

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1278 Session of 2025

INTRODUCED BY DAVIDSON, SANCHEZ, HANBIDGE, McNEILL, GIRAL,
DONAHUE, K.HARRIS, NEILSON, BURGOS, SOLOMON, HOHENSTEIN,
CEPEDA-FREYTIZ AND DOUGHERTY, APRIL 22, 2025

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 22, 2025

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in dates of elections and primaries and special
12 elections, further providing for affidavits of candidates; in
13 nomination of candidates, further providing for affidavits of
14 candidates, for statement of candidates for delegates to
15 national conventions, for Secretary of the Commonwealth to
16 furnish county boards with list of candidates and candidates
17 to be notified, for nominations by political bodies, for
18 examination of nomination petitions, certificates and papers
19 and return of rejected nomination petitions, certificates and
20 papers and for affidavits of candidates; and, in penalties,
21 further providing for false affidavits of candidates and for
22 false signatures and statements in nomination petitions and
23 papers.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Sections 630.1, 910, 911, 916, 951(e), 976,
27 981.1, 1802.1 and 1813 of the act of June 3, 1937 (P.L.1333,
28 No.320), known as the Pennsylvania Election Code, are amended to

1 read:

2 Section 630.1. [Affidavits] Statement of Candidates.--Each
3 candidate for any State, county, city, borough, incorporated
4 town, township, school district or poor district office, or for
5 the office of United States Senator or Representative in
6 Congress, selected as provided in section 630 of this act, shall
7 file with the nomination certificate [an affidavit] a statement,
8 subject to the penalties of 18 Pa.C.S. § 4904 (relating to
9 unsworn falsification to authorities), stating--(a) his
10 residence, with street and number, if any, and his post-office
11 address; (b) his election district, giving city, borough, town
12 or township; (c) the name of the office for which he consents to
13 be a candidate; (d) that he is eligible for such office; (e)
14 that he will not knowingly violate any provision of this act, or
15 of any law regulating and limiting election expenses and
16 prohibiting corrupt practices in connection therewith; (f)
17 unless he is a candidate for judge of a court of common pleas,
18 the Philadelphia Municipal Court or for the office of school
19 board in a district where that office is elective or for the
20 office of justice of the peace, that he is not a candidate for
21 the same office of any party or political body other than the
22 one designated in such certificate; (g) that he is aware of the
23 provisions of section 1626 of this act requiring election and
24 post-election reporting of campaign contributions and
25 expenditures; and (h) that he is not a candidate for an office
26 which he already holds, the term of which is not set to expire
27 in the same year as the office subject to the [affidavit]
28 statement.

29 Section 910. [Affidavits] Statement of Candidates.--Each
30 candidate for any State, county, city, borough, incorporated

1 town, township, ward, school district, poor district, election
2 district, party office, party delegate or alternate, or for the
3 office of United States Senator or Representative in Congress,
4 shall file with his nomination petition his [affidavit]
5 statement, subject to the penalties of 18 Pa.C.S. § 4904
6 (relating to unsworn falsification to authorities), stating--(a)
7 his residence, with street and number, if any, and his post-
8 office address; (b) his election district, giving city, borough,
9 town or township; (c) the name of the office for which he
10 consents to be a candidate; (d) that he is eligible for such
11 office; (e) that he will not knowingly violate any provision of
12 this act, or of any law regulating and limiting nomination and
13 election expenses and prohibiting corrupt practices in
14 connection therewith; (f) unless he is a candidate for judge of
15 a court of common pleas, the Philadelphia Municipal Court or for
16 the office of school director in a district where that office is
17 elective or for the office of justice of the peace that he is
18 not a candidate for nomination for the same office of any party
19 other than the one designated in such petition; (g) if he is a
20 candidate for a delegate, or alternate delegate, member of State
21 committee, National committee or party officer, that he is a
22 registered and enrolled member of the designated party; (h) if
23 he is a candidate for delegate or alternate delegate the
24 presidential candidate to whom he is committed or the term
25 "uncommitted"; (i) that he is aware of the provisions of section
26 1626 of this act requiring pre-election and post-election
27 reporting of campaign contributions and expenditures; and (j)
28 that he is not a candidate for an office which he already holds,
29 the term of which is not set to expire in the same year as the
30 office subject to the [affidavit] statement. In cases of

