, in addition to the entries made thereon as aforesaid,
2 the total number of ballots received from the county board [(the
3 total of each party at primaries)], the number of ballots cast
4 [(the number of each party at primaries)], the number of ballots
5 [(of each party at primaries)] declared void, and the number of
6 ballots spoiled and cancelled, and any blank ballots cast, as
7 well as the votes cast for each candidate. At elections, the
8 number of votes cast for each candidate [by each political party
9 or political body of which such candidate is a nominee] shall be
10 separately stated. In an immediate column to the left thereto,
11 the number of votes received by each candidate upon all ballots
12 shall be entered, such column to be of convenient width and
13 shall be headed "number of votes received." The total number of
14 votes received by each candidate shall be entered in a column on
15 the extreme right-hand side of the return sheets, which column
16 shall be of convenient width and shall be headed "total number
17 of votes."

18 Nothing in this section contained shall be construed to
19 authorize or permit the canvassing, counting or tallying ballots
20 with any less degree of strictness than otherwise required by
21 law.

22 * * *

23 Section 1223. What Ballots Shall Be Counted; Manner of
24 Counting; Defective Ballots.--* * *

25 [(b) At November elections, a cross (X) or check (✓) mark
26 in the square opposite the name of political party or political
27 body in the party column shall be counted as a vote for every
28 candidate of that party or body so marked, including its
29 candidates for presidential electors, except for those offices
30 as to which the voter has indicated a choice for individual

1 candidates of the same or another party or body in any office
2 block, in which case the ballot for such office block shall be
3 counted only for the candidates thus individually marked,
4 notwithstanding the fact that the voter has made a mark in the
5 party column, and even though in the case of an office for which
6 more than one candidate is to be voted for, he has not
7 individually marked for such office the full number of
8 candidates for which he is entitled to vote.]

9 Section 1225. Signing and Disposition of Returns, District
10 Register and Voting Check List; Posting; Return of Ballot
11 Boxes.--(a) Immediately after the vote has been counted in
12 districts in which paper ballots are used, all of the general
13 returns shall be signed by the election officers and clerks, and
14 certified by the overseers, if any. If any election officer,
15 clerk or overseer shall refuse to sign or certify the general
16 returns, he shall write his reasons therefor upon the general
17 return sheets. One of said returns shall be immediately posted
18 for the information of the public outside the polling place, and
19 one shall be entrusted to the judge for delivery to the county
20 board with the package of unused ballots, etc., in an envelope
21 provided for that purpose. The election officers shall then
22 replace all the ballots cast, so counted and canvassed, in the
23 ballot boxes, including those declared void, spoiled, and
24 cancelled, together with one set of tally papers, one numbered
25 list of voters, sealed as aforesaid, and one oath of each
26 election officer, and lock and seal each ballot box so that
27 nothing can be inserted therein until it be opened again; and
28 the judge and [minority inspector] nonpartisan inspectors shall
29 immediately deliver the ballot boxes to the custody of the
30 county board, and the county board shall not compute any returns

1 from any election district until the ballot boxes therefor, as
2 well as the package of unused ballots, etc., aforesaid
3 therefrom, are delivered, as aforesaid. The election officers
4 shall record the number of votes cast for each person on an
5 official specimen ballot, shall sign the same and immediately
6 post it outside the polling place for the information of the
7 public.

8 (b) The [minority inspector] nonpartisan inspectors shall
9 retain one complete set of tally papers, one numbered list of
10 voters, sealed as aforesaid, and one set of oaths of election
11 officers and carefully preserve the same for a period of at
12 least one year. The remaining tally papers, affidavits of voters
13 and others, including oaths of election officers, and one
14 general return sheet shall be placed in separate envelopes, to
15 be provided for that purpose, and sealed as soon as the count is
16 finally completed. All of such envelopes and one numbered list
17 of voters, previously sealed as aforesaid, shall be entrusted to
18 the judge of election to be immediately delivered to the county
19 board. The judge of elections shall return to the county board
20 by two o'clock A. M. on the day following the election
21 envelopes; supplies, including all uncast provisional ballots;
22 and returns, including all provisional ballots and absentee
23 ballots cast in the election district.

