

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1838 Session of 2021

INTRODUCED BY SOLOMON, HILL-EVANS, WEBSTER, ZABEL, INNAMORATO, HERRIN AND WARNER, SEPTEMBER 7, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 7, 2021

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled  
 2 "An act concerning elections, including general, municipal,  
 3 special and primary elections, the nomination of candidates,  
 4 primary and election expenses and election contests; creating  
 5 and defining membership of county boards of elections;  
 6 imposing duties upon the Secretary of the Commonwealth,  
 7 courts, county boards of elections, county commissioners;  
 8 imposing penalties for violation of the act, and codifying,  
 9 revising and consolidating the laws relating thereto; and  
 10 repealing certain acts and parts of acts relating to  
 11 elections," in nomination of candidates, further providing  
 12 for casting of lots for position of names upon the primary  
 13 ballots or ballot labels and notice to candidates.

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

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

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

1 a day for the casting of lots, in such manner as may be  
2 prescribed by the Secretary of the Commonwealth, or county  
3 board, as the case may be, for the position of names upon the  
4 primary ballots or ballot labels. The Secretary of the  
5 Commonwealth shall give at least two (2) days notice by mail of  
6 said date to all candidates whose petitions have been received  
7 and filed in his office, and the county board shall give at  
8 least two (2) days notice of said date by posting thereof in a  
9 conspicuous place in its office, and by publication once in at  
10 least two newspapers of general circulation published in the  
11 county. All candidates may appear in person, or by agent duly  
12 authorized by letter of attorney, signed and acknowledged by an  
13 officer empowered to take acknowledgments. In the event of any  
14 of said candidates not being present in person or by  
15 representative at the time of casting of lots, it shall be the  
16 duty of the Secretary of the Commonwealth or the county board,  
17 as the case may be, to appoint some person to represent such  
18 absentee. After said lots are cast, the] Position of Names Upon  
19 the Primary Ballots or Ballot Labels.--The Secretary of the  
20 Commonwealth or the county board, as the case may be, shall  
21 [accordingly] establish the random order in which the names of  
22 [said] candidates are to appear upon the primary ballots or  
23 ballot labels by election district, and certify the [same] order  
24 for placing upon the official primary ballots or ballot labels.  
25 The Secretary of the Commonwealth shall establish by regulation  
26 a method to rotate the names of candidates randomly by election  
27 district.

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