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

12 Section 911. Statement of Candidates for Delegates to
13 National Conventions.--Each candidate for election as delegate
14 or alternate delegate to a National party convention may
15 include, with [his affidavit] the statement required under
16 section 910, the statement hereinafter set forth in this
17 section; but his failure to include such statement shall not be
18 a valid ground, on the part of the Secretary of the
19 Commonwealth, for refusal to receive and file his nomination
20 petition. Such statement, if signed, shall be signed on all the
21 sheets of said petition, together with the date of signing and
22 shall be in substantially the following form:

23 Delegate's Statement

24 I hereby declare to the voters of my political party in the
25 (here insert "State of Pennsylvania," if a delegate or alternate
26 delegate at large; otherwise, insert ".....District") that,
27 if elected and in attendance as a delegate to the National
28 convention of the party, I shall, with all fidelity, to the best
29 of my judgment and ability, in all matters coming before the
30 convention, support (here insert name of presidential candidate)

1 for President of the United States and shall use all honorable
2 means within my power to aid in securing the nomination for such
3 candidate for President.

4

5 (Signature of candidate for delegate or alternate delegate, and
6 date of signing.)

7 On the ballots or ballot labels used at a primary, after or
8 under the name of each candidate for delegate or alternate
9 delegate to a National party convention, shall appear the words
10 "committed to (here insert name of presidential candidate)" or
11 "uncommitted" according to whether the candidate included, or
12 failed to include, the above statement with [his affidavit] the
13 statement required under section 910.

14 Section 916. Secretary of the Commonwealth to Furnish County
15 Boards with List of Candidates; Candidates to Be Notified.--The
16 Secretary of the Commonwealth, as soon as possible after the
17 last day fixed for the filing of nomination petitions with him,
18 and after the last day for the withdrawal of candidates filing
19 such nomination petitions, and after the candidates shall have
20 cast lots for the position of their names upon the primary
21 ballots or ballot labels, shall forward to the county board of
22 each county a correct list of candidates of each party for the
23 various offices, in the order in which they are to appear upon
24 the official ballots or ballot labels, with their respective
25 residences, giving city, borough, town or township, and post-
26 office addresses as shown in their [affidavits] statements; and
27 shall also at the same time notify the said candidates by mail
28 that their names have been so certified to said county boards.
29 In the case of each candidate for delegate or alternate delegate
30 to a National party convention, the Secretary of the

1 Commonwealth shall certify as to whether such candidate has
2 included with his [affidavit] statement the statement provided
3 for in section 911 of this act and in cases where such candidate
4 has committed himself to a particular presidential preference,
5 the name of the presidential candidate to whom he is committed.

6 Section 951. Nominations by Political Bodies.--* * *

7 (e) There shall be appended to each nomination paper offered
8 for filing [an affidavit] a statement, subject to the penalties
9 of 18 Pa.C.S. § 4904, of each candidate nominated therein,
10 stating--(1) the election district in which he resides; (2) the
11 name of the office for which he consents to be a candidate; (3)
12 that he is eligible for such office; (4) that he will not
13 knowingly violate any provision of this act, or of any law
14 regulating and limiting election expenses, and prohibiting
15 corrupt practices in connection therewith; (5) that his name has
16 not been presented as a candidate by nomination petitions for
17 any public office to be voted for at the ensuing primary
18 election, nor has he been nominated by any other nomination
19 papers filed for any such office; (6) that in the case where he
20 is a candidate for election at a general or municipal election,
21 he was not a registered and enrolled member of a party thirty
22 (30) days before the primary held prior to the general or
23 municipal election in that same year; (7) that, in the case
24 where he is a candidate for election at a special election, he
25 is not a registered and enrolled member of a party; and (8) that
26 he is not a candidate for an office which he already holds, the
27 term of which is not set to expire in the same year as the
28 office subject to the [affidavit] statement.

