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COUNTY OF ALLEGHENY



DIGEST OF ELECTION LAWS

Compiled By
Department of Elections
604 County Office Building
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355-4500

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FOREWORD

This handbook is prepared for use by the citizens of Allegheny County and is distributed free of charge. The handbook does not include all laws and regulations pertaining to elections, but presents a summary of the most outstanding features of the election and registration laws. References will enable the more serious student to find the citations quickly.

If you have a question or a problem, the answer to which you cannot find in the Digest, your inquiry will be promptly and courteously answered by visiting the office of the Department of Elections, 604 County Office Building, or by dialing one of the following numbers:

Elections Generally	355-4500
Registration	355-4510
Election Officers	355-4517
Absentee Ballot Information ...	355-4520
Expense Account Information ..	355-4518

All information in this handbook is subject to change by act of the General Assembly or by a change in the rules of the political parties.

DIGEST OF ELECTION LAWS

GENERAL INFORMATION

LAWS GOVERNING REGISTRATION AND THE CONDUCT OF ELECTIONS Both the Constitution of the United States and the Constitution of Pennsylvania contain provisions concerning the voter and elections. Congress has the power to enact legislation concerning the conduct of federal elections; the Pennsylvania General Assembly enacts legislation on voting and elections in the State; and court decisions also effect changes in election law.

ELECTION OFFICIALS

The Secretary of the Commonwealth: The chief election officer of the State is the Secretary of the Commonwealth of Pennsylvania. Some of the powers and duties of this officer are: to determine the form of nomination petitions, nomination papers, expense accounts and other forms and records; to receive such reports from county boards of elections as required by law or as deemed necessary; to approve or disapprove voting machines or other voting devices for use in this State; to publish in at least two newspapers in each county any proposed amendment to the Constitution of Pennsylvania; to receive the returns from county boards of elections and to issue certificates of election to the successful candidates unless that duty is imposed on another officer or board.¹

The County Board of Elections: In each county in Pennsylvania, the county board of elections has jurisdiction over the conduct of primaries and elections. The county board of elections is the board of county commissioners of that county ex officio, or any officials or board who are performing the duties of the county commissioners.² Some of the powers and duties imposed on them are: to select and equip polling places; to prepare and publish all notices as required by law; to canvass and compute election returns and to certify the results of all primaries and elections.³

Whenever members of the board of county commissioners are candidates for nomination or election to any public office, or whenever there is a ballot question relating to the adoption of or amendments to a county Home Rule Charter, the county commissioners shall not sit as the board of elections. The President Judge of the Court of Common Pleas shall appoint judges to serve as the board of elections.⁴

PRIMARIES AND ELECTIONS

The Primary Election in each odd-numbered year is called the **MUNICIPAL PRIMARY** and is held on the third Tuesday of May.⁵

The Primary Election in each even-numbered year is called the **GENERAL PRIMARY** and is held on the third Tuesday of May, except in Presidential years when it is held on the fourth Tuesday of April.⁶

The **MUNICIPAL ELECTION** is held in odd-numbered years on the first Tuesday after the first Monday of November.⁷

The **GENERAL ELECTION** is held in even-numbered years, on the first Tuesday after the first Monday of November.⁸

Justices of the Supreme Court, Judges of Superior and Commonwealth Courts, Judges of the Court of Common Pleas, Judges of Community Courts (if established), District Justices in Magisterial Districts, constables and all county, municipal, school district and election district officers are elected only at a **Municipal Election**.⁷

Electors for President and Vice President of the United States, United States Senators, Representatives in Congress, the Governor and Lieutenant Governor, Auditor General, State Treasurer, Attorney General and Senators and Representatives in the General Assembly are elected only at a **General Election**.⁸

The polls are open at all primaries and elections between the hours of 7 A.M. and 8 P.M., prevailing time.⁹

POLITICAL PARTIES To be eligible to nominate candidates at a primary, a party or a political body must qualify as a "political party", either within the State, or within a county.¹⁰

To Qualify State-Wide: At the general election preceding the primary, one candidate of the party or political body must have polled at least two percent (2%) of the largest entire vote cast for any elected candidate in EACH OF TEN counties, and a total vote in the State of at least two percent (2%) of the largest entire vote cast for any elected candidate. Once qualified under this provision, the party is entitled to nominate candidates at the primary for any office to be voted on throughout the State and within each county, and to enjoy all other privileges of a political party provided by law.¹¹

To Qualify County-Wide: At either the general or municipal election preceding the primary, one candidate of the party or political body must have polled at least five percent (5%) of the largest entire vote cast for any candidate elected in the county. Once qualified under this provision, the party is entitled to nominate candidates at the primary for any office to be voted on in the county, in all political districts within the county, and in all political districts of which the county is a part.¹²

The Secretary of the Commonwealth determines which organizations are political parties within the State, and transmits a list of these political parties to each county board of elections prior to the thirteenth (13th) Tuesday before the primary.¹³

Each county board of elections determines which organizations are political parties within the county, and transmits a list of these political parties to the Secretary of the Commonwealth prior to the thirteenth (13th) Tuesday before the primary.¹⁴

FORMS, DOCUMENTS AND RECORDS

Forms: The Secretary of the Commonwealth and the Allegheny County Department of Elections will furnish candidates a reasonable supply of forms (nomination petitions, nomination papers, withdrawal forms, loyalty oaths, substitute nomination certificates, appointment of campaign treasurer forms, expense account forms, etc.) to insure that all statements and affidavits are in the proper form and comply with all provisions of the law.¹⁵

Documents and Fees to be Filed With The Secretary of the Commonwealth: All documents pertaining to nomination or election to the following offices must be filed in the office of the Secretary of the Commonwealth:

PUBLIC OFFICE: President and Vice President of the United States, Presidential Elector, United States Senator, Representative in Congress; Governor, Lieutenant Governor, Auditor General, Treasurer, Attorney General, Senator and Representative in the General Assembly; Justice of the Supreme Court, Judge of the Superior and the Commonwealth Courts and Judge of the Court of Common Pleas.¹⁶

PARTY OFFICE: Member of State Committee, Delegate to National Convention, Alternate Delegate to National Convention, and such other party offices as may be designated by law.¹⁶

Filing fees for these offices may be paid by certified check or money order made payable to: Commonwealth of Pennsylvania.¹⁷

Documents and Fees to be Filed With the County Board of Elections: Documents pertaining to nomination or election to all other offices must be filed in the office of the Allegheny County Department of Elections.¹⁶ Filing fees may be paid in cash, or by certified check or money order made payable to: County of Allegheny.¹⁷

Filing of Expense Account Documents: Candidates for Federal office file the original expense account forms in Washington, D.C., and file a duplicate with the Secretary of the Commonwealth.¹⁶ Candidates whose nomination documents are filed in Harrisburg, file their expense reports with the Secretary of the Commonwealth, and a copy in their county of residence. Candidates for all other offices file expense account documents with the county board of elections.¹⁹

Filing of Financial Interest Statements: All candidates for election to public office must file with their nomination petition an affidavit stating that they have filed a statement of financial interest, as required by law. Candidates for state and county-wide office file this statement with the Ethics Commission and with the Department of Elections in their county of residence. Candidates for local office file with the Ethics Commission, and with the political sub-division in which they are a candidate.²⁰

Courts of Jurisdiction: The court of jurisdiction for documents filed with the Secretary of the Commonwealth is Commonwealth Court. The court of jurisdiction for documents filed with the Allegheny County board of elections is the Allegheny County Court of Common Pleas.²¹

Public Inspection of Records: Registration data and documents filed with the Allegheny County Department of Elections are open to public inspection and may be inspected and copied during ordinary business hours at any time when they are not necessarily being used by departmental employees.²² There is a charge for copies of documents. This charge is determined by the board of elections, and is subject to change without notice.