24 * * *

25 Section 1227. Canvass and Return of Votes in Districts in
26 Which Voting Machines are Used.--(a) If the type of voting
27 machine provided shall require the counters to be seen in order
28 to enable the election officers to canvass the vote, the
29 election officers, in the presence of the watchers and all other
30 persons who may be lawfully within the polling place, shall then

1 make visible the registering counters, and, for that purpose,
2 shall unlock and open the doors, or other covering concealing
3 the same, giving full view of all the counter numbers. If the
4 voting machine is equipped with mechanism for printing paper
5 proof sheets, the election officers shall forthwith print not
6 less than four proof sheets, and as many more as may be
7 necessary to supply one to each member of the election board,
8 overseer, candidate, watcher, representative of a newspaper, and
9 other persons who may be lawfully present within the polling
10 place, requesting the same. The judge of election and the
11 [minority inspector shall then, under the scrutiny of the
12 majority inspector of election] nonpartisan inspectors, the
13 clerk appointed by the [minority inspector] nonpartisan
14 inspectors, the overseers, if any, and the watchers, and in the
15 order of the offices as their titles are arranged on the
16 machine, read from the counters or from one of the proof sheets,
17 as the case may be, and announce, in distinct tones, the
18 designation or designating number and letter on each counter for
19 each candidate's name, the result as shown by the counter
20 numbers, the votes recorded for each office for persons other
21 than nominated candidates, and the designation or designating
22 numbers and letters on each counter, and the results as shown by
23 the counter numbers for and against each question voted on. The
24 counters [shall not be read consecutively along the party rows
25 or columns, but] shall always be read along the office columns
26 or rows, completing the canvass for each office or question
27 before proceeding to the next.

28 * * *

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

30 Section 1234. General Runoff.--If no candidate receives a

1 majority of all the votes cast in the general election for any
2 one office then the Secretary of State shall order a second, or
3 "runoff," election to be held on the sixth Tuesday next
4 thereafter following the general election, at which election the
5 two candidates having received the most and the second-most
6 votes, respectively, shall be candidates. The person receiving
7 the highest number of votes for that office in the runoff
8 election shall be declared elected.

9 Section 22. Sections 1302(b), (e) and (f), 1302.3(b),
10 1403(b) and 1404(b), (c), (d)(1) and (g)(3) and (4) of the act
11 are amended to read:

12 Section 1302. Applications for Official Absentee Ballots.--*

13 * *

14 (b) An application for a qualified elector under subsection
15 (a) shall contain the following information: Home residence at
16 the time of entrance into actual military service or Federal
17 employment, length of time a citizen, length of residence in
18 Pennsylvania, date of birth, length of time a resident of voting
19 district, voting district if known, party choice [in case of
20 primary], name and, for a military elector, his stateside
21 military address, FPO or APO number and serial number. Any
22 elector other than a military elector shall in addition specify
23 the nature of his employment, the address to which ballot is to
24 be sent, relationship where necessary, and such other
25 information as may be determined and prescribed by the Secretary
26 of the Commonwealth. When such application is received by the
27 Secretary of the Commonwealth it shall be forwarded to the
28 proper county board of election.

29 * * *

30 (e) Any qualified bedridden or hospitalized veteran absent

1 from the municipality of his residence and unable to attend his
2 polling place because of such illness or physical disability,
3 regardless of whether he is registered or enrolled, may apply at
4 any time before any primary or election for an official absentee
5 ballot on any official county board of election form addressed
6 to the Secretary of the Commonwealth of Pennsylvania or the
7 county board of elections of the county in which his voting
8 residence is located.

9 The application shall contain the following information:

10 Residence at the time of becoming bedridden or hospitalized,
11 length of time a citizen, length of residence in Pennsylvania,
12 date of birth, length of time a resident in voting district,
13 voting district if known, party choice [in case of primary],
14 name and address of present residence or hospital at which
15 hospitalized. When such application is received by the Secretary
16 of the Commonwealth, it shall be forwarded to the proper county
17 board of elections.