29 Section 976. Examination of Nomination Petitions,
30 Certificates and Papers; Return of Rejected Nomination

1 Petitions, Certificates and Papers.--When any nomination
2 petition, nomination certificate or nomination paper is
3 presented in the office of the Secretary of the Commonwealth or
4 of any county board of elections for filing within the period
5 limited by this act, it shall be the duty of the said officer or
6 board to examine the same. No nomination petition, nomination
7 paper or nomination certificate shall be permitted to be filed
8 if--(a) it contains material errors or defects apparent on the
9 face thereof, or on the face of the appended or accompanying
10 [affidavits] statements; or (b) it contains material alterations
11 made after signing without the consent of the signers; or (c) it
12 does not contain a sufficient number of signatures as required
13 by law; Provided, however, That the Secretary of the
14 Commonwealth or the county board of elections, although not
15 hereby required so to do, may question the genuineness of any
16 signature or signatures appearing thereon, and if he or it shall
17 thereupon find that any such signature or signatures are not
18 genuine, such signature or signatures shall be disregarded in
19 determining whether the nomination petition, nomination paper or
20 nomination certificate contains a sufficient number of
21 signatures as required by law; or (d) in the case of nomination
22 petitions, if nomination petitions have been filed for printing
23 the name of the same person for the same office, except the
24 office of judge of a court of common pleas, the Philadelphia
25 Municipal Court or the office of school director in districts
26 where that office is elective or the office of justice of the
27 peace upon the official ballot of more than one political party;
28 or (e) in the case of nomination papers, if the candidate named
29 therein has filed a nomination petition for any public office
30 for the ensuing primary, or has been nominated for any such

1 office by nomination papers previously filed; or (f) if the
2 nomination petitions or papers are not accompanied by the filing
3 fee or certified check required for said office; or (g) in the
4 case of nomination papers, the appellation set forth therein is
5 identical with or deceptively similar to the words used by any
6 existing party or by any political body which has already filed
7 nomination papers for the same office, or if the appellation set
8 forth therein contains part of the name, or an abbreviation of
9 the name or part of the name of an existing political party, or
10 of a political body which has already filed nomination papers
11 for the same office. The invalidity of any sheet of a nomination
12 petition or nomination paper shall not affect the validity of
13 such petition or paper if a sufficient petition or paper remains
14 after eliminating such invalid sheet. The action of said officer
15 or board in refusing to receive and file any such nomination
16 petition, certificate or paper, may be reviewed by the court
17 upon an application to compel its reception as of the date when
18 it was presented to the office of such officer or board:

19 Provided, however, That said officer or board shall be entitled
20 to a reasonable time in which to examine any petitions,
21 certificates or papers, and to summon and interrogate the
22 candidates named therein, or the persons presenting said
23 petitions, certificates or papers, and his or their retention of
24 same for the purpose of making such examination or interrogation
25 shall not be construed as an acceptance or filing.

26 Upon completion of any examination, if any nomination
27 petition, certificate or paper is found to be defective, it
28 shall forthwith be rejected and returned to the candidate or one
29 of the candidates named therein, together with a statement of
30 the reasons for such rejection:

1 Provided further, That no nomination petition, nomination
2 paper or nomination certificate shall be permitted to be filed,
3 if the political party or political body referred to therein
4 shall be composed of a group of electors whose purposes or aims,
5 or one of whose purposes or aims, is the establishment, control,
6 conduct, seizure or overthrow of the Government of the
7 Commonwealth of Pennsylvania or the United States of America by
8 the use of force, violence, military measure or threats of one
9 or more of the foregoing. The authority to reject such
10 nomination petition, paper or certificate for this reason shall,
11 when filed with the Secretary of the Commonwealth, be vested in
12 a committee composed of the Governor, the Attorney General and
13 the Secretary of the Commonwealth, and when filed with any
14 county board of elections shall be vested in such board. If in
15 such case the committee or board, as the case may be, shall
16 conclude that the acceptance of such nomination petition, paper
17 or certificate should be refused, it shall within two days of
18 the filing of such nomination petition, paper or certificate fix
19 a place and a time five days in advance for hearing the matter,
20 and notice thereof shall be given to all parties affected
21 thereby. At the time and place so fixed the committee or board,
22 as the case may be, shall hear testimony, but shall not be bound
23 by technical rules of evidence. The testimony presented shall be
24 stenographically recorded and made a part of the record of the
25 committee or board. Within two days after such hearing the
26 committee or board, if satisfied upon competent evidence that
27 the said nomination petition, paper or certificate is not
28 entitled to be accepted and filed, it shall announce its
29 decision and immediately notify the parties affected thereby.
30 Failure to announce decision within two days after such hearing