1. 25 P.S. § 2621.
2. 25 P.S. § 2641, as amended.
3. 25 P.S. § 2642; § 2642, as amended.
4. 25 P.S. § 2641 (c), as amended.
5. 25 P.S. § 2754.
6. 25 P.S. § 2753, as amended.
7. PA Const., Art. V, § 13. 25 P.S. § 2752.
8. PA Const., Art. IV, as amended; 25 P.S. § 2751.
9. 25 P.S. § 3045.
10. 25 P.S. § 2831 (a), as amended; (c).
11. 25 P.S. § 2831 (a), as amended.
12. 25 P.S. § 2831 (b).
13. 25 P.S. § 2861 (a), as amended.
14. 25 P.S. § 2861 (b), as amended.
15. 25 P.S. § 2621 (a); *All about Elections*. Pennsylvania Department of State, no date, p.34.
16. PA Const., Art. IV, as amended; 25 P.S. § 2621 (d); § 2873 (a).
17. 25 P.S. § 2873 (b).
18. Federal Election Campaign Act Amendments of 1971, § 304.
19. 25 P.S. § 3231 [1. (I, II)], as amended.
20. 65 P.S. § 401-413.
21. 42 P.S. § 761-764, as amended.
22. 25 P.S. § 951-12; § 2648.

PETITIONS FOR NOMINATION AT A PRIMARY

The names of candidates for nomination by a political party are placed on the primary ballot¹ after separate petitions signed by a prescribed number of registered voters² are filed in their behalf. For certain offices, a filing fee is required.³

PERIOD OF CIRCULATION Nomination petitions can only be circulated between the thirteenth (13th) Tuesday and the tenth (10th) Tuesday before a primary. No signature is counted unless it bears a date within this period.⁴

QUALIFICATIONS OF SIGNERS OF PETITIONS An elector may sign nomination petitions for as many candidates for each office as he could vote for at the election.

The signer declares that he is a registered and enrolled member of the political party designated in the petition, that he is registered in the political district within which the nomination is made, and also in the county within which the petition is being circulated. The signer also adds his occupation, place of residence, and the date of signing expressed either in words or numbers.⁴

CIRCULATOR'S AFFIDAVIT A nomination petition may consist of more than one sheet. Each sheet must contain the affidavit of the person who circulated the petition, setting forth these facts: that the circulator is a qualified elector, registered and enrolled as a member of the party* and a resident of the political district referred to in the petition; the circulator's residence; that the signers signed with full knowledge of the contents of the petition; that their respective residences are correctly stated; that each signed on the date set opposite his name; and that to the best of the circulator's knowledge and belief, the signers are qualified electors and registered and enrolled members of the party, political district, and the county designated on the face of the petition.⁵

**NOTE: The circulators of petitions for judicial candidates need not be enrolled members of the political party designated in the petition.*

CANDIDATE'S AFFIDAVIT, PUBLIC OFFICE Each candidate filing a nomination petition for public office, except a candidate for nomination as President of the United States, shall file with the petition an affidavit stating: his place of residence and post office address; name of the office he is running for; that he is eligible for the office; that he will not knowingly violate any provision of the Election Code, or of any other law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith; and that he is not a candidate for nomination to the same office by any other political party.* *⁶

In addition, under the Pennsylvania Loyalty Act of 1951, each candidate for a non-Federal public office must file with his petition a Loyalty Oath, stating that he is not a subversive person.⁷

CANDIDATE'S AFFIDAVIT, PARTY OFFICE Petitions must also be filed in order for the names of candidates for election to political party office to be placed on the primary ballot.¹

A candidate for party office must file, among other things, an affidavit stating that he is a registered and enrolled member of the party designated in the petition;² and if a candidate for delegate or alternate delegate to a party convention in a presidential year, the presidential candidate to whom he is committed, or the term "uncommitted".³ (See Page 19).

FILING PETITIONS

Manner of Filing: If the nomination petition consists of more than one sheet, all sheets must be bound together when offered for filing. Each sheet must be numbered consecutively, beginning with the number 1, at the foot of each page.⁵ The filing fee, if any, must accompany the petition.³

Examination of Nomination Documents: Whenever any nomination petition, nomination paper or nomination certificate is presented for filing, it is the duty of the Secretary of the Commonwealth or the county board of elections to examine it. The document will not be filed if, among other things, it contains material errors or defects on the face thereof, or on the face of appended or accompanying

***NOTE: A judicial candidate or a candidate for the office of district justice or school director may file nomination petitions for these offices in more than one party.*

affidavits; or if it contains material alterations made after signing without the consent of the signers; or if it does not contain a sufficient number of signatures. If a nomination document is found to be defective, it is rejected and returned to the candidate with a statement of the reasons for the rejection.⁹

DEADLINES FOLLOWING THE LAST DAY TO FILE NOMINATION DOCUMENTS

Candidates with Similar Surnames: Not later than five (5) days after the last day to file nomination petitions, nomination papers, or certificates, a candidate may make a written request to the county board of elections to have his residence or occupation printed on the ballot label, under his name. Permission to add this information may be granted whenever two candidates for the same office have the same or similar surnames.¹⁰

Objections to a candidate's petition or paper: Seven (7) days after the last day to file is the last day on which objections to nomination petitions or nomination papers may be filed with the Court of Common Pleas of the county in which the original filing took place.¹¹ (Commonwealth Court is the court of jurisdiction for documents filed in Harrisburg.) The objection may be filed by any registered voter of the political district.

A handbook, *How to Run for Political Office*, advises: "Voters or candidates who become involved in objection proceedings, either by filing them against another candidate or by having objections filed against them by others, should seek advice of experienced legal counsel. Both the laws and procedures which govern objection proceedings are complicated matters".¹²

The law requires that the court conduct a hearing on the objections within ten (10) days after the last day for filing the original nomination documents, and that, if possible, the court decide the objections within fifteen (15) days.¹¹

Withdrawal of Candidate Before a Primary: Any candidate for nomination or election at a primary may withdraw as a candidate by filing a signed and notarized request to withdraw in the same office in which the candidate's original petition was filed. This must be done before the close of business on the fifteenth day following the last day for filing nomination petitions.¹³

No candidate may withdraw or rescind the withdrawal notice,¹³ and no filing fee already paid will be refunded.¹⁴

CASTING OF LOTS The order in which candidates' names appear within certain blocks on the primary ballot is determined by the casting of lots.

