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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2657 Session of  
2024

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INTRODUCED BY GROVE, KAUFFMAN, CABELL, MOUL, MENTZER, JOZWIAK  
AND ROWE, OCTOBER 28, 2024

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 28, 2024

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AN ACT

1 Providing for ballot access; and imposing duties on the  
2 Department of State.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Ballot Access  
7 Improvement Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "County." A county of this Commonwealth.

13 "County board." A county board of elections in a county.

14 "Department." The Department of State of the Commonwealth.

15 "General election." The election that the Constitution of  
16 Pennsylvania requires to be held in even-numbered years.

17 "Municipal election." The election that the Constitution of  
18 Pennsylvania requires to be held in odd-numbered years.

1 "Nomination petition." As described under Article IX of the  
2 act of June 3, 1937 (P.L.1333, No.320), known as the  
3 Pennsylvania Election Code.

4 "Nomination petition filing fee." A filing fee established  
5 under section 5(a) that may be paid in lieu of filing a  
6 nomination petition to appear on a ballot.

7 "Nomination petition filing fee receipt." A paper or  
8 electronic receipt that provides proof of a successful transfer  
9 of money to satisfy the payment of a nomination petition filing  
10 fee.

11 "Primary election." An election held for the purpose of  
12 electing party officers and nominating candidates for public  
13 offices to be voted for at a general election or municipal  
14 election.

15 "Secretary." The Secretary of the Commonwealth.

16 "Voting district." A geographic area within this  
17 Commonwealth that hosts an election of public officials that  
18 serve at the pleasure of the electorate within the geographic  
19 area.

20 Section 3. Ballot access.

21 (a) Requirement.--A candidate for any of the offices or  
22 judgeships specified under subsection (b) who meets the  
23 requirements to be eligible to be placed on the ballot for the  
24 general election must do one of the following:

25 (1) Submit to the department or, as applicable, the  
26 appropriate county board a nomination petition and  
27 corresponding filing fees in accordance with section 913 of  
28 the act of June 3, 1937 (P.L.1333, No.320), known as the  
29 Pennsylvania Election Code.

30 (2) Make a payment in full of a nomination petition

1 filing fee to the department or, as applicable, the  
2 appropriate county board.

3 (b) Applicability.--Subsection (a) applies to a candidate  
4 seeking any of the following:

5 (1) The office of President of the United States.

6 (2) The office of delegate or alternate to a national  
7 party convention.

8 (3) The office of a member of a national or State party  
9 committee.

10 (4) The office of Senator in the United States Senate.

11 (5) The office of Representative in the United States  
12 House of Representatives.

13 (6) A Statewide office.

14 (7) The office of Senator in the General Assembly.

15 (8) The office of Representative in the General  
16 Assembly.

17 (9) A Statewide judgeship.

18 (10) A court of common pleas judgeship.

19 (11) The office of magisterial district judge.

20 (12) A county or municipal office.

21 Section 4. Municipal filing jurisdiction.

22 A candidate for an elective office of a city, borough,  
23 incorporated town, township, ward or school district which is  
24 located in two or more counties shall be required to file the  
25 nomination petition or nomination petition filing fee with the  
26 county board of the county in which the majority or a plurality  
27 of the number of the registered electors of the city, borough,  
28 incorporated town, township, ward or school district reside.

29 Section 5. Nomination petition filing fee.

30 (a) Amounts.--The amount of the nomination petition filing

1 fee shall be as follows:

2 (1) \$38,500 for the following:

3 (i) The office of President of the United States.

4 (ii) The office of Senator in the United States  
5 Senate.

6 (iii) A Statewide office.

7 (iv) A Statewide judgeship.

8 (2) \$10,000 for the following:

9 (i) The office of Representative in the United  
10 States House of Representatives.

11 (ii) The office of delegate or alternate to a  
12 national party convention.

13 (3) \$5,000 for the following:

14 (i) The office of Senator in the General Assembly.

15 (ii) The office of a member of a national or State  
16 party committee.

17 (iii) A court of common pleas judgeship.

