

# POLITICAL BODY - 2023

## NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB)

### PLEASE READ CAREFULLY

In addition to political party nominations made at primaries, the Election Code permits political bodies to nominate candidates for public offices by filing political body nomination papers. Political body nomination papers should not be used to nominate political party candidates for the primary or to nominate minor political party candidates.

- 1. INSTRUCTIONS FOR COMPLETING PREAMBLE (Section A):** *Name of Political Body* – All nomination papers must specify the name of the Political Body which the candidate(s) represent. Such name cannot be more than three (3) words and cannot use words identical with, or deceptively similar to, any words used in the name of an existing political party, or of any political body which has already filed nomination papers for the same office(s). *County of Signers* – Nomination papers may be on one or more sheets (each copy of the two-sided form is considered a “sheet”). However, different sheets must be used for signers residing in different counties. Insert the county of residence (only one) of the electors signing each sheet.
- 2. INSTRUCTIONS FOR COMPLETING CANDIDATE INFORMATION (Section B):** The name of each candidate, and his/her occupation and place of residence must be listed. The correct title of the office which each such candidate is seeking must be indicated with the appropriate district number. NOTE: More than one candidate may be nominated by one set of nomination papers, provided that all the signers are eligible to vote for all offices for which such nominations are made.
- 3. DISAFFILIATION:** Any person who is a registered and enrolled member of a political party during any period of time beginning with thirty (30) days before the primary and extending through the General or Municipal Election is not eligible to be the candidate of a political body in the General or Municipal Election held in the same year. A candidate for election at a special election may not be a registered and enrolled member of a party.
- 4. INSTRUCTIONS FOR COMPLETING COMMITTEE TO FILL VACANCIES (Section C):** A committee of three (3) to five (5) persons must be listed on the nomination papers in the spaces provided. The names of the committee members must be listed on each page of the nomination paper. This committee is empowered to nominate persons to fill a vacancy in the nomination should it occur. The Pennsylvania Election Code does not specify the qualifications of the members of this committee.
- 5. CIRCULATION OF NOMINATION PAPERS:** For 2023 the circulation period begins on March 8 and ends on August 1, 2023, which is the deadline to file all nomination papers.
- 6. SIGNERS:** Signers must be qualified, registered electors of the Commonwealth and of all electoral districts referred to in the nomination paper sheet they have signed. Each signer must personally sign his/her name, insert his/her printed name, place of residence and the date of signing. (NOTE: The name of the City, Borough or Township must be given, as well as the street address, if any. The date of signing may be expressed in words or numbers, e.g. – March 8, 2023, or 3/8/23.) As a result of a federal district court order, the Secretary of the Commonwealth **is not enforcing the prohibition on signing more nomination papers than there are persons to be elected and offices to be filled** found in section 951(c) of the Pennsylvania Election Code, 25 P.S. § 2911(c), for nomination papers filed by the Green Party and the Libertarian Party. *See Green Party of Pa. v. Aichele*, 89 F. Supp. 3d 723 (E.D. Pa. 2015). Because having different nomination requirements for different political bodies raises equal protection concerns under both the Federal and State Constitutions, and because other political bodies would likely be able to obtain relief similar to that already afforded to the *Green Party* plaintiffs, **the Secretary has decided to apply the reasoning of the *Green Party* decision to all nomination papers submitted by political bodies.**
- 7. NUMBER OF SIGNERS:** As a result of a federal district court order, the Secretary of the Commonwealth **is not enforcing the two percent calculation contained in Section 951(b) of the Pennsylvania Election Code, 25 P.S. § 2911(b), for offices to be filled by the voters of the entire State** for nomination papers filed by the Constitution Party, the Green Party and the Libertarian Party. *See Constitution Party of Pa. v. Cortés*, No. 12-2726 (E.D. Pa. Feb. 1, 2018). Rather, candidates for all statewide offices must gather 2,500 signatures, except for the offices of President of the United States, United States Senator, or Governor, which require 5,000 signatures. Please refer to signature requirements for statewide offices on page 2. Because having different nomination requirements for different political bodies raises equal protection concerns under both the Federal and State Constitutions, and because other political bodies would likely be able to obtain relief similar to that already afforded to the *Constitution Party* plaintiffs, **the Secretary has decided to apply the new signature requirements to all nomination papers for all political bodies for statewide candidates.** However, notwithstanding the decision of the Secretary of the Commonwealth to apply the lower signature requirement to all nomination papers for all political bodies for statewide candidates, it remains possible that individual qualified electors may file objections to nomination papers in court on the basis that the federal court order does not expressly apply to statewide political body candidates other than the three political bodies who brought the litigation. In the event that objections to a nomination paper were filed by a qualified elector, the court would determine on its own authority whether to enforce the signature requirement imposed by section 951(b).  
  