Immediately after the last day to file nomination petitions, the Secretary of the Commonwealth and/or the county board of elections shall announce the day, time and place for the casting of lots.

The candidate may attend in person, or be represented by a person designated by him in a notarized letter of appointment. If the candidate or a personal representative is not present, the lots will be cast by a representative of the county board of elections or by a representative of the Secretary of the Commonwealth.¹⁵

DEATH OF A CANDIDATE BEFORE THE PRIMARY If a candidate dies after his nomination petition is filed and before the printing of the primary ballots, the original signers of the petition, or a majority of them, may sign another petition proposing a new candidate for the office. This new petition shall have the same force and effect as the original. The name of the new candidate shall be substituted for that of the deceased candidate and placed in the same relative ballot position.¹⁶

If the name of a deceased candidate remains on the printed ballot and this candidate wins, then no candidate is considered to have won the primary nomination. A vacancy exists which can be filled by a substitute nomination.¹⁷

1. 25 P.S. §2867, as amended.
2. 25 P.S. § 2872.
3. 25 P.S. § 2873 (b).
4. 25 P.S. § 2868, as amended.
5. 25 P.S. § 2869, as amended.
6. 25 P.S. § 2870, as amended.
7. 65 P.S. § 211-225.
8. 25 P.S. § 2871, as amended.
9. 25 P.S. § 2936, as amended.

10. 25 P.S. § 2965.
11. 25 P.S. § 2937, as amended.
12. *How To Run For Political Office*. The Committee of Seventy. Philadelphia, Pa., 1977, p.33.
13. 25 P.S. § 2874.
14. 25 P.S. § 2873 (c).
15. 25 P.S. § 2875.
16. 25 P.S. § 2877.
17. 25 P.S. § 2882.

NOMINATION BY POLITICAL BODIES

NOTE: Nominations of this kind should not be confused with political party nominations made at primaries as a result of filing nomination petitions.

A political **body** is not a political **party** because none of its candidates met the requirement of having polled a certain percentage of the votes cast in the preceding election.¹ (See Page 4).

GENERAL INFORMATION A political body may nominate candidates for any public office by filing nomination papers signed by a prescribed number of qualified electors.²

More than one candidate may be nominated by one nomination paper, and candidates for more than one office may be nominated by one nomination paper, provided that the political body does not nominate more candidates than there are offices to be voted for, and that all the candidates are running within the same political district.³

Nomination papers shall be in the form prescribed by the Secretary of the Commonwealth, and no other forms shall be used.

NAME OF POLITICAL BODY All nomination papers must specify the name of the political body which the candidate represents. The name shall consist of not more than three (3) words. No word may be used which is identical or similar to any words used in the name of any existing political party or any political body which has already filed nomination papers for the same office or offices.⁴

COMMITTEE TO BE NAMED All nomination papers must contain the names and addresses of a three to five (3-5) member Committee, authorized to fill vacancies if they occur.⁴

CIRCULATION OF NOMINATION PAPERS A political body may begin circulating nomination papers after the tenth (10th) Tuesday before the primary.³

The last day to file nomination papers is the second Friday after the Primary.

If the nomination is for a state-wide office, the minimum number of signatures required is two percent (2%) of the largest entire vote cast for any elected candidate in the last preceding election at which state-wide candidates were voted for.

For other nominations, the minimum number of signatures required is two percent (2%) of the largest vote cast for any candidate, except judge of a court of record, elected at the last preceding election held in the same political district. In no case shall the number of required signatures be less than the number required for nomination petitions for party candidates for the same office.⁷

All signers must be registered electors of the State or of the political district in which the nomination is made. An elector may sign nomination papers for as many candidates for that office as he could vote for at the election.³

CANDIDATE'S AFFIDAVIT Each candidate nominated by nomination papers must make an affidavit stating, among other things, that his name has not been presented as a candidate for any public office by nomination petition, nomination certificate or by other nomination papers and that he is not a registered and enrolled member of a recognized political party.⁸

FILING The procedures for filing nomination papers are the same as those for filing nomination petitions.⁹ (See Page 8).

Each candidate nominated by a nomination paper shall pay the same filing fee required for the filing of a nomination petition for the same office, but in no case shall the filing fee for nomination papers be less than \$5.00.¹⁰

1. 25 P.S. § 2831; § 2831, as amended.
2. 25 P.S. § 2911 (a); § 2911 (b), as amended.
3. 25 P.S. § 2911 (c).
4. 25 P.S. § 2912.
5. 25 P.S. § 2913 (b), as amended.
6. 25 P.S. § 2911 (b), as amended.
7. P.S. § 2911 (e).
8. 25 P.S. § 2911 (d); § 2913 (a).
9. 25 P.S. § 2914.

SUBSTITUTE NOMINATIONS

Any vacancy in any nomination by a political party or a political body may be filled by filing a substitute nomination certificate.¹

VACANCIES RESULTING FROM WITHDRAWAL OF NOMINATED CANDIDATE

Any person who has been nominated by a political party at a primary or by a political body may withdraw his name from nomination by a written request, signed by the candidate and notarized, and filed in the same office in which the original petition or papers were filed. Such withdrawals must be filed at least eighty-five (85) days before the November election.²

VACANCIES RESULTING FROM DEATH OF NOMINATED CANDIDATE

If the vacancy in a nomination occurs because of the death of the candidate, the substitute nomination certificate must be accompanied by a properly certified death certificate.³

VACANCIES RESULTING FROM FAILURE TO PAY FILING FEE OR FAILURE TO FILE LOYALTY OATH

At least eighty-five (85) days before the day of the November election, candidates nominated by write-in at a primary must pay a filing fee and/or file a loyalty oath. Failure to pay such fee or file such oath within the time prescribed shall result in a vacancy in the party's nomination.⁴

SUBSTITUTE POLITICAL PARTY NOMINATIONS

The committee authorized by party rules to make substitute nominations files a substitute nomination certificate in the appropriate office. This certificate must be accompanied by the candidate's oath and filing fee, if applicable.⁵ No person shall be so nominated who has already been nominated for the same office by any other political party or political body.⁶

SUBSTITUTE POLITICAL BODY NOMINATIONS

The committee of the political body named in the original nomination paper may fill any vacancy by filing a substitute nomination certificate in the appropriate office.⁷ This certificate must be accompanied by the candidate's oath and filing fee.⁸

No person shall be so nominated who was a candidate for nomination at the primary for any public office to be filled at the November election, whether or not actually nominated for such office, or who has been nominated by any other political body for any office to be filled at the November election.⁷

FORM OF SUBSTITUTE NOMINATION CERTIFICATE

Every substitute nomination certificate shall be in the form prescribed by the Secretary of the Commonwealth, and shall contain the following information:

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

b) The cause of the vacancy;

c) The rule or rules of the political party applicable to the nomination of a candidate to fill a vacancy;

d) That a quorum of the committee as provided by the party rules, or a quorum of the committee named by the political body, duly convened; the names of those present at the meeting; and that these persons are duly elected or appointed members of said committee;

e) The name, residence and occupation of the candidate nominated at said meeting.