1 shall be conclusive that such nomination petition, paper or
2 certificate has been accepted and filed. The decision of said
3 committee or board in refusing to accept and file such
4 nomination petition, paper or certificate may be reviewed by the
5 court upon an application to compel its reception as of the date
6 when presented to the Secretary of the Commonwealth or such
7 board. The application shall be made within two days of the time
8 when such decision is announced. If the application is properly
9 made, any judge of said court may fix a time and place for
10 hearing the matter in dispute, of which notice shall be served
11 with a copy of said application upon the Secretary of the
12 Commonwealth or the county board of elections, as the case may
13 be. At the time so fixed, the court, or any judge thereof
14 assigned for the purpose, shall hear the case de novo. If after
15 such hearing the said court shall find that the decision of the
16 committee or the board was erroneous, it shall issue its mandate
17 to the committee or board to correct its decision and to accept
18 and file the nomination paper, petition or certificate. From any
19 decision of the court an appeal may be taken within two days
20 after the entry thereof. It shall be the duty of the said court
21 to fix the hearing and to announce its decision within such
22 period of time as will permit the Secretary of the Commonwealth
23 or the county board of elections to permit the names of the
24 candidates affected by the court's decision to be printed on the
25 ballot, if the court should so determine.

26 Section 981.1. [Affidavits] Statement of Candidates.--Each
27 candidate for any State, county, city, borough, incorporated
28 town, township, ward, school district, poor district or election
29 district office, or for the office of United States Senator or
30 Representative in Congress, selected as provided in sections 979

1 and 980 of this act, shall file with the substituted nomination
2 certificate [an affidavit] a statement, subject to the penalties
3 of 18 Pa.C.S. § 4904 (relating to unsworn falsification to
4 authorities), stating--(a) his residence, with street and
5 number, if any, and his post-office address; (b) his election
6 district, giving city, borough, town or township; (c) the name
7 of the office for which he consents to be a candidate; (d) that
8 he is eligible for such office; (e) that he will not knowingly
9 violate any provision of this act, or of any law regulating and
10 limiting election expenses and prohibiting corrupt practices in
11 connection therewith; (f) unless he is a candidate for judge of
12 a court of common pleas, the Philadelphia Municipal Court or for
13 the office of school board in a district where that office is
14 elective or for the office of justice of the peace, that he is
15 not a candidate for the same office of any party or political
16 body other than the one designated in such certificate; (g) that
17 he is aware of the provisions of section 1626 of this act
18 requiring election and post-election reporting of campaign
19 contributions and expenditures; and (h) that he is not a
20 candidate for an office which he already holds, the term of
21 which is not set to expire in the same year as the office
22 subject to the [affidavit] statement.

23 Section 1802.1. False [Affidavits] Statements of
24 Candidates.--Any candidate for State, county, city, borough,
25 incorporated town, township or school district office or for the
26 office of United States Senator or Representative in Congress or
27 any other elective public office who knowingly makes a false
28 statement regarding his eligibility or qualifications for such
29 office in his candidate's [affidavit] statement shall, in
30 litigation which results in the removal of the candidate from

1 the ballot, be liable for court costs, including filing fees,
2 attorney fees, investigation fees and similar costs, in an
3 amount up to ten thousand (\$10,000) dollars.

4 Section 1813. False Signatures and Statements in Nomination
5 Petitions and Papers.--If any person shall knowingly make a
6 false statement in any affidavit or statement required by the
7 provisions of this act, to be appended to or to accompany a
8 nomination petition or a nomination paper, or if any person
9 shall fraudulently sign any name not his own to any nomination
10 petition or nomination paper, or if any person shall
11 fraudulently alter any nomination petition or nomination paper
12 without the consent of the signers, he shall be guilty of a
13 misdemeanor, and, upon conviction thereof, shall be sentenced to
14 pay a fine not exceeding five hundred (\$500) dollars, or to
15 undergo imprisonment of not more than one (1) year, or both, in
16 the discretion of the court.

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