For all other nominations, the minimum number of signatures required is two percent of the largest entire vote cast for any officer (except a judge of a court of record) elected at the last preceding election held in the same electoral district, but it may not be less than the number required for nomination petitions for political party candidates for the same office (exceptions to this rule apply to new electoral districts). The Bureau of Elections will furnish the figures for all offices for which nomination papers are filed with the Secretary of the Commonwealth. For other offices, consult your County Board of Elections.
- 8. STATEMENT OF CIRCULATOR:** *Every* sheet of the nomination paper must have the "Statement of Circulator" filled in and signed *after* all signatures have been obtained. Recent amendments to section 951(d) of the Pennsylvania Election Code, 25 P.S. § 2911(d), have

eliminated the **in-state residency requirement** and the **affidavit requirement** for circulators of nomination papers for all political bodies.

9. **ASSEMBLING NOMINATION PAPERS:** When more than one page is used, they must be fastened or bound together, and each page must be numbered consecutively.
10. **CANDIDATE'S AFFIDAVIT AND ETHICS STATEMENT:** Each candidate for public office must sign and submit *one* CANDIDATE'S AFFIDAVIT per set of nomination papers. The CANDIDATE'S AFFIDAVIT is a separate form and may be obtained from the **Bureau of Elections, Room 201, North Office Building, Harrisburg, PA 17120**. Act 2020-15, signed into law on April 20, 2020, allows a candidate to sign an unsworn statement and submit it along with the candidate's affidavit and paper packet instead of notarizing the candidate's affidavit. The unsworn statement will be available for download on the Department's Running for Office web page.

Each candidate for public office, except President and Vice-President of the United States, United States Senator and Representative in Congress, must submit with their nomination papers a copy of the Statement of Financial Interests required to be filed with the State Ethics Commission. The original copy of the Statement of Financial Interests must be filed with the State Ethics Commission.

11. **FILING FEES:**
  - a) For Statewide offices (Supreme Court, Superior Court and Commonwealth Court) – \$200.00; for district offices (Court of Common Pleas and Municipal Court) – \$100.00.
  - b) The filing fee for offices specified in (a) must be presented with the nomination paper and must be made by CERTIFIED CHECK or MONEY ORDER payable to the Commonwealth of Pennsylvania. A separate filing fee must be submitted for each candidate named in the nomination paper.
12. **TIME AND PLACE TO FILE:** Nomination papers for all offices listed in 11 are filed in the office of the Secretary of the Commonwealth, at **Room 201, North Office Building, Harrisburg, PA 17120**, and must be filed by 5:00 P.M. on the deadline to file nomination papers. Nomination papers for local offices are filed in the Office of the County Board of Elections.

## SIGNATURE REQUIREMENTS FOR STATEWIDE AND DISTRICT OFFICES MUNICIPAL ELECTION – NOVEMBER 7, 2023

<u>Office</u>	<u>Signatures</u>
Justice of the Supreme Court	*2,500
Judge of the Superior Court	*2,500
Judge of the Commonwealth Court	*2,500
Judge of a Court of Record (1 <sup>st</sup> class county)	See attached chart.
Judge of a Court of Record (2 <sup>nd</sup> class county)	See attached chart.
Judge of a Court of Record (2 <sup>nd</sup> class A – 8 <sup>th</sup> class counties)	See attached chart.

\* These signature requirements have been updated as a result of a federal district court order that established new signature requirements for nomination papers filed by statewide candidates from the Constitution Party, the Green Party and the Libertarian Party. See Order, *Constitution Party of Pa. v. Cortés*, No. 12-2726, Doc. No. 115 (E.D. Pa. Feb. 1, 2018). Because having different nomination requirements for different political bodies raises equal protection concerns under both the Federal and State Constitutions, and because other political bodies would likely be able to obtain relief similar to that already afforded to the *Constitution Party* plaintiffs, **the Secretary of the Commonwealth has decided to apply the new signature requirements to all nomination papers submitted by statewide political body candidates.**