The certificate of nomination shall be signed by the presiding officer and secretary of the committee, and their signatures shall be notarized.¹

TIME FOR FILING SUBSTITUTE NOMINATION CERTIFICATES

Withdrawal of Candidate: Seventy-five (75) days before the election.

Death of Candidate: Any time prior to the day on which the printing of ballots starts.⁸

OBJECTION TO SUBSTITUTE NOMINATIONS Objections to substitute nominations must be filed within three (3) days after the filing of the substitute nomination certificate.⁹

1. 25 P.S. § 2939; § 2940; § 2958; § 2958, as amended.
2. 25 P.S. § 2938, as amended.
3. 25 P.S. § 2940.
4. 25 P.S. § 2938.1, as amended.

5. 25 P.S. § 2936, as amended
6. 25 P.S. § 2939.
7. 25 P.S. § 2940.
8. 25 P.S. § 2941 (a), as amended, (b).
9. 25 P.S. § 2942; § 2958.

SPECIAL ELECTIONS TO FILL VACANCIES

NOMINATION OF CANDIDATES FOR A SPECIAL ELECTION In those cases where a vacancy occurs in an elective public office and the vacancy is required by the Constitution, statute, or a Home Rule Charter to be filled by a special election, and the vacancy occurs at a time when nominations cannot be made at a primary, candidates shall be nominated by political parties by means of substitute nomination certificates and by political bodies by means of nomination papers.¹

The chart on page 16 lists the different provisions for holding special elections to fill vacancies.

OBJECTIONS TO NOMINATION CERTIFICATES AND NOMINATION PAPERS FILED FOR A SPECIAL ELECTION Objections to nomination documents filed for a special election must be made within three (3) days after the last day for filing the certificates or papers. Any objections must state specifically the matters objected to.²

WITHDRAWAL OF CANDIDATES NOMINATED FOR A SPECIAL ELECTION Within three (3) days after the last day for filing, the certificate or papers any person nominated as a candidate for a special election by a political party or a political body may withdraw his name from nomination by a written request signed by him and notarized, and filed in the same office where the original nomination document was filed.³

SUBSTITUTE NOMINATIONS FOR A VACANCY IN A NOMINATION FOR A SPECIAL ELECTION

Withdrawal of Candidate: The substitute nomination certificate must be filed no later than seven (7) days after the last day for filing the original nomination document.⁴

Death of Candidate: If the vacancy is due to the death of the candidate, the substitute nomination certificate may be filed any time prior to the day on which the printing of ballots begins.⁴

PROVISIONS FOR SPECIAL ELECTIONS TO FILL VACANCIES

VACANCY IN THE OFFICE OF:	TO BE FILLED AT THE NEXT:	WHICH OCCURS:	LAST DAY ON WHICH CANDIDATES' DOCUMENTS ARE TO BE FILED:
United States Senator ⁵	General or Municipal Election ⁵	At least ninety (90) days after the happening of the vacancy ⁵	Sixty (60) days before the special election ⁸
Representative in Congress ⁶	Primary or Municipal Election, or other day named in the writ ⁶	Not less than sixty (60) days after the issuance of the writ ⁶	Fifty (50) days before special election ⁷
Senator or Representative in the General Assembly ⁸	Primary, Municipal or General Election, or other day named in the writ ⁸	Not less than sixty (60) days after the issuance of the writ ⁸	Fifty (50) days before the special election ⁷
Any elected Borough and 2nd Class Township Official; Commissioners of 1st Class Townships; town councils or council presidents of incorporated towns ⁹	Municipal Election ⁹	More than sixty (60) days after the vacancy occurs ⁹	Tenth (10th) Tuesday before the Primary ¹⁰ or Fifty (50) days before the November election ¹¹

Members of councils, legislative bodies of cities, boroughs towns & townships which make special provisions in a Home Rule Charter¹²

Primary, Municipal or General Election (if Home Rule Charter so provides)¹²

Within sixty (60) days after the issuance of the writ or the happening of the vacancy¹²

Fifteen (15) days after issuance of the writ⁷

School Directors, 2nd-4th class¹³

Municipal Election¹³

More than sixty (60) days after person was appointed to fill vacancy¹³

Tenth (10th) Tuesday before the Primary¹⁰

or
Fifty (50) days before the November election¹¹

Justice, Judge or District Justice¹⁴

Municipal Election¹⁴

More than ten (10) months after the vacancy occurs¹⁴

Tenth (10th) Tuesday before the Primary¹⁰

*If the vacancy exists before the thirteenth (13th) Tuesday before the municipal primary, the names of candidates for nomination by a political party will be placed on the general ballot by petition. 10

- | | | |
|--|---|-----------------------------------|
| 1. 25 P.S. § 2776, as amended;
§ 2778, as amended;
§ 2778.1, as amended. | 5. 25 P.S. § 2776, as amended. | 10. 25 P.S. § 2754. |
| 2. 25 P.S. § 2782; § 2785;
§ 2956; § 2959. | 6. 25 P.S. § 2777, as amended. | 11. 25 P.S. § 2953, as amended. |
| 3. 25 P.S. § 2783;
§ 2957 (a). | 7. 25 P.S. § 2779, as amended. | 12. 25 P.S. § 2778.1, as amended. |
| 4. 25 P.S. § 2784;
§ 2958. | 8. 25 P.S. § 2778, as amended. | 13. 24 P.S. § 3-315, as amended. |
| | 9. 53 P.S. § 45901, as amended;
§ 55530, as amended;
§ 65420, as amended. | 14. PA Const., Art. V, § 13 (b). |

PARTY OFFICERS, COMMITTEE MEMBERS AND DELEGATES

STATE COMMITTEE The Election Code provides that each political party in the State shall be governed by a State Committee to be chosen in such manner and for such term of office as party rules may provide. Currently, members of State Committees are elected at the General Primary for a term of two years. Members of the State Committee must hold their organization meeting not later than the sixth (6th) Wednesday following their election, at a time and place designated by the State Chairman of the party.¹

The State Committee may make rules for the government of the party which are not inconsistent with State law. No party rules are effective until a certified copy is filed with the office of the Secretary of the Commonwealth.¹

On or before the thirteenth (13th) Tuesday preceding the General Primary, the Chairman of the State Committee of each political party must file with the Secretary of the Commonwealth and the respective county boards of election, written notice of those party officers, delegates and alternate delegates who are to be elected in the State, in the county or in a political district within a county.²

COUNTY COMMITTEE The county committee of each party makes rules for the government of the party in the county. Local party officers and district committee members are elected at the General Primary in accordance with the provisions of the party rules.³ The county chairmen certify to the county board of elections the local party offices to be filled.²

The Democratic Party rules of Allegheny County provide for the election of one County Committee Male Member and one County Committee Female Member from each election district within the county.

