

## No. 204

## AN ACT

## HB 2230

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 for reasonable expenses to auditors, and making certain revisions.

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

Section 1. Subsection (a) of section 1611, act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code," is amended to read:

Section 1611. Audit of Expense Accounts.—

(a) Within **[twenty]** *thirty* days after the last day for filing any expense account and affidavit required by this act any five electors of the State or of the political division may present a petition to the court of **[quarter sessions]** *common pleas* of the county in which is situated the office where such account has been filed *or with the Commonwealth Court where a Statewide office is concerned*, praying for an audit of such account. Thereupon the court shall direct the officer or board with whom such account has been filed to certify the same to the court for audit and may, in its discretion, require security to be entered for costs. The court may, in its discretion, appoint an auditor to audit such account; but the fees of such auditor shall **[not exceed the sum of \$10.00]** *be a reasonable sum* per day for each day actually engaged. The court or auditor shall fix a day as early as may be convenient for the audit, at which time the person by whom such account has been filed shall be required to be present in person to vouch his account and to answer on oath or affirmation all such relevant questions concerning the same, as may be put to him by the petitioners or their counsel. The auditor shall issue subpoenas to all parties whom the petitioners or the accountant may require, to give evidence concerning such account, and he shall determine, subject to exception, all questions as to the admissibility of evidence, and shall file a copy of the evidence with his report. If upon the audit, the court shall decide that the account was false in any substantial manner, or that any expenses have been incurred in contravention of this act, the costs of said audit shall be paid by the accountant, otherwise the court shall make such order as to payment of costs as shall be just in the circumstances.

\* \* \*

Section 2. This act shall take effect immediately.

APPROVED—The 21st day of July, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly  
No. 204.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large, prominent initial "C".

*Secretary of the Commonwealth.*