

No. 2

AN ACT

HB 739

Amending the act of June 3, 1937 (P.L.1333, No.320), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing additional times when party rules may be submitted to the Secretary of the Commonwealth and providing a system for the nomination and election of justices and judges where a revocation of a declaration of candidacy for retention is filed.

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

Section 1. Section 808.1, act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code," added December 22, 1971 (P.L.613, No.165), is amended to read:

Section 808.1. Selection of Delegates to National Conventions; Forwarding of Rules to Secretary of Commonwealth.—Delegates and alternate delegates to a National convention of a political party shall be apportioned, selected or elected in such manner as the rules of the party may provide. The secretary of any political party shall certify and forward to the Secretary of the Commonwealth a copy of the party rules at least thirty days prior to the first day on which nomination petitions may be circulated for the offices which are to be filled at the Spring primaries in the years in which candidates for the President of the United States are to be nominated, **or at such other times as a political party shall meet in National convention or conference when candidates for the President of the United States are not to be nominated.**

Section 2. The act is amended by adding sections to read:

Section 978.2. Revocation of Declaration of Candidacy for Retention.—In the event a justice or a judge had filed a declaration of candidacy for retention under the provisions of section 15 of the Constitution of the Commonwealth of Pennsylvania and thereafter, but on or before the thirteenth Tuesday preceding the primary election, revoked the declaration by notifying the Secretary of the Commonwealth in writing of the same, the Secretary of the Commonwealth shall include such office in certifications under provisions of section 905.

Section 978.3. Vacancy Due to Revocation of Declaration of Candidacy for Retention.—In the event a justice or a judge had filed a declaration of candidacy for retention under the provisions of section 15

of the Constitution of the Commonwealth of Pennsylvania and thereafter, but after the thirteenth Tuesday preceding the primary election and prior to sixty (60) days preceding the municipal election revoked the declaration by notifying the Secretary of the Commonwealth in writing of the same, nomination to fill such vacancy shall be made in accordance with section 993 of this act.

Section 3. This act shall take effect immediately.

APPROVED—The 16th day of January, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 2.

A handwritten signature in cursive script, reading "C. McLaughlin Tucker". The signature is written in dark ink and is positioned above the printed name of the Secretary.

Secretary of the Commonwealth.