The Republican Party rules of Allegheny County provide for the election of one County Committeeman and one County Committeewoman from each election district in the county.

DELEGATES & ALTERNATE DELEGATES TO NATIONAL CONVENTIONS

The national party determines the number of delegates and alternate delegates for each state. The apportionment, selection or election of delegates and alternate delegates is determined by State party rules.⁶

If the party rules provide that a candidate for delegate or alternate delegate to a national convention may pledge support to a presidential candidate, a notation of this commitment is printed on the ballot.⁷ The presidential candidate must give notice to the Secretary of the Commonwealth that he is a candidate for nomination to President of the United States and that he authorizes delegates and alternate delegates to pledge their support and commit themselves to him. Nomination petitions for delegates committed to particular presidential candidates are imprinted with the Seal of the Secretary of the Commonwealth and may only be obtained from the presidential candidate or a duly authorized representative.⁸

If a candidate for delegate or alternate delegate wishes to pledge support to a particular presidential candidate, each page of the nomination petition must carry an affidavit to this effect, and the candidate's affidavit must state that this pledge was affixed to each sheet of the petition prior to its circulation.⁹ If a candidate files this affidavit, the phrase: "Committed to (name of presidential candidate)" appears on the ballot after or under the candidate's name. If the candidate does not include an affidavit of commitment, the word "uncommitted" appears on the ballot.¹⁰

1. 25 P.S. § 2834, as amended.
2. 25 P.S. § 2864, as amended.
3. 25 P.S. § 2837.
4. *Rules governing the Democratic Party of Allegheny County, adopted January 30, 1982.*
5. *Rules governing the Republican Party of Allegheny County, adopted July 7, 1982.*
6. 25 P.S. § 2838.1, as amended.
7. 25 P.S. § 2839.1 (a), as amended.
8. 25 P.S. § 2839.1 (b & c), as amended.
9. 25 P.S. § 2870, as amended.
10. 25 P.S. § 2871, as amended.

RETURNS & CERTIFICATIONS

THE RETURN BOARD At 9:00 A.M. on the third day following the primary or election the county board of elections convenes the Return Board to compute and canvass the returns of the votes cast.¹ The Return Board clerks compare the numbers credited to each candidate on the return sheets prepared by the district election boards, with the proof sheets from each voting machine used in the election districts. If the numbers do not agree, the return sheets are corrected to agree with the numbers on the voting machine proof sheet.²

Upon completion of the computation and canvassing of the returns, the figures for the entire county are tabulated and the members of the board of elections sign, announce and attest the tabulation as the Preliminary Certification. Five (5) days later, if no petition to recount or recanvass has been filed, the members of the board of elections sign the Final Certification of election returns.³

WRITE-IN VOTES The Return Board shall canvass and compute all votes cast on write-in rolls at any primary or election. However, no write-in votes for a nomination are certified unless the total number of votes cast for the person is greater or equal to the number of signatures required on a nomination petition for that particular office.⁴

A person nominated or elected by write-in vote must claim the nomination or election. The claim must be accompanied by a loyalty oath and/or a filing fee, if either or both would have been required when filing a regular nomination petition for that particular office. If the nomination is not claimed at least eighty-five (85) days prior to the election, the nomination is declared vacant.⁵

PETITIONS TO CUMULATE VOTES

Who may file?:

1) A person for whom write-in votes have been cast under different names at a primary or election may, at any time before the Final Certification, file a petition with the Return Board for an order to cumulate the votes for the petitioner.⁶

2) A person who has been nominated at a primary by more than one party for the same office under different names may, at any time not later than five (5) days after Final Certification, file a petition with the Court of Common Pleas for an order declaring that the petitioner, by his true name, is the person who was nominated.⁷

Notice of the filing of petitions to cumulate and the date of the scheduled hearing must be given to the county board of elections and to all other candidates who appear to have been nominated for that office.⁷

Who may not file?: A candidate for public office whose name is printed more than once on the November ballot for the same office, is not entitled to have cumulated the votes cast after such different names.⁷

TIE VOTES

For Judge & Inspector of Election: If there is a tie vote for the office of judge of election, the majority inspector decides the tie. If there is a tie vote for the inspectors, the two candidates determine by lot which is to be the majority inspector, and the other candidate becomes the minority inspector.⁸

For All Other Offices: If there is a tie vote, the candidates cast lots before the county board or before the Secretary of the Commonwealth as the case may be, at 12 noon on the third (3rd) Friday after the primary or election. If the fact of the tie is not known by the preceding Wednesday, then the casting of lots takes place at 12 noon on the second (2nd) day after the determination is made that a tie exists.⁹

CERTIFICATES OF ELECTION AND COMMISSIONS

Following an election, the Governor issues certificates of election to United States Senators and Representatives in Congress¹⁰ and to Presidential Electors.¹¹ The Governor issues commissions to judges of courts of record, the

Lieutenant Governor, Auditor General, State Treasurer and Attorney General,¹² district justices,* prothonotaries, clerks of court, recorders of deeds, registers of wills and any other county officer required to be commissioned by the Governor.¹³

The Secretary of the Commonwealth issues certificates of election to those persons elected Senators and Representatives in the General Assembly,¹⁴ delegates and alternate delegates to party conventions, and to those in each party elected to the National Committee or State Committee.¹⁵

The county board of elections issues certificates of election for all county, municipal, school district and election offices and for all local party offices.¹⁶

** Every person elected to the office of district justice shall give notice in writing to the prothonotary of the Court of Common Pleas of the proper county, if he intends to accept said office. The prothonotary shall immediately notify the Secretary of the Commonwealth of the candidate's acceptance and the Governor then issues the commission.¹⁷*

1. 25 P.S. § 3154 (a), as amended.
2. 25 P.S. § 3154 (d-2).
3. 25 P.S. § 3154 (f).
4. 25 P.S. § 3155, as amended.
5. 25 P.S. § 2938.1, as amended.
6. 25 P.S. § 2642-Note 4.
7. 25 P.S. § 3156.
8. 25 P.S. § 2673.

9. 25 P.S. § 3168.
10. 25 P.S. § 3163.
11. 25 P.S. § 3166.
12. 25 P.S. § 3165.
13. 25 P.S. § 3160 (b).
14. 25 P.S. § 3164.
15. 25 P.S. § 3161.
16. 25 P.S. § 3154 (f); § 3160 (a).
17. 42 P.S. § 3111-3119.