18 The application for an official absentee ballot for any
19 primary or election shall be made on information supplied over
20 the signature of the bedridden or hospitalized veteran as
21 required in the preceding subsection. Any qualified registered
22 elector, including a spouse or dependent referred to in
23 subsection (1) of section 1301, who expects to be or is absent
24 from the municipality of his residence because his duties,
25 occupation or business require him to be elsewhere on the day of
26 any primary or election and any qualified registered elector who
27 is unable to attend his polling place on the day of any primary
28 or election because of illness or physical disability and any
29 qualified registered bedridden or hospitalized veteran in the
30 county of residence, or in the case of a county employe who

1 cannot vote due to duties on election day relating to the
2 conduct of the election, or in the case of a person who will not
3 attend a polling place because of the observance of a religious
4 holiday, may apply to the county board of elections of the
5 county in which his voting residence is located for an Official
6 Absentee Ballot. Such application shall be made upon an official
7 application form supplied by the county board of elections. Such
8 official application form shall be determined and prescribed by
9 the Secretary of the Commonwealth of Pennsylvania.

10 (1) The application of any qualified registered elector,
11 including spouse or dependent referred to in subsection (1) of
12 section 1301, who expects to be or is absent from the
13 municipality of his residence because his duties, occupation or
14 business require him to be elsewhere on the day of any primary
15 or election, or in the case of a county employe who cannot vote
16 due to duties on election day relating to the conduct of the
17 election, or in the case of a person who will not attend a
18 polling place because of the observance of a religious holiday,
19 shall be signed by the applicant and shall include the surname
20 and given name or names of the applicant, proof of
21 identification, his occupation, date of birth, length of time a
22 resident in voting district, voting district if known, place of
23 residence, post office address to which ballot is to be mailed,
24 the reason for his absence, and such other information as shall
25 make clear to the county board of elections the applicant's
26 right to an official absentee ballot.

27 (2) The application of any qualified registered elector who
28 is unable to attend his polling place on the day of any primary
29 or election because of illness or physical disability and the
30 application of any qualified registered bedridden or

1 hospitalized veteran in the county of residence shall be signed
2 by the applicant and shall include surname and given name or
3 names of the applicant, proof of identification, his occupation,
4 date of birth, residence at the time of becoming bedridden or
5 hospitalized, length of time a resident in voting district,
6 voting district if known, place of residence, post office
7 address to which ballot is to be mailed, and such other
8 information as shall make clear to the county board of elections
9 the applicant's right to an official ballot. In addition, the
10 application of such electors shall include a declaration stating
11 the nature of their disability or illness, and the name, office
12 address and office telephone number of their attending
13 physician: Provided, however, That in the event any elector
14 entitled to an absentee ballot under this subsection be unable
15 to sign his application because of illness or physical
16 disability, he shall be excused from signing upon making a
17 statement which shall be witnessed by one adult person in
18 substantially the following form: I hereby state that I am
19 unable to sign my application for an absentee ballot without
20 assistance because I am unable to write by reason of my illness
21 or physical disability. I have made or have received assistance
22 in making my mark in lieu of my signature.

23 (Mark)

24 (Date)

25

26 (Complete Address of Witness)

(Signature of Witness)

27 * * *

28 [(f) The county chairman of each political party or the head
29 of each political body shall designate one representative from
30 his respective political party or body for each public

1 institution. The representatives so appointed shall, at the same
2 time on a date fixed by the county board of election visit every
3 public institution situate in the county for the purpose of
4 obtaining the names and addresses of public institution
5 residents who desire to receive applications for absentee
6 ballots and to act as an election board as provided in
7 subsection (g) of this section. The list of names and addresses
8 thus obtained shall then be submitted by said representatives to
9 the board which shall furnish applications individually to those
10 appearing in the written request. If the chairman or head of a
11 political party or body fails to appoint a representative within
12 fifteen days from written notice from the county board of
13 election, the county board of election shall appoint a
14 representative from the political party or body.]

15 * * *

16 Section 1302.3. Absentee and Mail-in Electors Files and
17 Lists.--

18 (b) The county board of elections shall post in a
19 conspicuous public place at its office a master list arranged in
20 alphabetical order by election districts setting forth the name
21 and residence, and at primaries, the party enrollment, of (1)
22 every military elector to whom an absentee ballot is being sent,
23 each such name to be prefixed with an "M"; (2) every bedridden
24 or hospitalized veteran outside the county of his residence who
25 is not registered and to whom an absentee ballot is being sent,
26 each such name to be prefixed with a "V"; and (3) every
27 registered elector who has filed his application for an absentee
28 ballot too late for the extraction of his original registration
29 card and to whom a ballot is being sent and every qualified
30 elector who has filed his application for an absentee ballot and

