
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1709 Session of
2023

INTRODUCED BY DIAMOND, HAMM, STEHR, GILLEN, ROZZI, KAUFFMAN,
JAMES AND MOUL, SEPTEMBER 25, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 25, 2023

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 affidavits of candidates and for nominations by political
13 bodies.

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

16 Section 1. Sections 910 and 951(e) of the act of June 3,
17 1937 (P.L.1333, No.320), known as the Pennsylvania Election
18 Code, are amended to read:

19 Section 910. Affidavits of Candidates.--Each candidate for
20 any State, county, city, borough, incorporated town, township,
21 ward, school district, poor district, election district, party
22 office, party delegate or alternate, or for the office of United
23 States Senator or Representative in Congress, shall file with

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

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

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

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

1 be elected at the same election.

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