ELECTION OF THE PRESIDENT AND THE VICE PRESIDENT

The President and the Vice President of the United States are not elected directly by the people, but by Presidential Electors, who elect the President and Vice President in the manner prescribed by the Federal Constitution.¹

PRESIDENTIAL ELECTORS The Federal Constitution provides that "each State shall appoint in such manner as the Legislature thereof may direct, a number of Electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an Elector."¹

NOMINATION OF ELECTORS Within thirty (30) days of nomination by the party's national convention, the nominee for the office of President of the United States names as many persons to be candidates for the office of Presidential Elector as the State is entitled to. If for any reason, the Presidential nominee fails or is unable to make the nominations within the time provided, the nominee for the office of Vice President makes the nominations as soon as possible. The names of the nominees are certified to the Secretary of the Commonwealth.²

ELECTION OF ELECTORS The Pennsylvania Legislature has provided that Presidential Electors are to be elected.³ Therefore, the voters of this State elect the Presidential Electors and they, in turn, cast the State's electoral vote for President and Vice President.

The Election Code provides that the names of the nominees for Presidential Elector are not printed on the ballot, but the names of the political parties' and political bodies' candidates for President and Vice President are printed together in pairs under the title "Presidential Electors". All ballots marked for the candidates for President and Vice President of a party or political body shall be counted as votes for each candidate for Presidential Elector of such party or political body.⁴

MEETING OF THE ELECTORAL COLLEGE The persons elected to the office of Presidential Elector in Pennsylvania meet at the State Capitol at 12 o'clock noon on the first Monday after the second Wednesday in December⁵ following their election. The Presidential Electors vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state as themselves. They make distinct lists of the persons voted for as President and of persons voted for as Vice President, and the number of votes for each. They sign and certify and transmit these lists, sealed, to the President of the United States Senate.⁶ At noon on the 3rd day of January, the President of the Senate, in the presence of the Senate and the House of Representatives, opens the certificates from all of the States and the votes are then counted.⁷

1. U.S. Const., Art. II, § 1, Clause 2.
2. 25 P.S. § 2878.
3. 25 P.S. § 3191.
4. 25 P.S. § 2963 (c).

5. 25 P.S. § 3192.
6. U.S. Const., 12th Amendment.
7. U.S. Const., 20th Amendment.

REFERENDA

The Pennsylvania Constitution defines a referendum as "approval of a question placed on the ballot, by initiative or otherwise, by a majority vote of the electors voting thereon."¹ Pennsylvania has no general constitutional or statutory provision for initiative and referendum. Various Acts of Assembly authorize referenda on certain topics and describe the procedure and requirements to be complied with. A booklet prepared by the Pennsylvania Department of Community Affairs, *Citizen Referenda in Local Government*,² provides citizens and local officials with a complete listing of local matters on which referenda are authorized by Pennsylvania law.

CONSTITUTIONAL AMENDMENTS A proposed amendment to the Pennsylvania Constitution must be passed by both the Senate and the House of Representatives, and published three (3) months before the next general election in at least two newspapers in every county in which newspapers are published. The same proposed amendment must then be passed by the next elected General Assembly, and published again. At least three (3) months after its second passage, the amendment can be submitted to the qualified electors of the State for approval.³

Proposed emergency amendments must be agreed to by at least two-thirds (2/3) of the members elected to the Senate and the House of Representatives, and promptly published in at least two newspapers in every county in which newspapers are published. At least one (1) month after its passage by the General Assembly, the amendment can be submitted to the voters.⁴

Before the primary or election, the Secretary of the Commonwealth prepares a brief version of the constitutional amendment to be printed on the ballot.⁵

HOME RULE CHARTER AND OPTIONAL PLANS LAW

Since the General Assembly enacted the Home Rule Charter and Optional Plans Law,⁶ Act 62, in 1972, the referenda issues most often presented to Pennsylvania voters have been the ones concerning the formation of a Government Study Commission and the approval of the Commission's findings.

Act 62 gives municipalities the right and power to adopt home rule charters or to adopt one of several optional plans of government. The first issue for voter approval is whether or not to establish a Government Study Commission. This question may be placed on the ballot either by ordinance of the municipal body, or by initiative proceedings. The drafter of the ordinance or petition must specify how many Study Commission members are to be elected (7, 9, or 11) and must also specify whether the Study Commission is to study the advisability of adopting an optional form of government, a home rule charter, or both. Candidates for the office of Government Study Commissioner run at the same time the question on whether or not to establish such a Commission is presented to the voters. Regardless of how a voter votes on the referendum issue, he is still entitled to vote for members of the Government Study Commission. If the question fails to pass, no commissioner is elected.

If the question passes, the Study Commission undertakes its study of the existing form of government of the municipality, and issues a report. If the report advises the adoption of a Home Rule Charter or an optional form of government, the question of approval of the proposed charter or the proposed optional form is submitted to the voters for final approval.

1. PA Const., Art. IX, § 14.
2. *Citizen Referenda in Local Government*. Commonwealth of Pennsylvania, Department of Community Affairs, Harrisburg, PA April, 1977.
3. PA Const., Art. XI, § 1.
4. PA Const., Art. XI, § 1 (a).
5. 25 P.S. § 2755; § 2944, as amended.
6. 53 P.S. § 1-102.

HATCH ACT

A Federal Law commonly known as the "Hatch Act"¹ restricts the political activities of Federal employees of the executive branch of the Federal Government, and of State and local government employees engaged in any activity financed wholly or in part by Federal funds. The Hatch Act was amended by the Federal Election Campaign Amendments Act of 1974.²

FEDERAL EMPLOYEES

The restrictions as to Federal Employees remain unchanged, and provide as follows:

"It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they choose and to express their opinion on all political subjects and candidates. The term "officer" or "employee" shall not be construed to include: (1) the President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments; (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the Nation-wide administration of Federal Laws."

**STATE AND LOCAL EMPLOYEES OF
FEDERALLY FUNDED PROGRAMS** A State or local employee engaged in any activity financed wholly or in part by Federal funds

MAY NOT

- 1) Use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office; or
- 2) Directly or indirectly coerce, attempt to coerce,

command, or advise a state or local employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or

3) Be a candidate for elective office.

These employees MAY

1) Serve as an officer of a political party, a member of a National, State or local committee of a political party, an officer or member of a committee of a partisan political club;

2) Organize or reorganize a political party, organization, or political club;

3) Organize and sell tickets to, promote, or actively participate in a fund-raising activity of a partisan candidate, political party, or political club;

4) Take an active part in managing the political campaign of a partisan candidate for public office or political party office;

5) Solicit votes in support of or in opposition to a partisan candidate for public office or political party office;

6) Act as watcher at the polls on behalf of a political party or partisan candidate;

7) Drive voters to the polls on behalf of a political party or partisan candidate;

8) Endorse or oppose a partisan candidate for public office or political party office in a political advertisement, a broadcast, campaign literature, or similar material;

9) Serve as a delegate, alternate, or proxy to a political party convention;

10) Address a convention, caucus, rally, or similar gathering of a political party in support of or in opposition to a partisan candidate for public office or political party office;

11) Initiate or circulate a partisan nominating petition.

Anyone who is unsure about whether a certain political activity is permitted or prohibited under the Hatch Act, is advised to consult with their immediate supervisor.