1 is entitled, under provisions of the Permanent Registration Law
2 as now or hereinafter enacted by the General Assembly, to
3 absentee registration prior to or concurrently with the time of
4 voting, each such name to be prefixed with a "C." This list
5 shall be known as the Military, Veterans and Emergency Civilians
6 Absentee Voters File for the Primary or Election of (date of
7 primary or election) and shall be posted for a period commencing
8 the Tuesday prior to the day of the primary or election until
9 the day following the primary or election or the day on which
10 the county board of elections certifies the returns of the
11 primary or election, whichever date is later. Such file shall be
12 open to public inspection at all times subject to reasonable
13 safeguards, rules and regulations. This posted list shall not
14 contain any military address or references to any military
15 organization. Upon written request, the county board shall
16 furnish a copy of such list to any candidate [or party county
17 chairman].

18 * * *

19 Section 1403. Place of Meeting for Computation of Votes;
20 Notice; Papers to Be Prepared; Assistants to Be Sworn.--* * *

21 (b) If any member of the county board of any county shall be
22 a candidate for any nomination or election to public office, he
23 shall not act as a member of said board for the computation and
24 canvassing of returns, but the other members, if qualified, [and
25 if both such remaining members are not of the same political
26 party affiliation,] shall act; and in case in any county there
27 are not at least a majority of the members of said board so
28 qualified, two (2) or more judges of the court of common pleas
29 shall be designated by said court to act as a return board,
30 provided that neither of them is a candidate for any nomination

1 or election to public office; and if there shall be only one
2 judge of such court in such county or if less than two (2)
3 judges are qualified and able to act in such county, any judge
4 who is qualified may act alone, and if there be none qualified,
5 the following county officers, in order named, not being
6 candidates for any nomination or election to any public office,
7 shall act as the return board: the prothonotary, sheriff, county
8 treasurer, clerk of the orphans' court, clerk of oyer and
9 terminer and quarter sessions court, register of wills and the
10 recorder of deeds. If none of the above officers can qualify,
11 the president judge of the court of common pleas in such county
12 shall make a written request to the Chief Justice of the Supreme
13 Court for the assignment of a judge from another judicial
14 district, who shall act as the return board. The county
15 solicitor shall serve as counsel for the return board in the
16 several counties of the Commonwealth and shall receive no
17 additional compensation therefor in addition to his compensation
18 as county solicitor.

19 Section 1404. Computation of Returns by County Board;
20 Certification; Issuance of Certificates of Election.--* * *

21 (b) It shall be the duty of each board of registration
22 commissioners in each county, before the time fixed for the
23 county board to convene for purpose of computing and canvassing
24 returns of any primary or election, to certify to said county
25 board the total registration of each election district within
26 its jurisdiction, and the enrollment of each district [by
27 political parties at primaries]. The county board, before
28 computing the votes cast in any election district, shall compare
29 said registration and enrollment figures with the certificates
30 returned by the election officers showing the number of persons

1 who voted in each district or the number of ballots cast. If,
2 upon consideration by said return board of the returns before it
3 from any election district and the certificates aforesaid, it
4 shall appear that the total vote returned for any candidate or
5 candidates for the same office or nomination or on any question
6 exceeds the number of registered or enrolled electors in said
7 election district or exceeds the total number of persons who
8 voted in said election district or the total number of ballots
9 cast therein, or, if it shall appear that the total number of
10 partisan votes returned for any candidate or candidates for the
11 same office or nomination at any primary exceeds the number of
12 electors registered or enrolled in said district [as members of
13 that political party], or exceeds the total number of persons
14 belonging to that party who voted in said district or the total
15 number of ballots [of that party cast therein], in any such
16 case, such excess shall be deemed a discrepancy and palpable
17 error, and shall be investigated by the return board, and no
18 votes shall be recorded from such district until such
19 investigation shall be had, and such excess shall authorize--(a)
20 the summoning of the election officers, overseers, machine
21 inspectors, and clerks to appear forthwith with any election
22 papers in their possession; (b) the production of the ballot box
23 before the return board, and the examination and scrutiny of all
24 of its contents, and all of the registration and election
25 documents whatever, relating to said district, in the presence
26 of representatives of each party and candidate interested who
27 are attending the canvass of such votes; and the recount of the
28 ballots contained in said ballot box, either generally or
29 respecting the particular office, nomination, or question as to
30 which the excess exists, in the discretion of the return board;