18 (iv) The office of magisterial district judge.

19 (v) A county or municipal office.

20 (4) \$3,000 for the office of Representative in the  
21 General Assembly.

22 (b) Disbursement.--The amount of the nomination petition  
23 filing fee shall be disbursed as follows:

24 (1) From the nomination petition filing fee under  
25 subsection (a) (1):

26 (i) Each county shall receive \$500.

27 (ii) The department shall retain \$5,000.

28 (2) From the nomination petition filing fee under  
29 subsection (a) (2) (i), (3) (i), (iii), (iv) or (v) or (4), the  
30 department shall retain \$500 and the remaining money shall be

1 distributed to the county or counties served by the office by  
2 using the percentage of the population of registered voters  
3 of the county or counties in the voting district.

4 (c) Applicability.--A nomination petition filing fee shall  
5 not apply to a public office for which a filing fee is not  
6 applicable, as specified in section 913(b.2) of the act of June  
7 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election  
8 Code.

9 (d) Refunds.--A nomination petition filing fee paid by an  
10 individual shall not be refunded if the individual ceases to be  
11 a candidate for the office for which the nomination petition  
12 filing fee was paid, because of withdrawal of candidacy or  
13 otherwise.

#### 14 Section 6. Restrictions.

15 All money distributed to the department and counties from  
16 nomination petition filing fees shall only be used for costs  
17 associated with the filing of petitions or with the operations  
18 and administration of primary elections.

#### 19 Section 7. Filing deadlines.

20 The following deadlines apply:

21 (1) A nomination petition filing fee must be filed and  
22 paid in full on or before the 10th Tuesday prior to the  
23 primary election.

24 (2) A nomination petition filing fee payment made to the  
25 department must be received by the department no later than 5  
26 p.m. on the last day for filing.

27 (3) A petition to be filed with a county board must be  
28 received in the office of the county board no later than the  
29 ordinary closing hour of the office on the last day for  
30 filing.

1 Section 8. Nomination petition filing fee receipt.

2 (a) Issuance.--The office in which a nomination petition  
3 filing fee is paid shall issue a nomination petition filing fee  
4 receipt, which contains, at a minimum:

5 (1) The date and time of filing.

6 (2) The amount paid.

7 (3) The name of the candidate.

8 (4) The office for which the individual is a candidate.

9 (b) Information and forms.--The following shall accompany  
10 each nomination petition filing fee receipt but, if not  
11 practicable, shall be sent by first class mail to the candidate  
12 within three weeks after payment of the nomination petition  
13 filing fee:

14 (1) A statement composed by the secretary specifying the  
15 duties under law to file pre-election and post-election  
16 campaign finance reports and the penalties for nonfiling.

17 (2) A form to file expenses if the amounts received or  
18 expended or liabilities incurred exceed \$250, with  
19 instructions prepared by the secretary.

20 (3) A form containing a sworn statement to be completed  
21 if the amounts received or expended or liabilities incurred  
22 do not exceed \$250, with written instructions prepared by the  
23 secretary.

24 Section 9. Certification of candidates.

25 (a) Certification of compliance.--Immediately after the last  
26 day for candidates to withdraw from an election and after they  
27 have cast lots for their position on the ballots or ballot  
28 labels, the secretary shall certify to the county board the list  
29 of candidates that have complied with section 3.

30 (b) Other appropriate county boards.--Each county board

1 shall certify to any other appropriate county board a list of  
2 the names, addresses and occupations of the candidates that have  
3 complied with section 3 for each party, together with the order  
4 in which their names are to appear upon the primary ballots or  
5 ballot labels. Each other appropriate county board shall prepare  
6 the primary ballots or ballot labels to be used in the portion  
7 of the city, borough, incorporated town, township, ward or  
8 school district located in the county for which the other  
9 appropriate county board has jurisdiction.

10 Section 10. Rules or guidance.

11 The department shall develop any rules or guidance necessary  
12 to implement, administer or enforce the provisions of this act.

13 Section 11. Effective date.

14 This act shall take effect in 60 days.