1. Title 5, United States Code. Government Organization and Employees. § 1501-1508.

2. Federal Election Campaign Act Amendments of 1974. P.L. 93-443.

REGISTRATION

No person is entitled to vote unless registered.

ELIGIBILITY¹ Voters are eligible to register if:

1) They are citizens of the United States. If naturalized, they must have been a citizen for at least thirty (30) days.

2) They have resided in Allegheny County at least thirty (30) days immediately preceding the next primary or election.

3) They will be 18 years of age on or before the day after the next primary election.*

HOW TO REGISTER

In Person: A person may register to vote by appearing at the office of the Allegheny County Registration Commission, 604 County Office Building, or at any field registration site.²

By Mail: Registration By Mail forms are available at Municipal Buildings, Public Libraries and State Liquor Stores. These forms may be used to record an original registration, a change of address, change of name, change of party, or request for reinstatement.³

WHEN TO REGISTER Registration is closed the thirty (30) days prior to each primary and election, and remains closed until five (5) days after a primary and thirty (30) days after an election.² Registration By Mail forms must be received in the office of the Registration Commission on or before the last day to register at the close of normal hours. Forms received during the time that voter registration is closed are accepted, but are not processed until after registration re-opens.

PARTY ENROLLMENT A voter may or may not choose to be affiliated with a political party. However, only voters enrolled as members of a recognized political party may vote the ballot of that party at a primary.⁴

ASSISTANCE IN VOTING In order to receive assistance in voting, the voter must declare that because of illiteracy he is unable to read the names on the ballot, or that he has a physical disability which renders him unable to see or to operate the voting machine. The need for assistance and the

* Note: A voter becomes of age the day before his 18th birthday.

exact nature of the disability must be noted on the voter's permanent registration card.⁵

A voter who, since the time of original registration, suffers a physical disability which renders him unable to see or to operate the voting machine, must personally make application for assistance to the Registration Commission at least seven days before a primary or election.⁶

PERMANENT REGISTRATION Once a voter registers in Allegheny County his registration status is permanent. The registration card remains in the "active" file unless and until the registration is suspended, in which case the registration card is transferred to the "inactive" file.

A voter's registration is suspended for the following reasons:

1) Failure to vote for two (2) immediately preceding calendar years;

2) Failure to notify the Registration Commission of a change of address.

A voter may reactivate his registration by filing a reinstatement card or letter, signed by the voter himself. If several members of a family wish to be reinstated, each member must sign individually.⁷

VOTERS WHO MOVE WITHIN THIRTY (30) DAYS OF ELECTION Registered voters who move from one election district to another district in Pennsylvania within the thirty (30) days immediately preceding a primary or election, may return to their former election district to vote.⁸

I. D. CARDS Newly registered voters are mailed a wallet-sized Voter I. D. card.⁹ This card need **not** be produced at the polls on election day. A duplicate card may be obtained for \$1.00.

REGISTRATION OF FEDERAL AND STATE EMPLOYEES If a person is employed by the State or Federal government and is thereby required to be absent from his home election district, the voter and the voter's spouse shall be considered registered voters of the election district where they resided immediately before entering government service. All persons who register in this manner must produce a certificate from the head of the proper department, division, board, commission or office setting forth the facts of employment.¹⁰

FEDERAL VOTING RIGHTS In 1970, Congress extended the voting franchise for the office of President and Vice President by 1) abolishing durational residency requirements as a pre-condition to voting for these offices; and 2) by establishing national, uniform standards about absentee registration and absentee balloting in Presidential elections.¹¹

FEDERAL OVERSEAS CITIZENS VOTING RIGHTS ACT OF 1975 The general purpose of this Act is to assure the right of a U.S. citizen residing outside the United States to vote in Federal elections in the State of last residence and to adopt uniform absentee registration and voting procedures to cover these overseas citizens in Federal elections.¹² These Federal electors are eligible to vote by absentee ballot for all Federal offices, including delegate and alternate delegate to national conventions, in all primaries and elections.¹³

RESIDENCE OF COLLEGE STUDENTS FOR VOTING PURPOSES In a 1971 opinion, the Attorney General of Pennsylvania ruled that college students are permitted to register to vote in the locality at which they are attending a college or university. Furthermore, students must be given the option of registering and voting from their family residence or registering and voting in the locality in which they are attending a college or university, provided that the student qualifies under the thirty (30) day durational Pennsylvania residency requirement.¹⁴

1. 25 P.S. § 951-19, as amended; § 2811, as amended.
2. 25 P.S. § 951-16 (a), as amended.
3. 25 P.S. § 951-17.1, as amended.
4. 25 P.S. § 951-17.1 [(a)-(5)], as amended.
5. 25 P.S. § 3058.
6. 25 P.S. § 951-28 (c).
7. 25 P.S. § 951-17.1 [(a)-(1)], as amended; § 951-38, as amended.
8. 25 P.S. § 2811 (3), as amended.
9. 25 P.S. § 951-18 (f), as amended.
10. 25 P.S. § 951-18 (g).
11. Federal Voting Rights Act Amendments of 1970. P.L. 91-285.
12. Federal Overseas Citizens Voting Rights Act of 1975. P.L. 94-203.
13. Directive of the Secretary of the Commonwealth of Pennsylvania, Letter of March 18, 1976.
14. Attorney General of Pennsylvania, Opinion of September 10, 1971.

ABSENTEE VOTING

ELIGIBILITY OF ABSENTEE VOTING As a general rule, the same eligibility exists for an absentee voter as for a polling place voter, i.e. must be a constitutionally qualified elector and must be registered.¹

HOW TO APPLY FOR AN ABSENTEE BALLOT The election code sets forth the steps required to apply for an absentee ballot. These requirements differ, depending on the category of the voter. See chart next page.

DEADLINES FOR CIVILIAN APPLICATIONS FOR ABSENTEE BALLOTS The first day to file a civilian application for an absentee ballot is fifty (50) days before the primary or election. However, requests for an application will be accepted prior to the fiftieth (50th) day.

The last day to file an application for an absentee ballot is 5 p.m. on the Tuesday immediately preceding the primary or election.²⁰

EMERGENCY APPLICATIONS If an emergency arises (unexpected illness or an unexpected trip) after the deadline of 5 p.m. on the Tuesday immediately preceding the primary or election, an Emergency Application may be obtained from the Department of Elections either in person, by mail or by messenger. The fact of the emergency must be attested to by the applicant before a Notary Public. The emergency application provisions apply until 5 p.m. on the Friday before the primary or election.²⁰

DEADLINE FOR RECEIVING THE COMPLETED ABSENTEE BALLOT In order to be counted, the completed absentee ballot must be received in the office of the Department of Elections by 5 p.m. on the Friday immediately preceding the primary or election.²¹

CHALLENGING OF ABSENTEE BALLOTS AT THE POLLS Absentee ballots may be challenged for one of the following reasons:

1) Death of the absentee voter prior to the opening of the polls;

2) In like manner and for the same cause as an absentee voter could have been challenged had he presented himself at the polling place;