1 (c) the correction of the returns in accordance with the result
2 of said recount; (d) in the discretion of the return board, the
3 exclusion of the poll of that district, either as to all
4 offices, candidates, questions, and parties, or as to any
5 particular offices, candidates, questions, or parties as to
6 which said excess exists, if the ballot box be found to contain
7 more ballots than there are electors registered or enrolled in
8 said election district[, or more ballots of one party than there
9 are electors registered or enrolled in said district as members
10 of that party,] or more ballots than the number of voters who
11 voted at said election[, or more ballots of one party than the
12 number of voters of that party who voted at said election]; (e)
13 a report of the facts of the case to the district attorney where
14 such action appears to be warranted.

15 (c) The county board shall first publicly account for all
16 extra official ballots printed under the provisions of section
17 1007 of this act. The general returns made by the election
18 officers from the various election districts shall then be read
19 one after another in the usual order, slowly and audibly, by one
20 of the clerks who shall, in each case of a return from a
21 district in which ballots were used, read therefrom the number
22 of ballots [(in the case of primaries the number of ballots of
23 each party)] issued, spoiled and cancelled, and cast,
24 respectively, whereupon the clerk having charge of the records
25 of the county board showing the number of ballots furnished for
26 each election district, including the number of extra official
27 ballots as provided by section 1007 of this act as so furnished,
28 and the number of unused ballots and spoiled and cancelled
29 ballots returned, shall publicly announce the number of the same
30 respectively, and unless it appears by said number or

1 calculations therefrom that said records, and the said general
2 return correspond, no further returns shall be read from the
3 latter until all discrepancies are explained to the satisfaction
4 of the county board. In the case of districts in which voting
5 machines are used, there shall be read from the general return
6 the identifying number or other designation of each voting
7 machine used, the numbers registered on the protective counter
8 or device on each machine prior to the opening of the polls and
9 immediately after close of the same, whereupon the clerk having
10 charge of the records of the county board showing the number
11 registered on the protective counter or device of each voting
12 machine prior to delivery at the polling place, shall publicly
13 announce the numbers so registered, and unless it appears that
14 the said records, and the said general return correspond, no
15 further returns shall be read from the latter until any and all
16 discrepancies are explained to the satisfaction of the county
17 board.

18 (d) (1) In districts in which paper ballots have been used,
19 when the records agree with said returns regarding the number of
20 ballots and the number of votes recorded for each candidate [(on
21 each party ticket at primaries)], said votes for each candidate
22 shall be read by the clerk slowly, audibly, and in an orderly
23 manner from the general return which has been returned unsealed,
24 and the figures announced shall be compared by other clerks with
25 the general return which has been returned sealed. The figures
26 announced for all districts shall be compared by one of the
27 clerks with the tally papers from the respective districts. If
28 any discrepancies are discovered, the county board shall
29 thereupon examine all of the return sheets, tally papers and
30 other papers in its possession relating to the same election

1 district. If the tally papers and sealed general return sheet
2 agree, the unsealed general return shall be forthwith corrected
3 to conform thereto. But in every other case the county board
4 shall forthwith cause the ballot box of the district to be
5 opened and the vote therein to be recounted in the presence of
6 attorneys, watchers, and candidates interested, and if the
7 recount shall not be sufficient to correct the error, the county
8 board may summon the election officers and overseers, if any, to
9 appear forthwith with all election papers in their possession.

10 * * *

11 (g) This subsection relates to recounts and recanvasses
12 ordered by the secretary.

13 * * *

14 (3) The secretary shall provide twenty-four (24) hours
15 notice of an order under clause (1) to each candidate [and to
16 the county chairman of each party or political body] affected by
17 the recount and recanvass. Notice shall be by press release, the
18 World Wide Web site or other means.

19 (4) A candidate affected by the recount and recanvass may be
20 present, in person or by attorney, at the recount and recanvass.
21 [A party or body affected by the recount and recanvass may send
22 two representatives to the recount and recanvass.]

