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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1644 Session of  
2023

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INTRODUCED BY ROZZI, AUGUST 29, 2023

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, AUGUST 29, 2023

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AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled  
2 "An act concerning elections, including general, municipal,  
3 special and primary elections, the nomination of candidates,  
4 primary and election expenses and election contests; creating  
5 and defining membership of county boards of elections;  
6 imposing duties upon the Secretary of the Commonwealth,  
7 courts, county boards of elections, county commissioners;  
8 imposing penalties for violation of the act, and codifying,  
9 revising and consolidating the laws relating thereto; and  
10 repealing certain acts and parts of acts relating to  
11 elections," in dates of elections and primaries and special  
12 elections, further providing for affidavits of candidates;  
13 and, in nomination of candidates, further providing for  
14 affidavits of candidates, nominations by political bodies,  
15 limitations on eligibility of candidates and affidavits of  
16 candidates.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. Sections 630.1, 910, 951(e), 951.1 and 981.1 of  
20 the act of June 3, 1937 (P.L.1333, No.320), known as the  
21 Pennsylvania Election Code, are amended to read:

22 Section 630.1. Affidavits of Candidates.--Each candidate for  
23 any State, county, city, borough, incorporated town, township,  
24 school district or poor district office, or for the office of  
25 United States Senator or Representative in Congress, selected as

1 provided in section 630 of this act, shall file with the  
2 nomination certificate an affidavit stating--(a) his residence,  
3 with street and number, if any, and his post-office address; (b)  
4 his election district, giving city, borough, town or township;  
5 (c) the name of the office for which he consents to be a  
6 candidate; (d) that he is eligible for such office; (e) that he  
7 will not knowingly violate any provision of this act, or of any  
8 law regulating and limiting election expenses and prohibiting  
9 corrupt practices in connection therewith; (f) unless he is a  
10 candidate for judge of a court of common pleas, the Philadelphia  
11 Municipal Court or for the office of school board in a district  
12 where that office is elective or for the office of justice of  
13 the peace, that he is not a candidate for the same office of any  
14 party or political body other than the one designated in such  
15 certificate; (f.1) that he is not a candidate for any other  
16 office, excluding the office of President of the United States  
17 and the office of Vice President of the United States; (g) that  
18 he is aware of the provisions of section 1626 of this act  
19 requiring election and post-election reporting of campaign  
20 contributions and expenditures; and (h) that he is not a  
21 candidate for an office which he already holds, the term of  
22 which is not set to expire in the same year as the office  
23 subject to the affidavit.

24 Section 910. Affidavits of Candidates.--Each candidate for  
25 any State, county, city, borough, incorporated town, township,  
26 ward, school district, poor district, election district, party  
27 office, party delegate or alternate, or for the office of United  
28 States Senator or Representative in Congress, shall file with  
29 his nomination petition his affidavit stating--(a) his  
30 residence, with street and number, if any, and his post-office

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

1 petition prior to the circulation of same. In the case of a  
2 candidate for nomination as President of the United States, it  
3 shall not be necessary for such candidate to file the affidavit  
4 required in this section to be filed by candidates, but the  
5 post-office address of such candidate shall be stated in such  
6 nomination petition.

7 Section 951. Nominations by Political Bodies.--\* \* \*

8 (e) There shall be appended to each nomination paper offered  
9 for filing an affidavit 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)  
26 that he is not a candidate for an office which he already holds,  
27 the term of which is not set to expire in the same year as the  
28 office subject to the affidavit[.]; and (9) that he is not a  
29 candidate for any other office, excluding the office of  
30 President of the United States and the office of Vice President

1 of the United States.

2 Section 951.1. Limitations on Eligibility of Candidates.--

3 (a) Any person who is a registered and enrolled member of a  
4 party during any period of time beginning with thirty (30) days  
5 before the primary and extending through the general or  
6 municipal election of that same year shall be ineligible to be  
7 the candidate of a political body in a general or municipal  
8 election held in that same year nor shall any person who is a  
9 registered and enrolled member of a party be eligible to be the  
10 candidate of a political body for a special election.

11 (b) Subject to subsection (a), a candidate may not seek  
12 nomination or appear on a ballot for more than one public office  
13 in an election, unless the additional public office the  
14 candidate seeks nomination or election for is the office of  
15 President of the United States or the office of Vice President  
16 of the United States.

17 Section 981.1. Affidavits of Candidates.--Each candidate for  
18 any State, county, city, borough, incorporated town, township,  
19 ward, school district, poor district or election district  
20 office, or for the office of United States Senator or  
21 Representative in Congress, selected as provided in sections 979  
22 and 980 of this act, shall file with the substituted nomination  
23 certificate an affidavit stating--(a) his residence, with street  
24 and number, if any, and his post-office address; (b) his  
25 election district, giving city, borough, town or township; (c)  
26 the name of the office for which he consents to be a candidate;  
27 (d) that he is eligible for such office; (e) that he will not  
28 knowingly violate any provision of this act, or of any law  
29 regulating and limiting election expenses and prohibiting  
30 corrupt practices in connection therewith; (f) unless he is a

1 candidate for judge of a court of common pleas, the Philadelphia  
2 Municipal Court or for the office of school board in a district  
3 where that office is elective or for the office of justice of  
4 the peace, that he is not a candidate for the same office of any  
5 party or political body other than the one designated in such  
6 certificate; (f.1) that he is not a candidate for any other  
7 office, excluding the office of President of the United States  
8 and the office of Vice President of the United States; (g) that  
9 he is aware of the provisions of section 1626 of this act  
10 requiring election and post-election reporting of campaign  
11 contributions and expenditures; and (h) that he is not a  
12 candidate for an office which he already holds, the term of  
13 which is not set to expire in the same year as the office  
14 subject to the affidavit.

15 Section 2. This act shall apply to elections held at least  
16 90 days after the effective date of this section.

17 Section 3. This act shall take effect immediately.