3) That the absentee voter was within the county of residence during the period that the polls were open (Exception: A Military elector or a sick or disabled voter);

4) That the absentee voter claiming sickness or disability was able to appear personally at the polls during the period that the polls were open.²²

CHALLENGER DEPOSIT A deposit of ten dollars (\$10.00) must be submitted by the challenger for each absentee ballot challenged at the polls or each absentee ballot application challenged at the Department of Elections. This deposit must be made in cash.²³ A judge or inspector of election may challenge an absentee ballot at the polls without depositing the challenge fee; however, such election officer should fill out the challenge affidavit.²⁴

1. 25 P.S. § 2602 (t);
§ 2602 (w),
as amended;
2. 25 P.S. § 3146.1 (a),
as amended.
3. 25 P.S. § 3146.2
(a) & (b), as amended.
4. 25 P.S. § 3146.2 (c),
as amended.
5. 25 P.S. § 3146.2 (a),
as amended.
6. 25 P.S. § 3146.1 (b)(h),
as amended.
7. 25 P.S. § 3146.2 (d),
as amended.
8. 25 P.S. § 3146.1 (i),
as amended.
9. 25 P.S. § 3146.2 (e),
as amended.
10. 25 P.S. § 3146.1 (j),
as amended.
11. 25 P.S. § 3146.2 [(e) (1)],
as amended;
§ 3146.2 [(2) (e.2)],
as amended.
12. 25 P.S. § 3146.2a,
as amended.
13. 25 P.S. § 3146.1 (k),
as amended.
14. 25 P.S. § 3146.2 (2),
as amended.
15. 25 P.S. § 3146.2 (f)
& (g), as amended.
16. 25 P.S. § 3146.2 (g),
as amended.
17. Attorney General of
Pennsylvania,
Opinion of July 12,
1973.
18. Attorney General of
Pennsylvania,
Opinion of
September 11, 1974.
19. 25 P.S. § 3146.2
[(2)(e.1)].
20. 25 P.S. § 3146.2a,
as amended.
21. 25 P.S. § 3146.6 (a),
as amended.
22. 25 P.S. § 3146.8 (d) &
(e), as amended.
23. 25 P.S. § 3146.8 (f),
as amended.
24. 25 P.S. § 3523.

PROVISIONS FOR ABSENTEE VOTING MILITARY, FEDERAL SERVICE OR VETERAN ABSENTEE BALLOTS

<u>CATEGORY</u>	<u>MUST BE REGISTERED?</u>	<u>WHAT APPLICATION FORM?</u>	<u>FILED BY:</u>	<u>APPLICATION DEADLINES APPLY?</u>
Military ²	No ²	Official Military Application or Federal form ³	Self, or adult member of immediate family ⁴	No ⁵
34 Federal Service Employee ^{**6}	Yes ⁶	Official Military Application or Federal Form ³	Self ⁷	No ⁵
Veteran, Hospitalized Outside County of Residence ⁸	No ⁸	Personally signed application ⁹	Self ⁹	No ⁵

CIVILIAN ABSENTEE BALLOTS

<u>CATEGORY</u>	<u>MUST BE REGISTERED?</u>	<u>APPLICATION FILED BY:</u>	<u>APPLICATION DEADLINES APPLY?</u>
Absent from County ¹⁰	Yes ¹⁰	Self ¹¹	Yes ¹²
Physically Sick or Disabled ^{***13}	Yes ¹³	Self, furnish name, office address and phone number of attending physician.	Yes ¹²

Patient in Public Institution ¹⁵	Yes, at official residence prior to admission to institution ¹⁶	Self, furnish name, office address and phone number of attending physician.	Yes ¹²
Patient in Mental Institution ¹⁷	Yes, may claim Institution as place of residence ¹⁷	Self, furnish name, office address and phone number of attending physician.	Yes ¹²
Non-Felons Confined in Penal Institutions ¹⁸	Yes, at official residence prior to incarceration ¹⁸	Self ¹¹	Yes ¹²

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*Although there is no deadline to apply, the absentee ballot must be returned by 5 p.m. on the Friday before the primary or election.

**Electors (outside of county of residence) who are:

- (a) members of Merchant Marine;
- (b) serving with religious or welfare groups attached to Armed Forces;
- (c) civilian employees of the United States Government outside of the territorial limits of the U.S.;
- (d) spouses and dependents residing with the foregoing; and,
- (e) spouses and dependents residing with military electors.

***Those voters who are chronically sick or disabled may file with the Department of Elections a "Permanent Disability Form," signed by their physician. The Department will then mail an absentee ballot application to such elector prior to each primary or election, and this application does not have to be attested to by a physician or a neighbor. The elector must renew this Disability Form every two years.¹⁹

OFFICES TO BE ELECTED IN THE FOUR YEAR ELECTION CYCLE

	GENERAL ELECTION EVEN NUMBERED YEAR	MUNICIPAL ELECTION ODD NUMBERED YEAR	GENERAL ELECTION EVEN NUMBERED YEAR	MUNICIPAL ELECTION ODD NUMBERED YEAR
FEDERAL	President and Vice President Representative* in Congress U.S. Senator †		Representative* in Congress U.S. Senator †	
STATE	Justice, † Supreme Court Treasurer, Auditor General, Attorney General Senator in the General Assembly Representative* in the General Assembly	Justice, † Supreme Court Judge, † Superior and Commonwealth Courts Judge, † Court of Common Pleas District Justice †	Justice, † Supreme Court Governor Lt. Governor Senator in the General Assembly Representative* in the General Assembly	Justice, † Supreme Court Judge, † Superior and Commonwealth Courts Judge, † Court of Common Pleas District Justice †
COUNTY		Sheriff Coroner Jury Commissioner		Commissioner Controller District Attorney Treasurer Register of Wills Prothonotary Recorder of Deeds Clerk of Courts
MUNICIPAL ¹		Mayor Council: cities and boroughs Commissioner: 1st class townships Supervisor †: 2nd class townships		Council: cities and boroughs Commissioner: 1st class townships Supervisor †: 2nd class townships

	Controller: 3rd class cities, some boroughs and townships	Controller: Pittsburgh, some boroughs and townships
	Treasurer	Treasurer: 3rd class cities
	Tax Collector	
	Auditor†	Auditor†
	School Director	School Director
	Constable † ²	Constable † ²
	Neighborhood Advisory Boards* (Pittsburgh)	Neighborhood Advisory Boards* (Pittsburgh)
ELECTION DISTRICT	Judge of Election Majority Inspector Minority Inspector	
ELECTED IN PRIMARY STATE	Delegates to National Party Convention (no term) Party Committee*	Party Committee*
ELECTION DISTRICT	Committee Members:* One man, one woman from each party	Committee Members:* One man, one woman from each party

KEY: *2 year term, †6 year term, ‡10 year term. Unless otherwise specified, the term is 4 years.

1. For Home Rule municipalities, consult the Home Rule Charter for information on officials to be elected and their terms of office.
2. Constables are officers of the Court; not municipal officers.