23 * * *

24 Section 23. Sections 1411 and 1412 of the act are repealed:

25 [Section 1411. Secretary of the Commonwealth to Certify
26 Votes of National Delegates and Members of State Committee.--
27 Following his tabulation of the returns received from each
28 Spring primary, the Secretary of the Commonwealth shall issue
29 certificates of election to the persons in each political party
30 who have been duly elected delegates or alternate delegates to

1 the National convention of each party, and to the persons in
2 each party who have been duly elected members of the National
3 Committee or the State committee of each party. In the case of
4 delegates or alternate delegates to a National party convention,
5 the certificates of election shall show the number of votes
6 received in the State or in the political district, as the case
7 may be, by each candidate of such delegate's or alternate
8 delegate's political party for nomination as President of the
9 United States. The Secretary of the Commonwealth shall also
10 certify to the State chairman of each party the votes cast for
11 each candidate for the office of member of State committee of
12 each party.

13 Section 1412. Secretary of the Commonwealth to Certify
14 Presidential Votes by Congressional Districts.--The Secretary of
15 the Commonwealth, following his tabulation of the returns from
16 each such Spring primary held in years in which candidates for
17 President of the United States are to be nominated, shall
18 prepare a statement from the said returns, showing the total
19 number of votes cast in the State and in each congressional
20 district of the State for each political party for nomination as
21 President of the United States.]

22 Section 24. Sections 1701 heading, (a) and (a.1)(1)(i),
23 1809, 1817 heading, 1824, 1826 and 1830 of the act are amended
24 to read:

25 Section 1701. Opening Partisan and Nonpartisan Ballot Boxes
26 upon Petition of Electors Alleging Fraud or Error; Deposit or
27 Bond.--(a) Except as set forth in subsection (a.1), the court
28 of common pleas, or a judge thereof, of the county in which any
29 election district is located in which ballots were used, shall
30 open the ballot box of such election district used at any

1 general, general runoff, municipal, special or primary election
2 held therein, and cause the entire vote thereof to be correctly
3 counted by persons designated by such court or judge, if three
4 qualified electors of the election district shall file, as
5 hereinafter provided, a petition duly verified by them, alleging
6 that upon information which they consider reliable they believe
7 that fraud or error, although not manifest on the general return
8 of votes made therefrom, was committed in the computation of the
9 votes cast for all offices or for any particular office or
10 offices in such election district, or in the marking of the
11 ballots, or otherwise in connection with such ballots. It shall
12 not be necessary for the petitioners to specify in their
13 petition the particular act of fraud or error which they believe
14 to have been committed, nor to offer evidence to substantiate
15 the allegations of their petition.

16 (a.1) In cases resulting from a recount or recanvass order
17 by the Secretary of the Commonwealth under section 1404(g), all
18 of the following apply:

19 (1) Upon petition under clause (2), Commonwealth Court
20 shall:

21 (i) open the ballot box of each election district in which
22 ballots were used at a general, general runoff, municipal,
23 special or primary election; and

24 * * *

25 Section 1809. Refusal to Administer Oath; Acting Without
26 Being Sworn.--If any judge of election or [minority inspector]
27 nonpartisan inspector of election refuses or fails to administer
28 the oath to the officers of election, in the manner required by
29 this act, or if any judge of election, inspector of election,
30 clerk of election, or machine inspector, shall act without being

1 first duly sworn, or if any such person shall sign the written
2 form of oath without being duly sworn, or if any judge of
3 election or minority inspector of election or any other person
4 authorized to administer oaths shall certify that any such
5 person was sworn when he was not, he shall be guilty of a
6 misdemeanor, and, upon conviction thereof, shall be sentenced to
7 pay a fine not exceeding one hundred (\$100) dollars, or to
8 undergo an imprisonment not exceeding six (6) months, or both,
9 in the discretion of the court.

10 Section 1817. Forging and Destroying Partisan and
11 Nonpartisan Ballots.--* * *

12 Section 1824. Election Officers Refusing to Permit Elector
13 to Vote [in Proper Party at Primaries] For Any Candidate
14 Regardless of Political Party Affiliation.--Any judge, inspector
15 or clerk of election who refuses to permit an elector at any
16 primary at which ballots are used to [receive the ballot of the
17 party with which he is enrolled, or who gives to any such
18 elector the ballot of any party in which he is not enrolled]
19 vote for the candidates of any party in which he is not
20 enrolled, or any judge, or inspector of election, or machine
21 inspector who, at any primary at which voting machines are used,
22 adjusts any voting machine about to be used by an elector so as
23 not to permit him to vote [for the candidates of the party in
24 which he is enrolled, or so as to permit him to vote] for the
25 candidates of any party in which he is not enrolled, shall be
26 guilty of a misdemeanor of the first degree, and, upon
27 conviction thereof, shall be sentenced to pay a fine not
28 exceeding ten thousand (\$10,000) dollars, or to undergo an
29 imprisonment of not more than five (5) years, or both, in the
30 discretion of the court.

1 Section 1826. Prying into Partisan and Nonpartisan
2 Ballots.--Any judge, inspector or clerk of election, or other
3 person, who, before any partisan or nonpartisan ballot is
4 deposited in the partisan or nonpartisan ballot box as provided
5 by this act, shall unfold, open or pry into any such ballot,
6 with the intent to discover the manner in which the same has
7 been marked, shall be guilty of a misdemeanor, and upon
8 conviction thereof, shall be sentenced to pay a fine not
9 exceeding five hundred (\$500) dollars, or to undergo an
10 imprisonment of not more than one (1) year, or both, in the
11 discretion of the court.

12 Section 1830. Unlawful Assistance in Voting.--Any elector at
13 any primary or election who shall allow his ballot or the face
14 of the voting machine voted by him to be seen by any person with
15 the apparent intention of letting it be known how he is about to
16 vote; or in districts in which ballots are used, shall cast or
17 attempt to cast any other than the official partisan or
18 nonpartisan ballot which has been given to him by the proper
19 election officer; or who, without having made the declaration
20 under oath or affirmation required by section 1218 of this act,
21 or when the disability which he declared before any registration
22 commission no longer exists, shall permit another to accompany
23 him into the voting compartment or voting machine booth, or to
24 mark his ballot or prepare the voting machine for voting by him;
25 or who shall mark his ballot or prepare the voting machine for
26 voting while another is unlawfully present in the voting machine
27 compartment or voting machine booth with him; or who shall state
28 falsely to any election officer that because of illiteracy he is
29 unable to read the names on the ballot or ballot labels or that
30 by reason of physical disability he cannot see or mark the

1 ballot or enter the voting compartment without assistance or
2 that he cannot see or operate the voting machine or enter the
3 voting machine booth without assistance; or who shall state, as
4 his reason for requiring assistance, a disability from which he
5 does not suffer; or any person who shall go into the voting
6 compartment or voting machine booth with another while voting or
7 be present therein while another is voting, or mark the ballot
8 of another or prepare the voting machine for voting with
9 another, except in strict accordance with the provisions of this
10 act; or any person who shall interfere with any elector when
11 inside the enclosed space or when marking his ballot, or
12 preparing the voting machine for voting, or who shall endeavor
13 to induce any elector before depositing his ballot to show how
14 he marks or has marked his ballot; or any person giving
15 assistance who shall attempt to influence the vote of the
16 elector whom he is assisting or who shall mark a ballot or
17 prepare a voting machine for voting in any other way than that
18 requested by the voter whom he is assisting, or who shall
19 disclose to anyone the contents of any ballot which has been
20 marked or any voting machine which has been prepared for voting
21 with his assistance, except when required to do so in any legal
22 proceeding, shall be guilty of a misdemeanor, and, upon
23 conviction thereof, shall be sentenced to pay a fine not
24 exceeding one thousand (\$1,000) dollars, or to undergo an
25 imprisonment of not more than one (1) year, or both, in the
26 discretion of the court.

27 Section 25. Section 1834 of the act is repealed:

28 [Section 1834. Elector Voting Ballot of Wrong Party at
29 Primary.--Any elector who shall wilfully vote at any primary the
30 ballot of a party in which he is not enrolled, in violation of

1 the provisions of this act, shall be guilty of a misdemeanor of
2 the second degree, and, upon conviction thereof, shall be
3 sentenced to pay a fine not exceeding five thousand (\$5,000)
4 dollars, or to undergo an imprisonment of not more than two (2)
5 years, or both, in the discretion of the court.]

6 Section 26. This act shall apply to elections held on or
7 after May 18, 2025.

8 Section 27. This act shall take effect in 60 days.